



Board of Trustees - Study Session

Tuesday, April 26, 2022 at 5:45 pm

**PLEASE SILENCE ALL CELL PHONE AND ELECTRONIC DEVICES.
THANK YOU**

1. Meeting Information

207 Muegge Way, Bennett, CO 80102

For a live stream of the meeting use the information below:

[https://us02web.zoom.us/j/84282455142?](https://us02web.zoom.us/j/84282455142?pwd=a2huUmZVM3hNYi85eVpnNW9pRUQxZz09)

[pwd=a2huUmZVM3hNYi85eVpnNW9pRUQxZz09](https://us02web.zoom.us/j/84282455142?pwd=a2huUmZVM3hNYi85eVpnNW9pRUQxZz09)

Meeting ID: 842 8245 5142

Passcode: 550355

One tap mobile

+12532158782

2. Communications and IT Department Update

Alison Belcher, Communications and IT Director

Adam Meis, IT and Communications Manager

Attachments:

- **Communications and IT Department Update** (TownofBennett_DepartmentReport_April2022_Communications.pdf)
- **Town of Bennett Communications Plan** (FULL_Communications_Plan.pdf)

3. Community Development Department Update

Sara Aragon, Community Development Manager

Attachments:

- **Community Development Department Update** (CD_Depeartment_Update_4.18.2022_SA_Final.pdf)

4. Public Works Department Update

Robin Price, Public Works Director

Attachments:

- **Public Works Department Update** (Public_Works_Progress_Reports_April_2022_RP_-.pdf)

5. Arapahoe County Open Spaces Intergovernmental Agreement (IGA)

Resolution No. 914-22 - A Resolution Approving the 2022 Intergovernmental Agreement (IGA) for Open Space Sales and Use Tax Shareback Funds

Trish Stiles, Town Administrator

Attachments:

- **Staff Report Arapahoe County Open Spaces Intergovernmental Agreement (IGA)** (Staff_Report_Arapahoe_Open_Spaces_IGA_April_2022__1_.pdf)
- **2022 Intergovernmental Agreement (IGA) for Open Spaces Sales and Use Tax Shareback Funds** (Bennett_Shareback_IGA_2022_updated__1_.pdf)
- **Resolution No. 914-22 - A Resolution Approving the 2022 Intergovernmental Agreement (IGA) for Open Space Sales and Use Tax Shareback Funds (** No_914-22-_Arapahoe_County_Shareback_IGA.pdf)

Contact: Christina Hart (chart@bennett.co.us 303-644-3249 x1001) | Agenda published on 04/21/2022 at 1:45 PM

DEPARTMENT PROGRESS REPORT



welcome neighbors.

TO: Mayor and Town of Bennett Board of Trustees
FROM: Alison Belcher, Communications and IT Director
Adam Meis, IT and Communications Manager
DATE: April 26, 2022
SUBJECT: Communications and IT Department Update

Management Summary

Communications and IT Department

In January 2022, Adam Meis was promoted to the IT and Communications Manager and Alison Belcher moved into the role of Communications and IT Director. Since this time, the department has focused on software implementation and updating technology while still prioritizing communications and sharing the Town's message to the Bennett Community.

Bennett Days Update

Planning is already underway for Bennett Days 2022. Sponsorship forms are available online at townofbennett.colorado.gov/community/bennett-events/bennett-days.

This year the theme is "Keepin' it Local".

Staff also designed a new Bennett Days logo to incorporate all aspects of the event and highlight both the past and present.



Helpful Links

Town of Bennett Board of Trustees Contact Information -
townofbennett.colorado.gov/government/town-board-of-trustees

Board of Trustees Meeting Agendas –
townofbennett.colorado.gov/government/town-board-of-trustees/town-board-of-trustees-meeting-agendas

Bennett Broadcast Newsletters/Sign Up –
townofbennett.colorado.gov/happening-now/bennett-broadcast-newsletters

Building Permits –
townofbennett.colorado.gov/departments/community-development/building-department

Municipal Code –
'Government > Bennett Municipal Code' or
library.municode.com/co/bennett/codes/municipal_code

Utility Billing Inquiries –
townofbennett.colorado.gov/utility-billing-division

Cybersecurity

The Cybersecurity and Infrastructure Security Agency (CISA) and the Federal Bureau of Investigation (FBI) issued a joint Cybersecurity Advisor in lieu of recent events. According to CISA, "there is no specific, credible threat to the United States at this time, all organizations should assess and bolster their cybersecurity."

Desktop Security

The Town of Bennett has in place a multi-factor authentication antivirus (SOPHOS CLOUD) to prevent unwanted and potentially malicious attacks. This antivirus also has an anti-ransomware feature that helps to protect the Town's computers. The antivirus and antimalware conduct regular scans to detect any threats and are constantly checked to make sure all software is up to date. In addition to the antivirus the Town has multiple firewalls in place to monitor and filter network traffic appropriately. The firewalls will also be updated in March.

Server Security

This is also a server version of the antivirus on the main servers for the Town. Access to the servers is very limited and only by administrators

Data Backup and Cloud Applications

The Town is currently adopting and using more cloud based storage application. The benefit of the cloud application is the data is protected completely from any attack on the Town. An example is Google Cloud storage.

As a final fail safe to these attacks, staff ensures that the Town data is backed up regularly. Data is backed up in multiple locations on the network and as well as the cloud.

Servers are backed up daily to another device and critical files are stored in the cloud as well. Critical shares and employee files are backed up multiple times throughout the day to multiple locations on the network.

Network Security

In addition to the antivirus software, the Town has multiple firewalls in place to monitor and filter network traffic appropriately to protect the network from outside attacks. The firewalls are updated daily and backed up monthly to make sure that they are up to date.

The firewall runs multiple applications to protect against attacks and is the industry leader in protection.

Email Security

One of the most common attack vectors used by attackers is email. The Town uses Google Mail, which has an anti-ransomware and anti-spam feature enabled and Town administrators are informed if there is any email that has been deemed to be suspicious. Employees as well as Trustees should always notify IT of any possible spam or phishing email received. The best course of action if you think an email might be harmful is to not click any link or button within the email and forward the email to the IT department for them to scan and determine the threat level.

The Town and the IT Department have taken every precaution necessary to help prevent a direct cybersecurity threat.

Communications and Strategic Plan Goals Update – First Quarter

Increase visitors to the Town Website by 10% annually.

- From 2020 – 2021 the Town increased page views by 87%. Some of the most frequented pages include the Utility Billing Department, Building Department and Contractor License Registration.

Increase Facebook followers by 8% annually.

- The Town of Bennett currently has 2,802 followers.
 - At the end of 2021 that was an 11% annual increase from the end of 2020
- Facebook Likes: 10% annual increase from 2020
- Twitter Followers: 8% annual increase from 2020
- Instagram Followers: 58% increase from 2020

Increase the number of subscriptions to the Town's eNewsletter by 7% annually.

- Bennett Broadcast: 18% increase from 2020
- Board Update: 40% increase from 2020

Ensure responses through social media and the website are answered within two business days.

- The current staff response rate on Facebook is within a day of receiving the message.
- The Town has had a fillable form on the "Contact Us" page where residents can submit questions and inquiries. All of those inquiries are answered within one business day of receiving the request.

Increase attendance for all Town run events meetings and programming by 5% annually.

- Town Staff has increased attendance to Town events by more than 5% in 2021 due to the reduced capacity in 2020. Going forward, attendance for 2022 events will be a more accurate baseline to track attendance increase for events.

Increase use of press releases and media advisories sent to local news outlets by 10% annually.

- 56% increase from 2020 - 2021

Highlight the accomplishments of a Town department each month.

- The Town continues to highlight different departments monthly via the Bennett Broadcast, press releases, social media posts, etc.
 - September 2021: Introducing CSO & Holiday Help Program - <https://www.youtube.com/watch?v=XVwp5pHpXWE>
 - October 2021: Public Works Maintenance Tips – Bennett Broadcast/Social Media Graphics
 - November 2021: Snow Plow Removal Procedures - <https://www.youtube.com/watch?v=JHZSqJprAaU>
 - December 2021: 2021 Highlight - <https://www.youtube.com/watch?v=klp8BDfF5vo>
 - January 2022 – Master Transportation Plan & New Building Department Software <https://www.youtube.com/watch?v=dbnqvMRRawg&t=1s>
 - February 2022 – Bennett Public Safety Survey <https://docs.google.com/forms/d/e/1FAIpQLSfK2PT8mnZ3KNFcPHm7uUmeiavh3fs9tiYK8q4DzwHZf0oosQ/viewform>

2022 Events

Adams County Town Hall

Date/Time: Wednesday, May 4, 2022, 5:30 p.m.

Location: Town Hall

Details: The Adams County Commissioners and Adams County Manager will be hosting a Town Hall for the Eastern corridor at Town Hall.

Business Appreciation Event

Date/Time: Thursday, May 12, 2022, 4:30 p.m.

Location: Town Hall

Details: This event is to give back to the Bennett businesses. The love your Bennett Business event will highlight all of the businesses in the area as well as recognize a Bennett Business Volunteer and give awards to those who have been in the Bennett for "X" number of years.

Board Members Requested to Attend

Virtual Graphic Design Class Series*

Date/Time: Saturday, May 14 & Saturday May 21, 2022, 11:00 a.m.

Location: Virtually

Details: Bennett Arts Council and Anythink Libraries will be hosting a virtual graphic design class series.

Party in the Park*

Date/Time: Friday, June 10, 2022, 6 p.m.

Location: Trupp Park

Details: The Bennett Arts Council works with local musicians to perform a concert while residents can bring a picnic dinner to eat in the park.

Community Clean Up Day

Date/Time: Saturday, June 25, 2022, 9:00 a.m. – 12:00 p.m.

Location: Alpine East Regional Landfill

Details: The Community is invited to get rid of their trash at Alpine East Regional Landfill. Data Destruction for electronic recycling and paper shredding. CORE is a sponsor of this event.

Teen Art Class*

Date/Time: Saturday, June 18, 2022, 3:30 p.m.

Location: Anythink Bennett

Details: The Bennett Arts Council and Anythink Library will work with a local artist to host an art class for teens in the community.

Party in the Park*

Date/Time: Friday, July 8, 2022, 6:00 p.m.

Location: Trupp Park

Details: The Bennett Arts Council works with local musicians to perform a concert while residents can bring a picnic dinner to eat in the park.

State of the Town

Date/Time: Friday July 22, 11:30 a.m. – 1 p.m.

Location: Bennett Community Center

Details: State of the Town is an annual luncheon held to inform elected officials and other stakeholders of the important accomplishments and projects the Town has completed in the past year. It also looks forward to what is to come for the Town.

Board Members Requested to Attend

Party in the Park/ Eastern I-70 Corridor Art Show and Mural Wall Auction*

Date/Time: Saturday, August 13, 2022

Location: Morgan Community College

Details: The Bennett Arts Council will be hosting an art show and concert that will include the sale of the mural wall that is on display at Trupp Park.

Bennett Days

Date/Time: Saturday, September 10, 2022

Location: Trupp Park

Details: Based on schedule of sponsored and community partner events.

Board Members Requested to Attend

Community Clean Up Day

Date/Time: Saturday, September 17, 2022

Location: TBD

Details: For National Clean Up Day, the Community Services Department will host a second clean-up day to encourage residents to maintain their neighborhoods.

Trunk – or – Treat

Date/Time: Thursday October 27, 2022, 4:30 – 6:30 p.m.

Location: Town of Bennett Town Hall

Details: Community partners, local business and residents are invited to participate in Trunk or Treat. Those participating will decorate their cars and invite kids to trick or treat from car to car as a safe place for kids to enjoy Halloween. Town Staff will also decorate the inside of Town Hall so kids can continue the trick or treating inside. There will also be a photo booth and other activities throughout the event.

Veterans Day Celebration

Date/Time: Friday, November 11, 2022

Location: High Plains Diner

Details: In order to honor veterans in the Bennett Community, the Town of Bennett will sponsor a free meal for veterans at the High Plains Diner. The Board of Trustees will also issue a proclamation for Veterans Day.

Small Business*

Date/Time: Saturday November 26, 9:00 a.m.

Location: Bennett Recreation Center

Details: Small Business Saturday event to celebrate local vendors and artisans in the Bennett community.

Breakfast with Santa

Date/Time: Saturday December 3, 2022, 8:00 a.m.

Location: Bennett Community Center

Details: The Town of Bennett Board or Trustees is invited to host the community and cook breakfast. Santa will also be present to take pictures with kids.

Bennett Holiday Help/Gift Distribution

Date/Time: TBD

Location: Town Hall

Details: The Town will collect gift/toy donations throughout the year and then give them away to families who need extra help during the holiday season.

Other Events:

Public Input Meetings – Engage Shape Build

Date/Time: TBD

Location: Community Center or Town Hall

Details: Public input/information meetings are scheduled based on upcoming projects or events.

Ribbon Cuttings/Grand Openings

Date/Time: TBD

Details: Ribbon Cuttings, Grand Openings and Ground Breakings for new developments, businesses, buildings, etc.

Past Events:

Engage.Shape.Build – Master Transportation Plan

Date/Time: Wednesday, January 19, 2022, 5:30 – 6:30 p.m.

Location: Virtually

Details: The Town of Bennett and Bohannon Huston hosted a meeting to introduce the Master Transportation Plan and seek public input and feedback regarding improving the transportation system.

Board Members Requested to Attend

Virtual Paint & Sip*

Date/Time: Saturday, January 29, 2022, 2:00 p.m.

Location: Virtually/Anythink Libraries

Details: The Bennett Arts Council and Anythink Libraries held a virtual Paint & Sip class.

Virtual Needle Felting Class*

Date/Time: Saturday, February 12, 2022, 11:00 a.m.

Location: Virtually/Anythink Libraries

Details: The Bennett Arts Council and Anythink Libraries held a virtual needle felting class hosted by local artist and community partner, Becky Zierer

Community Movie Night*

Date/Time: Saturday, February 26, 2022, 2:00 p.m.

Location: Bennett Community Center

Details: The Bennett Arts Council and Teens Living Clean hosted a movie night viewing Encanto. Admission was a canned food item that was donated to the Bennett Community Food Bank.

Virtual Creative Writing Workshop*

Date/Time: Saturday March 12 & Saturday March 26, 2022, 11:00 a.m.

Location: Virtually/Anythink Bennett

Details: Through a partnership with the Bennett Arts Council, Anythink Bennett presents this two-part creative writing seminar with local writing instructor, Robbin Schincke. Participants will learn how tap into their creative potential and express themselves on the page. This hybrid program will be held in-person.

Family Painting Class*

Date/Time: Saturday, April 9, 2022, 2:00 p.m.

Location: Anythink Bennett

Details: The Bennett Arts Council and Anythink Libraries will be hosting an in-person family painting class.

Community Easter Egg Hunt*

Date/Time: Saturday, April 16, 2022, 9:00 a.m. – 11:00 a.m.

Location: Trupp Park

Details: The Bennett Arts Council will host a community Easter Egg hunt.

**Bennett Arts Council Events*

Attachments

1. Town of Bennett Communications Plan

TOWN OF BENNETT

Communications Plan



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INTRODUCTION



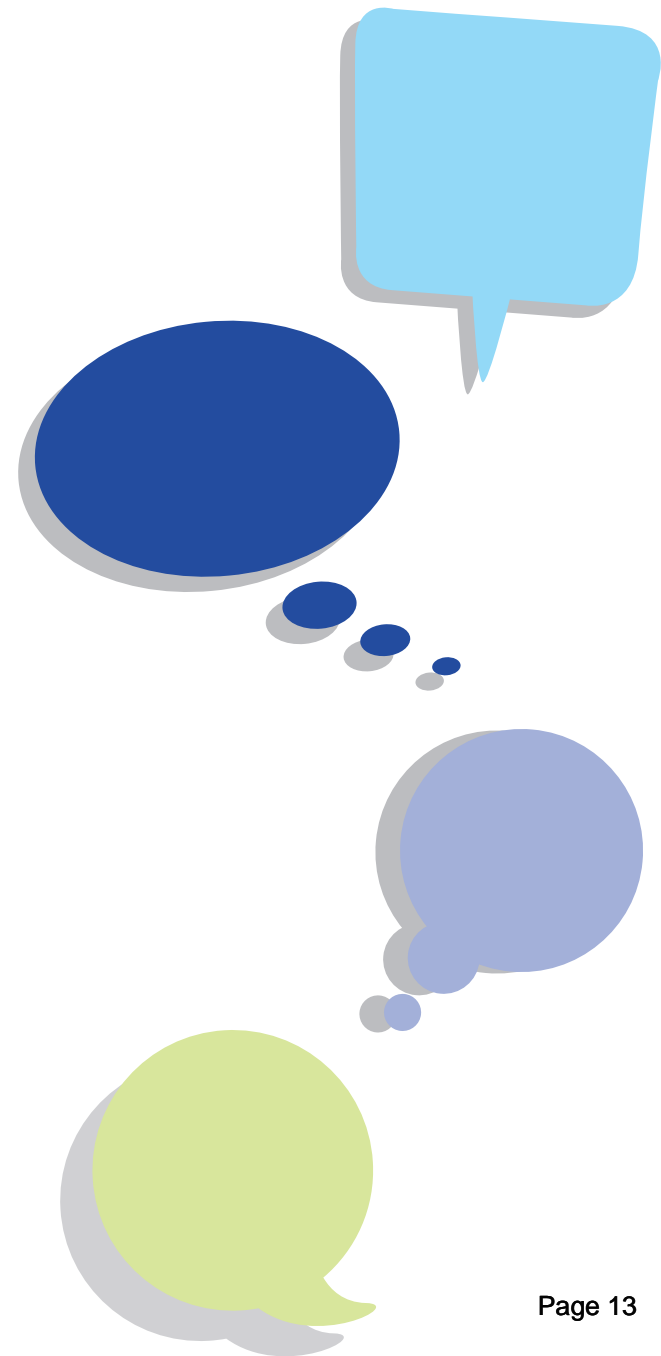
This document outlines the Town of Bennett's approach to communications and community relations, with the overall goal to enhance the way we communicate with our community.

The Town of Bennett serves over 2,500 residents with unique voices and needs. As the level of government that directly impacts residents the most, it is the Town's belief that open, two-way communication is the best approach to helping the community understand how the Town operates and creating a feeling of connectivity between the Town and its residents.

The information included in this document highlights how staff will enhance Town communication and provide timely, accurate, clear, and proactive messaging for residents, stakeholders, community partners and those interested in being a part of the Bennett Community.

This plan also represents the Town's willingness to adapt, understand, and employ messaging across various platforms that meet the needs of all applicable parties. The expectation from the community is that the information they receive from the Town is relevant, timely, accurate and trustworthy.

Our priority is to provide residents with the information they need to connect and engage with their Town government.



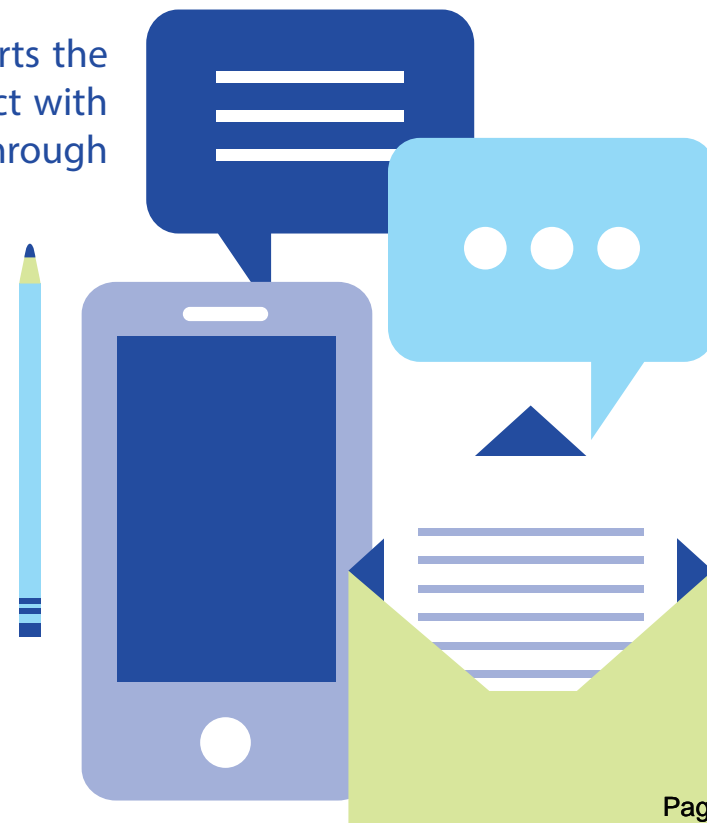
WHAT IS PUBLIC RELATIONS?



Public relations is a strategic communication process that builds and enhances mutually beneficial relationships between an organization and the public.

For the Town's communications plan, public relations refers to the specific relationship between the Town, its residents and stakeholders that is supported by transparent and expedient external communication.

Public relations is about creating a narrative that highlights and supports the Town and provides residents with the information they need to connect with their government. It is used to protect, enhance or build reputations through the media, social media and self-produced communications.



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COMMUNICATIONS VISION & PRINCIPLES



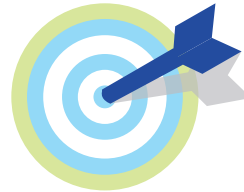
Communications Vision:

To build and enhance the overall understanding residents, staff and stakeholders have of their municipality's policies, programs, services and decisions through open, two-way communication and engagement.



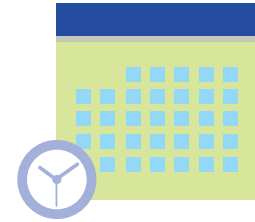
ACCESSIBLE

Information is easy to find, understand and readily available.



ACCURATE

Information is correct in all details and based in facts.



TIMELY

Information is provided in an expedient timeframe.



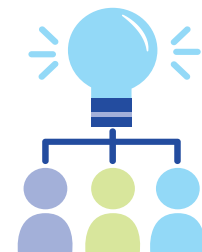
UNDERSTANDABLE

Information is written in uncomplicated language and is universal to all parties.



RELEVANT

Information is applicable to our residents, partners and stakeholders.



CONSISTENT

Information is recognizable and reliable.

WHAT IS OUR FOCUS?



Having determined the guiding vision and principles for all Town communication, three focus areas were identified to help improve and enhance Town of Bennett Communications. The three areas are:

1. Information Availability: Make information available to everyone.

Enhance the way Bennett delivers our message by providing accessible, relevant information and creating trust and mutual respect with our community. When the community is informed, understanding of Town decisions increases. When this happens, trust and respect become an inherent byproduct of Town communications.

2. Two-Way Communication: Increase public engagement through positive, two-way communication.

Build strong communities by engaging residents, and ensuring their voices are heard, respected and included in the decision making process. When communication is open, dialogue on sensitive issues is more productive and favorable.

3. Positive Storytelling: Maximize the ways we share positive stories.

Use our own voice to energize staff and the community to become ambassadors for the Town and for one another. Telling the story of the Town and the people who live here is an important pillar of the foundation of our community. Highlighting our successes and our people creates a sense of pride, unity and solidarity.

By following the objectives and tactics listed in the next pages, these focus areas will help us improve what we communicate and how we communicate it.



FOCUS: INFORMATION AVAILABILITY



Objectives:

- Produce digestible and understandable information in a variety of formats: print, digital, etc.
- Create transparency of municipal operations and decisions.
- Build trust between residents and the municipality.
- Employ community-first approach in all communications.

Tactics:

- Run regular ads using local newspaper and social media, highlighting Town events, information and key issues.
- Find balance between traditional and emerging communications technologies to reach a broad audience.
- Regularly update the Town website to provide greater clarity on issues, programs and services.
- Improve communication internally between departments to share accomplishments and updates that can be highlighted.
- Review methods of delivery on an annual basis to ensure the most successful channels are fully utilized and enhanced.
- Research other outreach opportunities including radio, television, etc.

Measurement Goals:

- Increase in visitors to the Town website by 10% annually.
- Increase Facebook followers by 8% annually.
- Increase the number of subscriptions to the Town's E-Newsletter (Bennett Broadcast) by 7% annually.

FOCUS: TWO-WAY COMMUNICATION



Objectives:

- Create additional opportunities to engage in two-way communication with residents and stakeholders.
- Respond to inquiries and feedback in a timely manner.
- Improve trust between the Town, residents and stakeholders regarding town services and programs.
- Ensure consistency of messaging, brand and communications channels.
- Improve customer service and positive feedback from residents.

Tactics:

- Update communications policies and procedures, reviewing annually.
- Develop processes for communications standards for Board and staff.
- Consult and involve stakeholders and community partners on important issues through a variety of measures: surveys, info sessions, etc.
- Continue Engage.Shape.Build public input meetings and continue to explore and generate new ways to engage the community.

Measurements Goals:

- Ensure responses through social media and the Town website are answered within two business days.
- Increase attendance for all Town run events, meetings and programming by 5% annually.

FOCUS: POSITIVE STORYTELLING



Objectives:

- Focus on positive storytelling, building the reputation of the Town of Bennett locally, regionally and statewide.
- Leverage positive storytelling into local and regional media coverage.
- Create ambassadors out of the community and staff in their personal and professional circles.
- Share positive departmental achievements, successes and initiatives.
- Help ensure outside media stories about the Town are positive and factual.

Tactics:

- Develop an online presence of newsworthy, community and Town-focused features.
- Publish monthly Bennett Broadcast ENewsletter with well-rounded view of what's happening in Bennett.
- Establish routine communication between staff to share accomplishments and Town achievements.
- Create resident and staff spotlight features.

Measurement Goals:

- Increase use of press releases and media advisories sent to local news outlets by 10% annually.
- Highlight the accomplishments of a Town department each month.

WHO ARE OUR TARGET AUDIENCES?



Identifying and understanding how our target audiences receive and consume information is critical in crafting and delivering our message. Depending on the audience, the message and its delivery is tailored specifically to each group. By doing so, we increase the likelihood of effective communications and a broader understanding of the issues facing the Town.

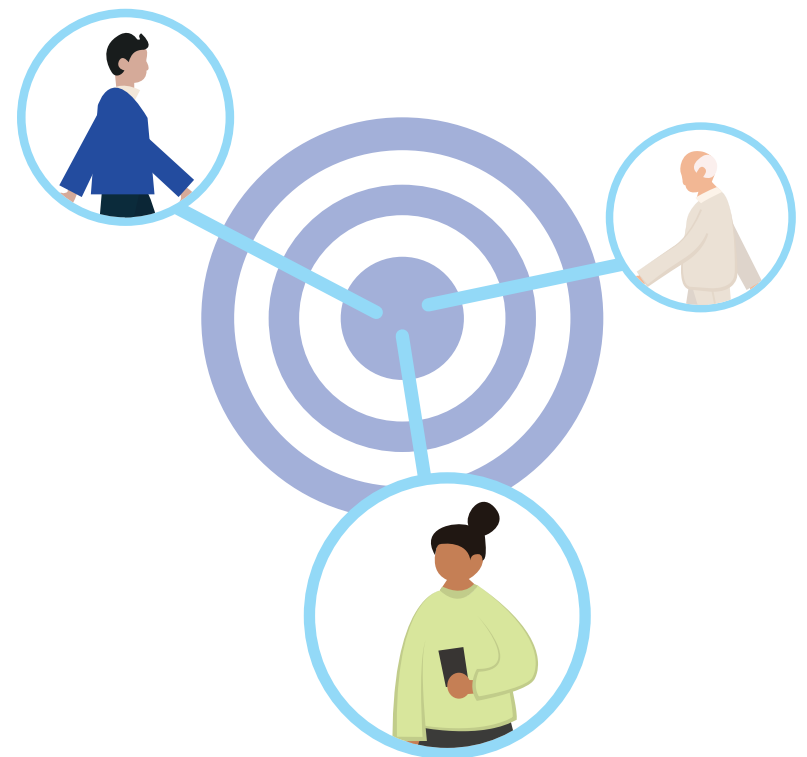
Who are the Town of Bennett Target Audiences?

External:

- Residents
- Local/Regional Businesses
- Community and Regional Partners
- Developers/Contractors/Investors
- Government Agencies
- Third-Party Stakeholders: Groups, Associations, Service Clubs
- Media

Internal:

- Board of Trustees/Town Commissions and Committees
- Town Staff
- Town Consultants



WHAT ARE OUR COMMUNICATION TOOLS?



Print Communications:

- Ads and Publications in Local Newspapers
- Monthly Water Bill Insert
- Posters and Flyers: Posted at Town Hall and on community boards throughout Bennett
- Direct Mail Postcards
- Town Banners

Digital Communications:

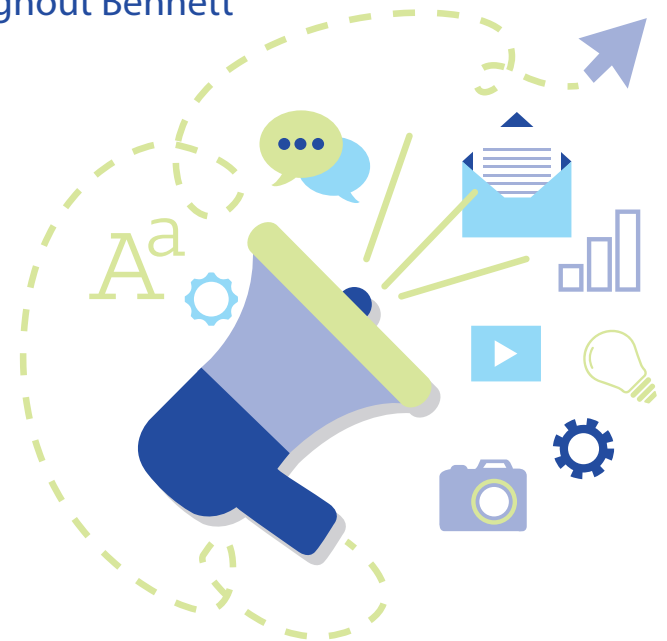
- Town Website
- Electronic Message Board
- E-Newsletter - Bennett Broadcast
- Social Media: Facebook, Twitter, Instagram, and Nextdoor
- Town Produced Video

Media Communication:

- Press Releases
- Media Advisories

In-Person Communication:

- Daily face-to-face interactions with residents, community partners, and stakeholders
- Community Input Meetings: Engage.Shape.Build
- Community Events: Bennett Days, Bennett Arts Council, State of the Town, etc.
- Town Committee and Advisory Board Meetings
- Public Meetings: Board of Trustees, Planning and Zoning Commission, etc.
- Networking Functions



HOW WILL WE GET THE WORD OUT?



Communication Categories:

Event/Programming:

When events and programming are held in the Town of Bennett or coordinated by Town staff, pertinent information and updates will be provided using some or all of following resources:

- Press Release/Media Advisories
- Website Updates
- Posts to Social Media
- E-Newsletter - Bennett Broadcast
- Direct Mail Postcards
- Water Bill Inserts
- Poster and Flyers
- Electronic Message Board
- Newspaper Publication or Advertisement
- Community Input Meetings
- Public Meetings
- Advisory and Committee Meetings
- Networking Functions
- Town Produced Videos
- Town Banners

Local and Regional Partners and Stakeholders:

When information is given to us from our regional and community partners that is of value to our residents (information on road closures, access to county services, updates to food bank distribution, etc.) information and updates will be provided using some or all of the following resources:

- Press Release/Media Advisories
- Website Updates
- Posts to Social Media
- E-Newsletter - Bennett Broadcast
- Direct Mail Postcards
- Water Bill Inserts
- Poster and Flyers
- Electronic Message Board
- Newspaper Publication or Advertisement
- Community Input Meetings
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HOW WILL WE GET THE WORD OUT?



General News and Information:

When the Town needs to share general news updates and information residents and stakeholders (information on Board of Trustee meetings, water rates, land purchases, development, code updates, budget, public works notices, public hearing notices, etc.) information and updates will be provided using some or all of the following resources:

- Press Release/Media Advisories
- Website Updates
- Posts to Social Media
- E-Newsletter - Bennett Broadcast
- Direct Mail Postcards
- Water Bill Inserts
- Poster and Flyers
- Electronic Message Board
- Newspaper Publication or Advertisement
- Community Input Meetings
- Public Meetings
- Advisory and Committee Meetings
- Networking Functions
- Town Produced Videos
- Town Banners

Positive Storytelling:

When the Town wants to celebrate community and government topics and accomplishments (information on Board of Trustee accomplishments, staff and department updates, holiday greetings, and business and resident recognition) information and updates will be provided using some of all of the following resources:

- Press Release/Media Advisories
- Website Updates
- Posts to Social Media
- E-Newsletter - Bennett Broadcast
- Direct Mail Postcards
- Water Bill Inserts
- Poster and Flyers
- Electronic Message Board
- Newspaper Publication or Advertisement
- Community Input Meetings
- Public Meetings
- Advisory and Committee Meetings
- Networking Functions
- Town Produced Videos
- Town Banners

WHAT IS CRISIS COMMUNICATION?



What is a Crisis?

A crisis can be many different things. It can be a pandemic, natural disaster, or act of mass violence. In association with public relations and communication, a crisis can also be a threat to the organization’s reputation, negative press, or a high-profile controversial decision that requires strategic messaging. A crisis can come to any community and being prepared for an emergency situation is the first step in effectively managing any crisis.

Who is Involved in Crisis Communication?

Though each crisis will present varying circumstances, the Town Administrator, Deputy Town Administrator, Public Relations Coordinator and the appropriate department managers will be involved in crisis mitigation. The Mayor, Trustees and additional staff may be involved with varying degrees of responsibility, set forth and dictated by the Town Administrator.

How will the Town of Bennett Handle a Crisis?

The Town will create a cohesive and consistent message around the crisis and adapt that message as the situation evolves. Timelines in providing information are key to mitigating a crisis and some or all of the following communication resources will be used to provide the most update to date information:

- | | | |
|------------------------------------|--|-----------------------------------|
| • Press Release/Media Advisories | • Water Bill Inserts | • Public Meetings |
| • Website Updates | • Poster and Flyers | • Advisory and Committee Meetings |
| • Posts to Social Media | • Electronic Message Board | • Networking Functions |
| • E-Newsletter - Bennett Broadcast | • Newspaper Publication or Advertisement | • Town Produced Videos |
| • Direct Mail Postcards | • Community Input Meetings | • Town Banners |

COMMUNICATION MATRICES



A matrix checklist has been created for each communication category to show the timeline and communication resources that will be used to get the word out. These matrices will be used by staff to ensure accuracy and expediency when sharing information with the public. The matrices have been included as Appendix A to this document but are subject to change based on need.



MEDIA RELATIONS ROLES & RESPONSIBILITIES



The Media Relations Protocols have been developed as part of the Strategic Communications Plan and are intended to ensure that any comments made to the media are consistent, factual, and accurate. The term “media” includes, but is not limited to, newspapers, magazines, journals, bulletins, newsletters, radio programs, television programs and electronic media such as online journals, online news websites, alternative news website, journalism schools, blogs, podcasts, electronic newsletters and electronic notice boards.

The Public Relations Coordinator is responsible for managing communications between the Town and the media.

To ensure that the Town communicates effectively with members of the media, the following procedures have been developed. These protocols ensure that the interface between the Town and the media is managed appropriately to maximize the benefits for the Town and to minimize the risk of adverse publicity, public anxiety and misunderstanding due to the release of inaccurate or inappropriate information. The Media Relations Protocols apply to all Town Officials (Town Board, Commissions, Advisory Boards, Town Staff, including permanent and temporary staff, consultants, and contractors when representing the Town in media.)

Media Inquiries

Any Town officials, employees and contractors/consultants must work with the Public Relations Coordinator to respond to media inquiries regarding Town policy, programs, initiatives, facilities, infrastructure, vendors, contracts or special events. If a media request is made verbally, the Town official should ask the reporter to send the request in writing via email.

Notification

Media inquiries regarding controversial or sensitive materials and/or matters relating to public safety should be brought to the immediate attention of the Town Administrator and the Assistant to the Town Administrator.

MEDIA RELATIONS ROLES & RESPONSIBILITIES



General or Routine Media Requests

After providing the appropriate notifications, routine media requests may be handled by any Town official or Town Employee if the information provided is factual, incidental or inconsequential in nature such as confirming a meeting time or providing scheduling, location or other routine information about a Town event or activity.

Town-Initiated Media Contacts/Information Distribution

Proactive media contact will be regularly made by the Public Relations Coordinator and includes issuing press releases and media advisories as well as making proactive, personal contact with news reporters and editors in an effort to build collaborative, mutual beneficial relationships.

General Protocol for Press Conferences/Interviews

- The Town Administrator shall be the spokesperson for requests for comment or interviews regarding a staff or organizational issue, unless the inquiry requires in-depth or technical knowledge, in which the Town Administrator shall designate an appropriate subject matter expert for comment or interviews.
- The Public Relations Coordinator must review all media releases and in-depth responses to the media.
- News reporters and other media representatives should be advised that requests to photograph, interview and/or videotape Town staff or Town officials must be directed to the Public Relations Coordinator.
- For press conferences, media briefings and media events, the spokesperson is most often the Town Administrator or an appointed spokesperson.
- The Public Relations Coordinator will be responsible for coordinating all aspects of Town related press conferences or interviews.

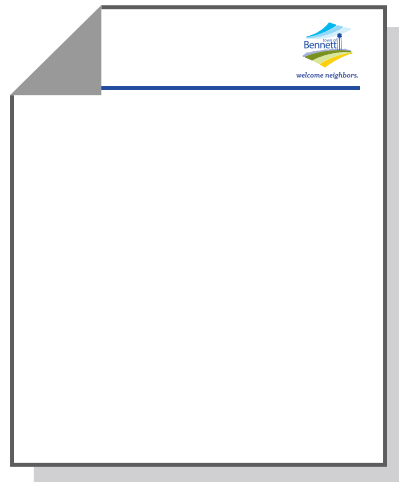
HOW WILL WE CREATE CONSISTENCY?



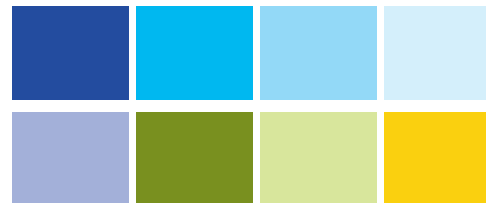
What is branding and what is its purpose?

Branding is the marketing practice of creating a name and logo or design that identifies and differentiates an organization from other organizations.

The purpose of branding is to create consistency for those consuming the information of an organization. Branding allows an organization to create a memorable impression, and provides continuity and familiarity for residents and stakeholders.



welcome neighbors.



TOWN LOGO



The Town of Bennett logo must always be used in the proportional square shape. The general versions include full color, black-on-white, white-on-black or white-on-color.

The Town's tagline "Welcome Neighbors" can accompany the logo in the same colors.



TOWN LOGO



The Town of Bennett Logo may also be produced with the words separate from the design when being used for Town application. The logo may only be used in this context when approved by the Town Administrator and the Public Relations Coordinator.

The logo in this format may be used in the original color scheme, black and white or grey scale.



TOWN COLORS



There are eight colors that make up the Town of Bennett’s brand.



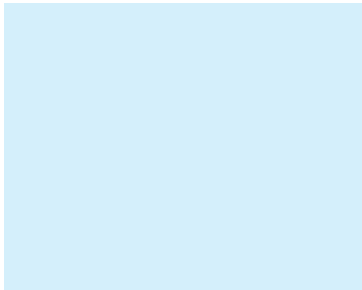
HEX # 244c9e
C 95% R 36
M 81% G 76
Y 1% B 158
K 0%



HEX # 00b8f1
C 82% R 0
M 0% G 184
Y 0% B 241
K 0%



HEX # 93d9f8
C 38% R 147
M 0% G 217
Y 0% B 248
K 0%



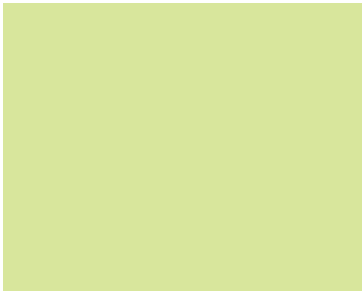
HEX # d4eefc
C 15% R 212
M 0% G 238
Y 0% B 252
K 0%



HEX # a3b0da
C 35% R 163
M 25% G 176
Y 0% B 218
K 0%



HEX # 79901f
C 33% R 121
M 0% G 144
Y 100% B 31
K 38%



HEX # d8e69c
C 17% R 216
M 0% G 230
Y 49% B 156
K 0%



HEX # 93d9f8
C 2% R 251
M 16% G 208
Y 99% B 13
K 0%

TYPOGRAPHY



Always use simple, clean typography. When using Windows or Mac OS system fonts Myriad Pro is preferred. The stylized font that can be used to create the Town’s tagline is “Klinik Slab”. Fonts in the Town’s logo and tagline cannot be altered.

MYRIAD PRO

Aa Bb Cc Dd Ee Ff Gg Hh Ii Jj Kk Ll Mm Nn Oo Pp Qq Rr Ss Tt Uu Vv Ww Xx Yy Zz 0 1 2 3 4 5 6 7 8 9

Light Condensed	Black Condensed	Bold SemiCondensed	Semibold	SemiExtended
<i>Light Condensed Italic</i>	<i>Black Condensed Italic</i>	<i>Bold SemiCondensed Italic</i>	<i>Semibold Italic</i>	<i>SemiExtended Italic</i>
Condensed	Light SemiCondensed	Black SemiCondensed	Bold	Semibold SemiExtended
<i>Condensed Italic</i>	<i>Light SemiCondensed Italic</i>	<i>Black SemiCondensed Italic</i>	<i>Bold Italic</i>	<i>Semibold SemiExtended Italic</i>
Semibold Condensed	SemiCondensed	Light	Black	Bold SemiExtended
<i>Semibold Condensed Italic</i>	<i>SemiCondensed Italic</i>	<i>Light Italic</i>	<i>Black Italic</i>	<i>Bold SemiExtended Italic</i>
Bold Condensed	Semibold SemiCondensed	Regular	Light SemiExtended	Black SemiExtended
<i>Bold Condensed Italic</i>	<i>Semibold SemiCondensed Italic</i>	<i>Italic</i>	<i>Light SemiExtended Italic</i>	<i>Black SemiExtended Italic</i>

KLINIC SLAB

Aa Bb Cc Dd Ee Ff Gg Hh Ii Jj Kk Ll Mm Nn Oo Pp Qq Rr Ss Tt Uu Vv Ww Xx Yy Zz 0 1 2 3 4 5 6 7 8 9

Bold	<i>Bold Italic</i>
Book	<i>Book Italic</i>
Light	<i>Light Italic</i>
Medium	<i>Medium Italic</i>

TEMPLATES



To create and maintain consistency in branding, the Town has created templates for the following communication pieces. Town Hall staff and all elected and appointed officials are asked to use these templates when communicating on behalf of the Town.

Email Signature

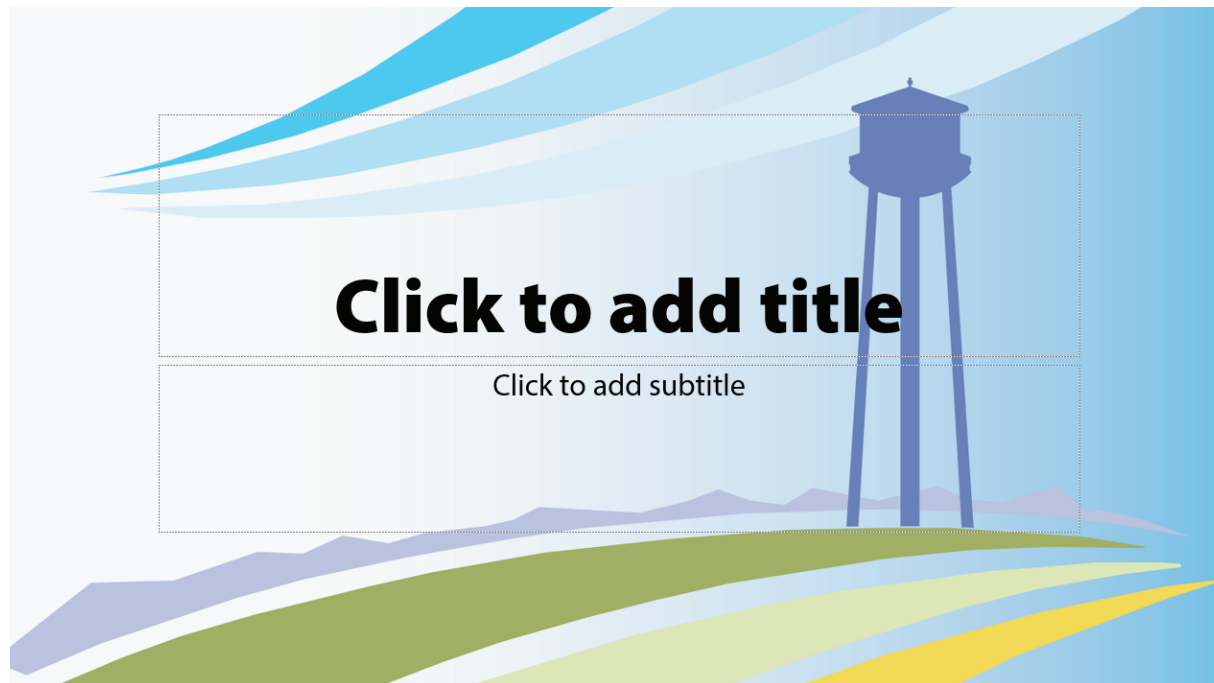


First Name Last Name | Title
207 Muegge Way | Bennett CO, 80102
(303)644-3249 ext. 1000 | email@bennett.co.us
townofbennett.colorado.gov



First Name Last Name | Trustee, Town of Bennett
207 Muegge Way | Bennett CO, 80102
email@bennett.co.us
townofbennett.colorado.gov

Power Point Welcome Slide




TEMPLATES




Memo

MEMO



Town of Bennett • 207 Muegge Way • Bennett, CO 80102 • p. 303-644-3249 • f. 303-644-4125


Letterhead



DATE:
SUBJECT:

Town of Bennett • 207 Muegge Way • Bennett, CO 80102 • p. 303-644-3249 • f. 303-644-4125

Mailing



[DATE]
[CONTACT]
[COMPANY]
[ADDRESS LINE 1]
[ADDRESS LINE 2]

Dear [SUBJECT],

[SUBJECT BODY]

Sincerely,
[MY CONTACT]
[MY TITLE]
[MY COMPANY]


Town of Bennett • 207 Muegge Way • Bennett, CO 80102 • p. 303-644-3249 • f. 303-644-4125

TEMPLATES



Staff Report

STAFF REPORT


welcome neighbors.

TO:

FROM


DATE:

SUBJECT:

Town of Bennett • 207 Muegge Way • Bennett, CO 80102 • p. 303-644-3249 • f. 303-644-4125

Department Progress Report

DEPARTMENT PROGRESS REPORT


welcome neighbors.

TO: Board of Trustees

FROM: [Name], [Title]

DATE: [Date of Meeting]

SUBJECT: [Department] Status Report

Management Summary

[Tap any placeholder text (such as this) and start typing to replace it with your own. Font for text is Myriad Pro 11, black.]

[Here you will enter a very brief summary of whether or not the department is on target to meet its key delivery dates, and is on target to meet its budget objectives. Use this section to document what you have achieved since the previous report. This section should be no more than half to one page.]

Board Priority Project Status & Milestones

Project	Status	Costs (* Estimate)	Completion Date
[

Progress and Deviations

[Describe any major changes since the previous report, or any other commentary you feel is appropriate. You might also indicate in here any significant risks that are in danger of occurring or have occurred, and what you need from the Board in the short term to make the project successful of why you need to revise the department plan.]

Budget Status

Department	Annual Budget	Annual Expenditures	Remaining Budget
[

Town of Bennett • 207 Muegge Way • Bennett, CO 80102 • p. 303-644-3249 • f. 303-644-4125

WHERE CAN YOU FIND US?



townofbennett.colorado.gov



[/welcome.neighbors](https://www.facebook.com/welcome.neighbors)



[@TownofBennett](https://twitter.com/TownofBennett)



[@TownofBennett](https://www.instagram.com/TownofBennett)



[Town of Bennett](#)

DEPARTMENT PROGRESS REPORT



TO: Mayor and Town of Bennett Board of Trustees
FROM: Sara Aragon, Community Development Manager
DATE: April 26, 2022
SUBJECT: Community Development Progress Report

Management Summary

Community Development has been very busy for the first part of the year. Many commercial and residential projects have been steadily progressing and increasing as we enter Spring. The following statistics summarize the activities of Community Development from January 1, 2022, to April 15, 2022:

Building Department Progress	
Inspections Conducted	1286
Permits Issued	154
Active Contractor Licenses	366
Certificates of Occupancy Issued	14
Building Permit Revenue	\$65,675.18
Contractor License Revenue	\$1,875.00

In addition to the items above, Staff has been busy with new software launching and working with both the IT Department as well as SmartGov to fine-tune it to serve the community in a more streamlined process. Staff has worked with both residents and contractors to get online portals set up so they can get real-time updates on permit status, inspections, payments due and other important information. We continue to work closely with other Town departments on planning application intake, development coordination and contractor licensing.

Charles Abbot and Associates (CAA) is now under a full-service contract with the Town, and things have been going very well. CAA has two designated individuals assigned to Bennett daily, Peter Gonzalez (Inspector) and Renee Meriaux (Certified Building Official). When in the community, both Peter and Renee represent themselves as members of our team; they have both been a great addition to our Town team and are committed to serving the community. Our Staff is also working on updating the department's strategic plan, process/procedure updates and cross-training with other departments.

Projects Status & Milestones

- **Comfort Inn-** Construction is still underway as they complete the rough inspections of the project; the owner has indicated an anticipated opening in May.
- **Skyview-** All permits have been issued, projected to finish construction in July or August 2022.
- **NOMCOM-** Construction is progressing, weather conditions have slowed progress some, but the team is confident they will make up any lost time.
- **Muegge Farms-** Grading and infrastructure are underway, and the Oakwood teams hope to start building model homes in the early fall of 2022.

- **Bennett Ranch-** Grading and Infrastructure are permitted and under construction.
- **Bennett Village-** Grading and Infrastructure have been moving quickly, and Lennar plans to pull building permits in the fall of 2022.
- **Sonic-** Anticipate breaking ground in the next couple of weeks; we had a pre-construction meeting on 4/21/2022.
- **QuikTrip-** Construction is progressing, projected opening date of September 2022.
- **Discovery Time-** Construction is in the final stages and should open the new building mid to the end of May.
- **Atlas Counseling-** Construction is progressing, anticipated opening date of Summer 2022.
- **China Kitchen-** Construction is progressing; they have not announced an opening date.
- **Ziggi's-** Staff anticipates issuing building permits within the week and have a pre-construction meeting with them next week. However, they have not announced an open date yet.

Conclusion

It has been a busy first quarter for the Community Development Department. Our department looks forward to continuing to provide services to our residents, contractors, and developers. Furthermore, we will continue to work with the community to educate on the new online features and ensure access to the information via the online portal. Additionally, we are preparing for June's "Reduced building permit fee" month. We have been working with the Communications department to get information out to the community about this new program very soon.

DEPARTMENT PROGRESS REPORT



TO: Mayor and Town of Bennett Board of Trustees
FROM: Robin Price, Director of Public Works
DATE: April 26, 2022
SUBJECT: Public Works Progress Report

Management Summary

Below is a list of all current Public Works projects as well as the status of those projects:

- Bennett Regional Parks and Open Space (BRPOS)- Fishing Pond:
 - The project is currently under construction. Grading is in progress and the new liner has been completed. Kuhn Construction will begin covering the liner and finishing grading over the next two weeks.
- Purple Pipe Beltway:
 - The contract recommendation staff report for the construction of the pump house is going to the Board during the regular meeting.
 - Segment one of the pipe installation is completed to Trupp Park.
 - The second segment of the installation of pipe to Civic Center Park will go to RFP in the next month.
- Bennett Regional Parks and Open Space (BRPOS) Trail Rehabilitation:
 - The construction of 4.2 miles of additional trails and the top-dress of existing trails has been completed.
 - As the grading of the fishing pond is completed, the remaining trail connection near the fishing pond will be constructed.
- Kiowa Bennett Trail Extension:
 - The project is currently out to Request for Proposal (RFP) and will be brought to the Board for contract recommendation at the May 24, 2022 regular meeting.
- Hwy 79 Trail:
 - Landscaping at the entrance to Muegge Way is complete and additional dog stations were installed.
 - The solar lights are confirmed to be delivered at the end of April. The caissons and installation of the solar lights will start mid to late May.
- Trupp Park Phase 5:
 - Upgrades to the stage and railing is complete.
 - The large shade structure has been installed by the stage.
 - The design work is in progress for the east portion drainage and landscaping enhancements.
- Booster Station/Converse Road:
 - The project is under construction and will be completed late spring.
- Community Center
 - The following items have been completed: lights, parking lot, shade and playground surface and kitchen remodel.
 - The bathroom retiling will be completed early summer.
- Kiowa Bennett Safety Improvements

- The initial design is in progress as well as the easement acquisition/purchase of needed land.
- The environmental report is complete.
- Muegge House Landscaping/Concrete
 - The stamped concrete/ADA access ramp to the house is complete.
 - The landscaping/irrigation/garden is currently underway.

Projects Status & Milestones

Project	Status	Costs (Estimate)	Expenditures	Completion Date (Estimate)
BRPOS Fishing Pond	In Construction	\$650,000	\$188,243	10/31/22
Purple Pipe Beltway and Pump House	In Construction	\$1,500,000	\$1,213,827	8/31/22
BRPOS Trail Rehabilitation	Completed	\$286,000	\$286,000	2/28/22
Kiowa Bennett Trail Extension	In RFP	\$250,000	\$6,600	6/30/22
Hwy 79 Trail	In Construction	\$150,000	\$70,845	6/30/22
Trupp Park Phase 5	In Construction	330,000	\$83,154	8/31/22
Booster Station Converse	In Construction	\$390,000	\$330,500	5/31/22
Community Center	In Construction	\$350,000	\$184,995,	6/30/22
Kiowa Bennett Safety Improvements	In Construction	\$350,000	\$46,588	6/30/23
Muegge House Landscaping/Concrete	In Construction	\$29,236	\$45,000	5/31/22

Along with the above projects, the Public Works department has provided the following maintenance:

Parks/Grounds:

- Fertilization and aeration has been completed in all Town Parks.
- Ten ornamental crabapple trees have been planted at Brothers Four.
- Irrigation systems are being checked and repairs are being made. With the dry conditions, irrigation will be turned on at reduced days and run times in late April.
- Mowing will begin in May along with weed control.
- Trail spraying for weeds and maintenance is ongoing.
- Cemetery maintenance and cleanup is ongoing.
- Trash cleanup is ongoing.
- Playground inspections are ongoing.

Water/Wastewater:

- Utility billing, troubleshooting and meter investigating are ongoing.
- Sewer jetting will be completed by September.
- Oil changes on pumps and blowers are ongoing.
- Hydrant painting, repairs and replacement are ongoing.
- Grease pumps inspections will be completed quarterly.
- Valve exercising is ongoing.
- Well house cleaning and repairs are ongoing.
- Backflow testing and State reporting will be completed by 12/31/22
- Meter replacements are ongoing.
- Lift station cleaning is monthly.
- Developmental review and infrastructure inspections are ongoing.
- Consumer Confidence Report (CCR) will be distributed to all residents by 6/1/22.

Street Repairs/Building Improvements and Fleet:

- Shoulder repair and pothole patching on Kiowa Bennett Road/Marketplace are ongoing maintenance.
- Delineator replacement Kiowa Bennett Road are ongoing.
- Street sign replacement in Old Town completed by 6/30/22.
- Touch up painting and building repairs are ongoing.
- Oil changes and tire replacement on fleet are ongoing.
- Street sweeping is ongoing.
- Mowing ROW areas including (Hwy 79, Hwy 36, Kiowa Bennett) is ongoing.
- Drainage inspection/cleaning is monthly.
- Building inspections are monthly.

STAFF REPORT



TO: Mayor and Town of Bennett Board of Trustees
FROM: Trish Stiles, Town Administrator
DATE: April 26, 2022
SUBJECT: Arapahoe County Open Spaces Intergovernmental Agreement (IGA)

Background

Last year, Arapahoe County voters approved the permanent reauthorization of the County's open space sales and use tax, with a new resolution governing the use of the funds. With the new resolution in place, the County and Bennett need to enter into a new intergovernmental agreement (IGA) concerning shareback funding. The new IGA references the 2021 resolution, which superseded the prior resolutions, and it terminates the original shareback IGAs and amendments.

Additionally, the new resolution states that the IGA shall designate at least 20% of the annual shareback for maintenance of existing or new open space properties, trails, neighborhood and regional parks, and sports fields. We understand that some municipalities may wish to use more than 20% of their annual shareback funds for maintenance purposes. Bennett does not plan on adjusting the request currently.

The Town Attorney reviewed the IGA and had one suggested edit that was approved by county staff. The updated version of the IGA has been included in the packet for approval.

Staff Recommendation

Staff recommends the Board of Trustees approve Resolution No. 914-22 to enter into the 2022 Intergovernmental Agreement for Open Space Sales and Use Tax Shareback Funds.

Attachments

1. Draft IGA: Open Space Sales and Use Tax Shareback Funds
2. Resolution No. 914-22

**2022 INTERGOVERNMENTAL AGREEMENT
FOR OPEN SPACE SALES AND USE TAX SHAREBACK FUNDS**

This Intergovernmental Agreement ("Agreement") is made and entered into by and between **THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF ARAPAHOE, STATE OF COLORADO** ("County"), and the **TOWN OF BENNETT**, a municipality and political subdivision of the State of Colorado ("Town"), collectively referred to as the "Parties."

RECITALS

- A. In 2003, the voters of the County approved a countywide sales and use tax of one-quarter of one percent (0.25% or 25 cents for every 100 dollars), which would expire December 31, 2013, to be used for specified open space objectives as set forth in County Resolution No. 030381;
- B. In 2011, the voters of the County reauthorized the open space sales and use tax until December 31, 2023, as set forth in County Resolution No. 110637;
- C. In 2021, the voters of the County permanently reauthorized the open space sales and use tax, until repealed, as set forth in County Resolution No. 21-263 ("Resolution"), which is attached and incorporated as Exhibit A and which superseded County Resolution Nos. 030381 and 110637;
- D. The Resolution provides that 50 percent of the annual revenue from the open space sales and use tax shall be distributed to all incorporated municipalities wholly or partially within the County ("Shareback Funds");
- E. The Resolution requires that each incorporated municipality enter into an intergovernmental agreement with the County before receiving Shareback Funds, as authorized by Article XIV, Section 18 of the Colorado Constitution and C.R.S. § 29-1-203; and
- F. The Resolution provides that each municipality shall collect the County's open space use tax on building and construction materials, as authorized by C.R.S. § 29-2-106(3)(a).

AGREEMENT

NOW, THEREFORE, the County and the Town agree as follows:

- 1. The Parties' 2004 Intergovernmental Agreement and 2012 First Amendment to Intergovernmental Agreement for Open Space Sales and Use Tax Shareback Funds are terminated and replaced in full by this Agreement.
- 2. On or before June 1 of each year, the County shall distribute to the Town its proportionate share of Shareback Funds. The amount of Shareback Funds will be based on the population of the Town in the County and the total incorporated population of the County. The population figures will be updated annually based on the official figures provided by the Demography Section of the Colorado Department of Local Affairs or any state agency that takes over the duties and responsibilities of the Demography Section.

3. If during each successive five-year period beginning with the effective date of this Agreement, the Town has not received or been allocated, through a combination of Shareback Funds, grant funds, joint project funds, or other County open space sales and use tax funds, a return of a total of 50 percent of the County open space sales and use tax revenues collected from within the Town boundaries, then the County shall use its best efforts to contribute or expend a portion of its share of County open space sales and use tax funds on a joint project or projects within the boundaries of the Town. The County's contribution or expenditure shall be in a total amount that equals or exceeds the difference between 50 percent of the County open space sales and use tax revenues collected within the boundaries of the Town during the five-year period and the amount returned to the Town through Shareback Funds, grant funds, joint project funds, and other County open space sales and use tax funds within the five-year period. Any such contribution or expenditure by the County shall be subject to the availability of County open space sales and use tax funds, annual appropriation by the County, and the availability and approval of the joint project or projects by the Board of County Commissioners after review and recommendation by the Open Space and Trails Advisory Board. The County shall be responsible for determining the amounts collected and returned for each five-year period based upon its records and information provided by the Colorado Department of Revenue, and the County's determination on this issue shall be final.
4. The Town specifically agrees that it shall only use its Shareback Funds for the uses set forth in Sections 12(c) and 12(e) of the Resolution.
5. The Town may use up to 20 percent of its annual distribution of Shareback Funds to maintain existing or new open space properties, trails, neighborhood and regional parks, and sports fields.
6. The Resolution allows Shareback Funds to be used for the development of trails, which may include on-street trails and sidepaths for the purposes of (a) connecting an isolated neighborhood or activity center to a park, trail, open space, or school, and (b) connecting to a trail system included in a regional, County, or special district planning document.
7. The Town agrees to erect and permanently maintain at least one sign in recognition of the Shareback Funds in a publicly visible area at each project site where Shareback Funds are invested for the purposes of acquiring land for open space, parks, or trails; improving sites for parks, trails, and open spaces; or other significant outdoor recreational purposes. The location, form, design, and wording of the sign(s) must be approved by the County's Open Spaces Director or delegate prior to installation. The sign(s) shall be erected prior to the site's public opening. Temporary construction signs shall also be erected in a publicly visible area to indicate where Shareback Funds are invested.
8. After receipt of its Shareback Funds, the Town will use any interest earned on these funds, and any income generated from the use or lease of lands acquired with these funds, only for the purposes set forth in the Resolution and in compliance with this Agreement.
9. The Town understands and agrees that no land or interests acquired with Shareback Funds may be sold, leased, traded, or otherwise conveyed, nor may an exclusive license or permit on the land or interests be given, without prior approval of the Town's governing body after

conducting a public hearing and without the prior written approval of the Board of County Commissioners or designee. The Town further agrees, if such sale, lease, trade, or conveyance is made or an exclusive license or interest has been given, the proceeds shall be deposited in a Town open space fund to be used for purposes consistent with the Resolution and this Agreement. In addition, any revenue earned by the Town through appreciation of land or interests acquired with Shareback Funds also shall be deposited in a Town open space fund to be used for purposes consistent with the Resolution and this Agreement. This section shall not apply to: (1) the grant of a temporary permit for a special event on land or interests acquired with Shareback Funds; or (2) the grant of a non-exclusive license or easement for the undergrounding of utilities on any land or interests acquired with Shareback Funds. The grantee of the license or easement shall restore all disturbances to the land resulting from the grantee's activities.

10. In January of each year, the Town will submit to the County's Open Spaces Director or delegate an Annual Municipal Expenditure Report to certify that the Shareback Funds distributed in the previous year were used in conformance with the Resolution and to detail the Town's expenditures of its Shareback Funds.
11. The Town may bank its Shareback Funds from year to year as long as the funds are deposited into a reserve account for open space funds and expended in accordance with the Resolution and this Agreement. Further, when Shareback Funds are banked, it must be noted in the Town's Annual Municipal Expenditure Report.
12. Upon written notice from the County's Open Spaces Director or delegate informing the Town that it has failed to submit its Annual Municipal Expenditure Report, the Town shall submit its report to the County's Open Spaces Director or delegate within 30 days; if it fails to do so, the Town shall be deemed to be in violation of the Resolution and this Agreement. As such, the Town will be ineligible to receive future Shareback Funds, unless and until the Annual Municipal Expenditure Report and/or a compliance plan is submitted to the County's Open Spaces Director or delegate and is accepted and/or approved by the County.
13. The Town understands and agrees that if the Shareback Funds are not used in accordance with the Resolution and this Agreement, the Town will be ineligible to receive future Shareback Funds unless and until it submits a compliance plan to the County's Open Spaces Director or delegate and the County approves the compliance plan. Upon written notice by the County's Open Spaces Director or delegate that the Town must submit a compliance plan, the Town shall have 30 days to submit it.
14. The Town further understands and agrees that if it fails to (a) submit a compliance plan that is approved by the County, (b) meet the requirements of the County's approved compliance plan within 30 days of written notice of noncompliance by the County, or (c) submit its Annual Municipal Expenditure Report, then the Town's share of the Shareback Funds will be distributed, based on annual population figures, among the other participating incorporated municipalities.
15. Pursuant to the Resolution and C.R.S. § 29-1-203(1), the County specifically delegates authority to the Town to collect the County's open space use tax. The Town understands and agrees that it will use its best efforts and reasonable methods to collect the use tax on

building and construction materials and will forward, on a monthly basis, by the end of the next month after the monies are collected (to facilitate such collection), such tax minus up to five percent (of the .25 percent tax collected), minus any refund given on previously collected building use tax, to the County's Sales Tax Analyst, 5334 South Prince Street, Littleton, CO 80120-1136. The County acknowledges and represents that the Town's retention of up to five percent of the use tax collected, as set forth above, is not a violation of Section 9(c) of the Resolution.

16. The Town shall determine and use its own policies and procedures, including any exemption amounts, when it collects the County's open space use tax. A copy of the Town's policies and procedures relating to the County's open space use tax is attached and incorporated as Exhibit B. The Town understands and agrees that the County may conduct, at the County's expense, a review and/or an audit of the Town's records to verify collection by the Town of the County's open space use tax.
17. The County understands and the Town agrees and represents that the Town's policies and procedures (to the extent such policies and procedures exist for the collection of use taxes) provide for the collection of the County's open space use tax in accordance with the provisions above. However, if, following a County review and/or audit as set forth above performed in a manner consistent with the provisions of the Colorado Open Records Act, C.R.S. § 24-72-201 et seq., the County determines that the Town failed to collect the County's open space use tax in accordance with the Town's policies and procedures (if such policies and procedures exist for the collection of use taxes) and this Agreement, the Town shall be deemed to be in default of the Agreement. In the event of such a determination of default, the Town will be provided 60 days to modify its policies and procedures (if they exist) or to modify the manner of collection if policies and procedures do not exist, to rectify the default of the Agreement and to notify in writing the County's Open Spaces Director or delegate of the actions taken by the Town to bring it into compliance with the Agreement. The Town's failure to modify its policies and procedures, or its manner of collection if policies and procedures do not exist, in order to avoid any future failure to properly collect the County's open space use tax will be deemed a breach of the Agreement, and Shareback Funds accruing to the Town during the period of such breach will not be distributed for the period of the breach. If the Town's policies and procedures contain a procedure to remedy the failure by the Town to collect use taxes and to collect unpaid use taxes from the taxpayer, the Town shall follow such procedure and notify the County's Open Spaces Director or delegate whether such tax has been collected and will promptly forward any collected use tax to the County as provided above. The County and the Town acknowledge and agree that the County will not seek payment from the Town for the County's open space use tax that was not collected, provided the Town has used reasonable efforts to comply with the Town's collection procedures and the provisions of this paragraph.
18. In the event of a conflict between the Resolution and this Agreement, the Resolution shall control.
19. If any one or more provisions of this Agreement is determined to be illegal or unenforceable, all other provisions shall remain effective; however, the Parties shall enter into good faith negotiations and proceed with due diligence to draft a replacement provision that will achieve the original intent of the Parties.

20. This Agreement may be amended, modified, or changed, in whole or in part, only by written agreement duly authorized and executed by the County and the Town.
21. This Agreement shall be governed by and construed in accordance with the laws of the State of Colorado.
22. Venue for any dispute under this Agreement shall be in Arapahoe County District Court, pursuant to the appropriate rules of civil procedure.
23. Notices under this Agreement shall be sent to:

COUNTY: Board of County Commissioners of Arapahoe County
5334 South Prince Street
Littleton, CO 80120-1136

and

Arapahoe County Attorney
5334 South Prince Street
Littleton, CO 80120-1136

and

Arapahoe County Open Spaces Director
6934 S. Lima Street, Suite A
Centennial, CO 80112

and

Arapahoe County Open Space and Trails Advisory Board
6934 S. Lima Street, Suite A
Centennial, CO 80112

TOWN:

24. The Parties agree that there have been no representations made regarding the subject matter of this Agreement other than those, if any, contained in this Agreement, that this Agreement constitutes the entire agreement of the Parties with respect to the subject matter of this Agreement, and that the various promises and covenants contained in this Agreement are mutually agreed upon and are in consideration of one another.
25. This Agreement shall inure to the benefit of and be binding upon the Parties.

26. In the event of any claim by either party concerning this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs from the other party.
27. This Agreement shall continue in full force and effect until the repeal of the Resolution.
28. This Agreement may be terminated by either party upon 30 days' written notice to the other party. If this Agreement is terminated, the Town's participation in the Shareback Funds program is also terminated.

IN WITNESS WHEREOF, the County and the Town have executed this Agreement as of the date of the Town's signature below.

THE TOWN OF BENNETT

By: _____ Date: _____

Title: _____

Attest: _____

Title: _____

ATTEST:
Clerk to the Board

THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF ARAPAHOE

By: _____
Shannon Carter on behalf of
the Board of County Commissioners
pursuant to Resolution No. 22-049

EXHIBIT A

BOARD OF COUNTY COMMISSIONERS OF ARAPAHOE COUNTY, COLORADO

TUESDAY, AUGUST 10, 2021

At the regular meeting of the Board of County Commissioners for Arapahoe County, Colorado held at the Administration Building, 5334 South Prince Street, Littleton, Colorado on Tuesday, the 10th day of August, 2021, there were present:

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

RESOLUTION NO. 21-263 It was moved by Commissioner Sharpe and duly seconded by Commissioner Jackson to adopt the following Resolution:

WHEREAS, the Board of County Commissioners, on June 17, 2003, adopted Resolution Number 030381, which authorized the submission of a ballot issue to the eligible electors of Arapahoe County, proposing the imposition of a one quarter of one percent (0.25%) sales and use tax for open space and trails purposes; and

WHEREAS, on November 4, 2003, a majority of the eligible Arapahoe County electors approved the ballot issue authorizing the sales and use tax as specified in Resolution Number 030381; and

WHEREAS, the Board of County Commissioners, adopted Resolution Number 110637 on August 30, 2011, which authorized the submission of a ballot issue to the eligible electors of Arapahoe County, to extend the existing one quarter of one percent (0.25%) sales and use tax for open space and trails purposes; and

WHEREAS, on November 1, 2011, a majority of the eligible Arapahoe County electors approved the ballot issue extending the sales and use tax and making amendments as described in further detail in Resolution Number 110637; and

WHEREAS, pursuant to Resolution Number 110637, the sales and use tax is set to expire on December 31, 2023; and

WHEREAS, since establishing the open spaces program, Arapahoe County has built or improved 70 miles of trails, supported 168 park, trailhead, and heritage-area projects, conserved 31,000 acres of open space, and invested nearly \$360 million in open spaces, parks, trails and

heritage areas, with nearly 71% of funding provided directly to the County's cities and special districts for local needs; and

WHEREAS, Arapahoe County recently updated its open spaces master plan, which serves as a blueprint for the program's future, identifying opportunities for: conserving and enhancing natural lands, wildlife habitats and water resources, closing the gaps in the County's outdoor recreation network, and setting County priorities for educational programming and the stewardship of existing resources; and

WHEREAS, Arapahoe County sought and received substantial input from residents, businesses, municipalities, nonprofits, and special districts about the future of open spaces, parks, and trails within Arapahoe County as well as whether it is in the best interests of County residents to extend the sales and use tax past December 31, 2023; and

WHEREAS, the Board of County Commissioners established a reauthorization committee to evaluate options regarding a potential sales tax extension, engaging the public and the Open Spaces Citizen Advisory Board to make recommendations to the Board for consideration; and

WHEREAS, public feedback received demonstrated overwhelming support for extending the sales and use tax; and

WHEREAS, based upon input received, the Board of County Commissioners has determined that it is in the best interests of the residents of the County that the county-wide sales and use tax at the rate of one quarter of one percent (0.25%) be extended, the receipts from which will continue to be used for open space and trails purposes in the manner set forth in this resolution, which incorporates the provisions of both Resolution Numbers 030381 and 110637, as well as modifications to such provisions that extend the tax beyond its current expiration date of December 31, 2023, until repealed, increase the amount of funds available to municipalities and the County for maintenance, reduce funds available for acquisition, allow the County to allocate funds to active open space and park uses, allow for the re-distribution of unspent funds to other open space, park and trail uses, and makes some other revisions and clarifications to the County's open space tax program, as set forth in further detail below; and

WHEREAS, pursuant to Colorado Constitution Article X, Section 20, an extension of an expiring tax requires voter approval; and

WHEREAS, pursuant to Section IX. A. of Resolution Number 030381, some of the proposed amendments are permitted only if approved by a vote of the registered electors of Arapahoe County; and

WHEREAS, the Board of County Commissioners has determined that a ballot issue regarding the extension of the sales and use tax and modifications to the program, should be submitted by the Board of County Commissioners to the eligible electors of the County at the November 2, 2021, election; and

WHEREAS, pursuant to Section 1-5-203(3) C.R.S., the Board of County Commissioners through the adoption of this resolution certifies the ballot issue to the Arapahoe County Clerk and Recorder for said November 2, 2021, election.

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

1. The ballot issue title and issue contained in Exhibit A, attached and incorporated herein, shall be presented in substantially such form to the registered electors of Arapahoe County at the coordinated election to be held on Tuesday, November 2, 2021, in accordance with all applicable laws. The Board of County Commissioners hereby directs that a copy of this Resolution be certified and filed in the Office of the Clerk and Recorder immediately and authorizes and directs the Clerk and Recorder to certify the ballot issue and ballot content as provided by law.
2. The name of the designated election official who will be responsible for conducting the election pursuant to the Uniform Election Code is Joan Lopez, Arapahoe County Clerk and Recorder.
3. Pursuant to C.R.S. § 1-11-203.5, any election contest arising out of a ballot issue or ballot question election concerning the order of the ballot or the form or content of the ballot title shall be commenced by petition filed with the proper court within five days after the title of the ballot issue or ballot question is set.
4. The officials and employees of Arapahoe County are hereby authorized and directed to take all actions necessary or appropriate to effectuate the provisions of this resolution.
5. The Arapahoe County Clerk and Recorder shall publish the text of the ballot title and question four separate times, a week apart, in the official newspaper of Arapahoe county and each incorporated municipality within Arapahoe County.
6. Subject to approval of the above-referenced ballot issue by a majority of the registered Arapahoe County electors voting at the November 2, 2021, election, the open space sales and use tax, as originally specified in Arapahoe County Resolution Number 030381, and as subsequently extended and amended as specified in Arapahoe County Resolution Number 10637, shall be further extended, amended and restated as specified below.
7. General Provisions.
 - (a) Purpose. The purpose of this Resolution is, upon the approval of a majority of registered electors voting on such proposal, to extend continuously beyond its current expiration date of December 31, 2023, until repealed, an existing sales tax of one quarter of one percent (0.25%) upon the sale at retail of tangible personal property and the furnishing of certain services in the County, and to extend continuously beyond its current expiration date of December 31, 2023, until repealed, an existing use tax of one quarter of one percent (0.25%) for the privilege

of use or consuming in the County any construction and building materials purchased at retail, and for the privilege of storing, using or consuming in the County any motor and other vehicles, purchased at retail on which registration is required, all in accordance with the provisions of Article 2 of Title 29, C.R.S., which provisions are incorporated herein by this reference, and to modify the provisions of the sales and use tax program as set forth herein.

- (b) Statutory Definitions Incorporated. For purposes of this Resolution, the definitions of the words contained herein shall be as defined in Sections 39-26-102 and 39-26-201, C.R.S., which definitions are incorporated herein by this reference.
 - (c) Effective Date: The provisions of this Resolution shall become effective immediately upon approval by a majority of registered electors voting upon such proposal, and once effective, shall supersede Arapahoe County Resolution Numbers 030381 and 10637.
- 8. Sales Tax. The imposition and collection of a one-quarter of one percent (0.25%) sales tax on all sales of tangible personal property at retail or the furnishing of services in Arapahoe County, as provided in Section 29-2-105(1)(d), C.R.S., effective throughout the incorporated and unincorporated portions of Arapahoe County, such tax having been originally imposed by Arapahoe County Resolution Number 030381, shall hereby continue to and beyond its current expiration date of December 31, 2023, until repealed, subject to the following terms and conditions:
 - (a) Transactions Subject to the Sales Tax.
 - i. The tangible personal property and services taxable hereunder shall be the same as the tangible personal property and services taxable pursuant to Section 39-26-104, C.R.S., subject to the same exemptions as those specified in part 7 of article 26 of title 39, C.R.S. and Section 29-2-105, C.R.S. expressly including the exemption allowed by section 39-26-709 (1), C.R.S., for purchases of machinery or machine tools; the exemption for sales of electricity, coal, wood, gas, fuel oil, or coke specified in section 39-26-715 (1)(a)(II), C.R.S.; the exemption for sales of food specified in section 39-26-707 (1)(e), C.R.S.; the exemption for vending machine sales of food set forth in section 39-26-714 (2), C.R.S.; the exemption for occasional sales by a charitable organization set forth in section 39-26-718 (1)(b), C.R.S.; the exemption for sales and purchases of farm equipment and farm equipment under lease or contract specified in section 39-26-716 (2)(b) and (2)(c), C.R.S., excepting from the definition of “farm equipment” the sales and purchases of parts used in the repair or maintenance of farm equipment, all shipping pallets or aids paid for by a farm operation, any visual, electronic identification, or matched pair ear tags and electronic identification readers used to scan ear tags that are used by farm operators to identify or track food animals including animals used for food or in the production of food as specified in section 39-26-716 (1)(d), all sales and purchases of dairy equipment, and aircraft designed or adapted to undertake

agricultural applications; and the exemption for sales of low-emitting motor vehicles, power sources, or parts used for converting such power sources as specified in section 39-26-719 (1), C.R.S.; the exemption for sales of machinery or machine tools specified in section 39-26-709 (1), C.R.S., used in the processing of recovered materials by a business listed in the inventory prepared by the department of public health and environment pursuant to section 30-20-122 (1)(a)(V), C.R.S.; the exemption for sales of wood from salvaged trees killed or infested in Colorado by mountain pine beetles or spruce beetles as specified in section 39-26-723, C.R.S.; the exemption for sales that benefit a Colorado school specified in section 39-26-725, C.R.S.; the exemption for sales by an association or organization of parents and teachers of public school students that is a charitable organization as specified in section 39-26-718 (1)(c), C.R.S.; the exemption for sales of property for use in space flight specified in section 39-26-728, C.R.S.; and the exemption for manufactured homes set forth in section 39-26-721 (3).

- ii. All sales of personal property on which a specific ownership tax has been paid or is payable shall be - exempt from the sales tax imposed by Arapahoe County when such sales meet both of the following conditions: (1) the purchaser is a non-resident of or has his principal place of business outside of Arapahoe County, and (2) such personal property is registered or required to be registered outside the limits of Arapahoe County under the laws of the State of Colorado.
 - iii. Such sales tax will not be imposed upon the sale of tangible personal property at retail or the furnishing of services if the transaction was previously subjected to a sales or use tax lawfully imposed on the purchaser or user by another statutory or home rule county equal to or in excess of that sought to be imposed hereunder by Arapahoe County. A credit shall be granted against the sales tax imposed hereunder by Arapahoe County with respect to such transaction equal in amount to the lawfully imposed local sales or use tax previously paid by the purchaser or user to the previous statutory or home rule county. The amount of the credit shall not exceed the sales tax imposed hereunder by Arapahoe County.
- (b) Determination of Place at Which Sales are Consummated. For the purposes of this Resolution, all retail sales are sourced as specified in section 39-26-104 (3), C.R.S. The amount subject to the sales tax imposed hereunder shall not include any Colorado state sales or use tax imposed by Article 26 of Title 39, C.R.S.
 - (c) Collection, Administration, and Enforcement. The sales tax imposed hereunder shall be collected, administered and enforced by the Executive Director of the Colorado Department of Revenue ("Executive Director") in the same manner as the collection, administration and enforcement of the Colorado state sales tax. The provisions of Article 26 of Title 39, C.R.S., and all rules and regulations promulgated thereunder by the Executive Director shall govern the collection, administration, and enforcement of the sales tax imposed hereunder. Distribution

of all sales tax collected by the Executive Director, pursuant to this Resolution, shall be to Arapahoe County.

- (d) Vendor's Fee. The vendor shall be entitled as collection agent for the County to withhold an amount equal to one-half of one percent (.50%) of the total amount to be remitted by the vendor to the Executive Director each month to cover the vendor's expense in the collection and remittance of the Sales Tax. If any vendor is delinquent in remitting the Sales Tax, other than in unusual circumstances shown to the satisfaction of the Executive Director, the vendor shall not be allowed to retain any amounts to cover his or her expense in collecting and remitting said Sales Tax, and an amount equivalent to the full amount of the Sales Tax imposed by this Resolution shall be remitted to the Executive Director by any such delinquent vendor.
9. Use Tax. The imposition and collection of a one-quarter of one percent (0.25%) use tax in accordance with the provisions of Article 2, Title 29, C.R.S., for the privilege of using or consuming in Arapahoe County any construction and building materials purchased at retail and for the privilege of storing, using, or consuming in Arapahoe County any motor and other vehicles, purchased at retail on which registration is required, effective throughout the incorporated and unincorporated portions of Arapahoe County, such tax having been originally imposed by Arapahoe County Resolution Number 030381, shall hereby continue to and beyond its current expiration date of December 31, 2023, until repealed, subject to the following terms and conditions:
- (a) Exemptions from the Use Tax.
 - i. Storage, use, or consumption of any tangible personal property the sale of which is subject to a retail sales tax imposed by Arapahoe County.
 - ii. Storage, use or consumption of any tangible personal property purchased for resale in Arapahoe County either in its original form or as an ingredient of a manufactured or compounded product, in the regular course of a business.
 - iii. Storage, use or consumption of tangible personal property brought into Arapahoe County by a nonresident thereof for his own storage, use, or consumption while temporarily within the County; however, this exemption does not apply to the storage, use, or consumption of tangible personal property brought into this State by a nonresident to be used in the conduct of a business in this State.
 - iv. Storage, use, or consumption of tangible personal property by the United States government, or the State of Colorado, or its institutions, or its political subdivisions in their governmental capacities only or by religious or charitable corporations in the conduct of their regular religious or charitable functions.
 - v. Storage, use, or consumption of tangible personal property by a person

engaged in the business of manufacturing or compounding for profit, or the use of any article, substance, or commodity, which tangible personal property enters into the processing of or becomes an ingredient or component part of the product or service which is manufactured, compounded, or furnished and the container, label, or the furnished shipping case thereof.

- vi. Storage, use, or consumption of any article of tangible personal property, the sale or use of which has already been subjected to a legally imposed sale or use tax of another statutory or home rule county equal to or in excess of that imposed by Arapahoe County. A credit shall be granted against the use tax imposed by Arapahoe County with respect to a person's storage, use, or consumption in Arapahoe County of tangible personal property purchased in another statutory or home rule county. The amount of the credit shall be equal to the tax paid by the person by reason of the imposition of a sales or use tax of the other statutory or home rule county on the purchase or use of the property. The amount of the credit shall not exceed the tax imposed by this proposal.
 - vii. Storage, use, or consumption of tangible personal property and household effects acquired outside of Arapahoe County and brought into it by a non-resident acquiring residency.
 - viii. Storage or use of a motor vehicle if the owner is or was, at the time of purchase, a non-resident of Arapahoe County and he purchased the vehicle outside of Arapahoe County for use outside of Arapahoe County and actually so used it for a substantial and primary purpose for which it was acquired and he registered, titled, and licensed said motor vehicle outside of Arapahoe County.
 - ix. Storage, use, or consumption of any construction and building materials and motor and other vehicles on which registration is required if a written contract for the purchase thereof was entered into prior to the effective date of this use tax resolution.
 - x. Storage, use, or consumption of any construction and building materials required or made necessary in the performance of any construction contract bid, let, or entered into any time prior to the effective date of the use tax imposed hereunder
- (b) The use tax imposed hereunder shall be applicable to every motor vehicle for which registration is required by the laws of the State of Colorado, and no registration shall be made of any motor or other vehicle for which registration is required, and no certificate of title shall be issued for such vehicle by the Department of Revenue or its authorized agents until any tax due upon the use, storage, or consumption thereof pursuant to this Resolution has been paid.

- (c) Collection, Administration, and Enforcement Except as provided by Section 39-26-209, C.R.S., the use tax imposed hereunder shall be collected, enforced and administered by Arapahoe County, consistent with Arapahoe County's guidelines, policies and procedures, which exist or may hereafter be promulgated not inconsistent with this Resolution. The use tax on construction and building materials shall be collected by the County's Public Works and Development Department, by each municipality or, as may be otherwise provided by intergovernmental agreement, based upon an estimate of building and construction materials costs submitted by the owner or contractor at the time a building permit application is made. All use tax collected on construction and building materials pursuant to this Resolution shall be distributed to Arapahoe County. All use tax collected on motor or other vehicles pursuant to this Resolution shall be distributed to Arapahoe County.
10. Arapahoe County Open Space Fund. A separate fund, known as the "Arapahoe County Open Space Fund" (the "Fund"), shall continue to be maintained, and 100% of the revenue derived from the sales and use tax imposed on the incorporated and unincorporated areas of Arapahoe County shall continue to be deposited thereto to be used solely for the purposes stated herein and as further described more fully below.
- (a) For purposes of Colo. Const., Art. X, Section 20, the receipt and expenditure of revenues of the sales tax and use tax shall be accounted for, budgeted and appropriated separately from other revenues and expenditures of Arapahoe County and outside of the fiscal year spending of the County as calculated under Art. X, Section 20, and nothing in Art. X, Section 20, shall limit the receipt and expenditure in each fiscal year of the full amount of such revenues of the sales tax and use tax, nor shall receipt and expenditure of such revenues affect or limit the receipt or expenditure of any and all other revenues of Arapahoe County for any fiscal year.
 - (b) Interest from Revenues and Income Generated from Acquired Lands. Interest generated from the revenues of the sales and use taxes imposed herein shall be used for the purposes stated herein. Income generated from the use or lease of preserved lands, natural areas, wildlife habitats, and parks acquired with the sales and use taxes imposed herein shall be used for the purposes stated herein.
11. Open Space and Trails Advisory Board. The Open Space and Trails Advisory Board ("OSTAB") shall continue to operate and advise the Board of County Commissioners on Open Space fund uses.
- (a) OSTAB shall consist of seven members.
 - (b) Each County Commissioner shall appoint one resident of his/her commissioner district to serve as an OSTAB member.
 - (c) The Board of County Commissioners shall appoint two Arapahoe County residents as at-large members.

- (d) OSTAB members shall serve three-year terms of office. Members may be re-appointed to no more than two successive terms.
 - (e) OSTAB members shall serve at the pleasure of the Board of County Commissioners.
 - (f) Members shall not be compensated for their services.
 - (g) Members shall act in accordance with law, including Colorado conflict of interest laws applicable to public bodies. No member shall vote or participate in the application process regarding an acquisition or expenditure in which he or she has a financial or ownership interest, or where he or she has an ownership interest in an adjacent property.
 - (h) OSTAB shall continue to meet as provided in its bylaws to review proposed projects and perform other duties in accordance with this Resolution.
 - (i) OSTAB shall make recommendations to the Board of County Commissioners regarding the distribution of revenue collected from the Open Space Sales and Use Tax, in accordance with the guidelines set forth in this Resolution.
12. Distribution of Sales and Use Tax Revenue. The revenue collected from the Open Space Sales and Use Tax shall be distributed and administered in the following manner and subject to the definitions and conditions as set forth in this Resolution:
- (a) The annual revenue from the Open Space Sales and Use Tax shall be distributed according to the percentages as set forth below. Expenditure of said revenue is governed by the provisions set forth in Section 12.

Shareback to all incorporated municipalities or portions thereof based on the population of the incorporated municipality or portions thereof in Arapahoe County versus total population of incorporated areas in Arapahoe County 50%

County Open Space Program funds to be used as follows:

County Administrative Costs	4%
Available as grants to incorporated municipalities and special districts within Arapahoe County	12%
Designated Arapahoe County Heritage Areas	4.1%

Maintenance of County Open Space	9.9%
Acquisition of open space and/or interests in open space to include for the development of multi-use trails	20%
	<u>50%</u>
Total distribution by percentages of Open Space Fund created by Open Space Sales and Use Tax	100%

- (b) County Administrative Costs are those costs necessary for the County to administer the distribution of funds, to include distribution of Shareback Funds; development, creation, oversight and monitoring of and compliance with Intergovernmental Agreements ("IGAs"); grant review and distribution of grant funds; site reviews for grants and review of certified Annual Municipal Reports, as well as to administer the County's own Open Space Program, excluding maintenance, as set forth more fully below.
- (c) Shareback Funds are those monies distributed to the incorporated municipalities wholly and/or partially in Arapahoe County for open space uses as more fully set forth below.
 - i. These funds will be distributed to each incorporated municipality within or partially within Arapahoe County based on the population within said jurisdiction in Arapahoe County and the total incorporated population of Arapahoe County.
 - ii. The population figures will be updated annually based on the official figures provided by the Demography Section of the Colorado Department of Local Affairs or any state agency which takes over the duties and responsibilities of said Demography Section.
 - iii. The Shareback Funds will be distributed on an annual basis to each incorporated municipality, wholly or partially within Arapahoe County, provided that:
 - a. The incorporated municipality has entered into an Intergovernmental Agreement (IGA) with the Board of County Commissioners.
 - b. Such required IGA reflects the terms, conditions, intent and purpose of this Resolution consistent with the guidelines as set forth in Section 12(c) and (e) below.
 - c. Shareback Funds may be used for the open space uses as set forth in Section 12(e) below.

- d. Further, an incorporated municipality may use up to the percentage of its Shareback Funds designated in the IGA with the Board of County Commissioners, which designated percentage shall be at least 20% of the annual allocation, to maintain existing or new open space properties, trails, neighborhood and regional parks, and sports fields.
- e. Incorporated municipalities may bank Shareback Funds from year to year, as long as such funds are expended in accordance with the purposes set forth in this Resolution, and such is noted in the Annual Municipal Expenditure Report as set forth in Section 12 (iii) (g).
- f. Every December 31st, each incorporated municipality which received Shareback Funds, must certify and submit in writing, to the Board of County Commissioners, that the funds were used in conformance with this Resolution and must detail the expenditures of its Shareback Funds. Such submission shall be called the Annual Municipal Expenditure Report.
- g. If Shareback Funds are not used in accordance with the provisions and guidelines set forth in this Resolution and/or are used in violation of the terms and conditions of the IGA, the offending incorporated municipality will be ineligible for future Shareback Funds, unless and until a compliance plan is submitted by the offending municipality to and approved by the Board of County Commissioners.
- h. If the offending municipality fails to submit a compliance plan approved by the Board of County Commissioners or fails to meet the requirements of the Board of County Commissioners' approved compliance plan, then the Share of the non-complying entity will be distributed, based on annual population figures, among the other participating incorporated municipalities.

(d) The County Open Space Program shall have the following components:

- i. Grant Program. The County shall have funds, as specified above in Section 12 (a), available for distribution in the form of grants to incorporated municipalities; special districts, which provide recreational services or amenities; and recreation districts.

Said grants shall be used for the purposes specified in Section 12 (c) (iii) (d) or 12 (e) (i), and in accordance with the guidelines set forth in this Resolution.

- a. Those entities having proposals consistent with the guidelines as set forth in this Resolution may submit their grant applications to OSTAB.

- b. OSTAB and County staff shall review the grant applications and make recommendations to the Board of County Commissioners regarding the approval, conditional approval or denial of each application.
 - c. The Board of County Commissioners then shall approve, conditionally approve, or deny the grant application.
 - d. If the County distributes less than 12% of the Open Space Sales and Use Tax as designated for grants, the remaining portion shall be retained by the County to be used for purposes set forth in Section 12 (d) (v) below.
- ii. Designated Heritage Areas. The Board of County Commissioners shall authorize expenditure of funds for Designated Arapahoe County Heritage Areas ("Designated Heritage Areas") located in unincorporated Arapahoe County.
 - a. A Designated Heritage Area is defined as lands or structures which have a cultural or historical significance to Arapahoe County, such as a historic property or the fairgrounds.
 - b. The Board of County Commissioners shall consider designating land or a structure as a Designated Heritage Area after OSTAB and County staff have reviewed and made recommendations on a proposal for such an area.
 - c. Before it designates a Designated Heritage Area, the Board of County Commissioners shall conduct a public hearing on the proposal.
 - d. Funds allocated to Designated Heritage Areas may be used for maintenance of structures and grounds, as well as for future improvements and operations. Funds may not be used for construction of new buildings.
 - e. If the County uses less than the allocated funds for Designated Heritage Areas, the remaining portion shall be retained by the County as set forth in Section 12 (d) (5) below.
- iii. Open Space Maintenance. The County may use funds, as specified in Section 12 (a), for maintenance of County Open Space, to include trails.
 - a. Open Space maintenance funds may not be used for maintenance of Designated Heritage Areas if said area's maintenance is funded under the Designated Heritage Areas portion of the County's program.
 - b. If the County uses less than the allocated amount in the Fund for

maintenance, the remaining portion shall be retained by the County as set forth in Section 12 (d) (v) below.

- iv. Acquisition of Open Space and Trail Development. The County shall use the percentage of the Fund, as specified in Section 12(a) above, to acquire open space or interests in open space, to restore, improve and protect open space, to acquire and develop trails, and for such other uses set forth in Section 12 (e) (i) and subject to any other applicable restrictions on the use of the funds set forth herein.
 - v. If the allocated funds for the County administrative costs, grants, Designated Heritage Areas, County open space maintenance and/or acquisition of open space or interests in open space or trail development are not expended by December 31st of each year, the County shall bank such funds, and such funds may be expended in a future year for such uses. Alternatively, the Board of County Commissioners may reallocate unspent funds to other uses allowed by this Resolution based on recommendations from OSTAB.
 - vi. On an annual basis, the County will hire an independent auditor to audit the County's expenditures of the Fund.
- (e) Additional Guidelines for Use of Funds:
- i. Revenues collected from the Open Space Sales and Use Tax may be used in the following manner:
 - a. To acquire fee title interest in real property for the purposes provided herein;
 - b. To acquire less than fee interests in real property for the purposes provided herein; such as easements (including conservation and agricultural), future interests, covenants, development rights, subsurface rights and contractual rights, either on an exclusive or nonexclusive basis;
 - c. To acquire water rights for use in connection with the purposes provided herein;
 - d. To acquire lands that preserve urban and rural open space; natural areas; agricultural and ranch lands; water quality; lakes; rivers; streams; corridors of rivers and streams; views; vistas; ridgelines; wildlife habitat and movement corridors; trail corridors; flood plains and wetlands;
 - e. To acquire lands that are buffers maintaining community identity;

- f. To acquire and/or improve lands for neighborhood and regional parks, sports fields, dog parks, and other active and passive outdoor recreation purposes;
 - g. To acquire lands with other important values such as historic sites that contribute to the County's and County municipalities' natural and cultural heritage;
 - h. To acquire rights-of-way and easements for trails and access to public lands, and to build and improve such trails and access ways;
 - i. To allow expenditure of funds, consistent with the guidelines set forth in this Resolution, for joint projects between counties and municipalities, special districts which have a recreational component, recreation districts, or other governmental entities in the County;
 - j. To improve, restore and/or protect open space lands as provided herein;
 - k. To manage, patrol and maintain those lands as provided herein;
 - l. To pay for related acquisition, construction, equipment, and/or improvements;
 - m. To allow for the funding of environmental education programs in a manner consistent with the purposes of this Resolution;
 - n. To implement and effectuate the purposes of the Open Space Program.
- ii. No land or interests acquired with the revenues of the Open Space Sales and Use Tax may be sold, leased, traded, or otherwise conveyed, nor may an exclusive license or permit on such land or interests be given, without such approval by the governing body of the entity having received any portion of the Fund, after conducting a public hearing.
 - iii. If the Board of County Commissioners sells land or interests as specified in paragraph 2 above, the proceeds shall be deposited with the Open Space Fund.
 - iv. If any incorporated municipality; special district, which provides recreational services or amenities; or recreation district, sells land or transfers interests as specified in Paragraph 2 above, the proceeds shall be deposited in a fund to be used for purposes consistent with this Resolution.

13. Repeal and Amendment

- (a) If this Resolution is approved by a majority of the registered electors of Arapahoe

County at the election to be held on November 2, 2021, its provisions relating to the amount of tax imposed, specifically the one-quarter of one percent (0.25%) sales tax specified in Section 8 and one-quarter of one percent (0.25%) use tax specified in Section 9, the provisions relating to the deposit and expenditure of revenue as set forth in Section 10, and the provisions of Sections 11 and 12, shall not be repealed or amended except by a vote of the registered electors of the County.

- (b) Except as provided in subsection A hereof, or as otherwise provided in Article 2 of Title 29, C.R.S., the provisions of this Resolution may be repealed or amended, subsequent to its adoption of the sales and use tax by a majority of the voters of Arapahoe County, by a majority vote of the Board of County Commissioners, and such repeal or amendment need not be submitted to the registered electors of the County for their approval.

- 14. If any section, paragraph, clause or provision of this Resolution is held to be invalid or unenforceable, such invalidity or lack of enforceability shall not affect any of the remaining sections, paragraphs, clauses or provisions of this resolution.

The vote was:

Commissioner Baker, Yes; Commissioner Holen, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes; Commissioner Warren-Gully, Yes.

The Chair declared the motion carried and so ordered.

EXHIBIT A

CONTINUE EXISTING FUNDING FOR ARAPAHOE COUNTY'S OPEN SPACES, TRAILS, AND PARKS

WITHOUT INCREASING THE TAX RATE, SHALL ARAPAHOE COUNTY BE AUTHORIZED TO EXTEND ITS EXISTING ONE-QUARTER OF ONE PERCENT SALES AND USE TAX, OR 25 CENTS FOR EVERY 100 DOLLARS, WHICH WILL NOT BE COLLECTED ON SALES OF FOOD OR PRESCRIPTION DRUGS, WITH THE PROCEEDS TO BE USED FOR THE SAME PURPOSES, INCLUDING BUT NOT LIMITED TO:

CONSERVING LANDS THAT PROTECT WATER QUALITY IN RIVERS, LAKES AND STREAMS;

PROTECTING AND MAINTAINING NATURAL AREAS, WILDLIFE HABITAT, AND OPEN SPACE;

PROVIDING, MAINTAINING, AND IMPROVING REGIONAL AND NEIGHBORHOOD PARKS AND TRAILS;

PROVIDING MORE ACTIVE RECREATION OPPORTUNITIES FOR CHILDREN, YOUTH, ADULTS AND OLDER ADULTS;

PRESERVING WORKING FARMS AND RANCHES TO ENSURE LOCAL FOOD PRODUCTION; AND

MAINTAINING AND PRESERVING HISTORIC SITES;

WITH THE CONTINUED REQUIREMENT THAT THE COUNTY'S PROGRAM EXPENDITURES FOR PROJECTS AND GRANTS BE FIRST SUBMITTED TO A CITIZEN ADVISORY BOARD FOR A RECOMMENDATION TO THE COUNTY COMMISSIONERS; AND THAT THE PROGRAM BE SUBJECT TO AN ANNUAL INDEPENDENT AUDIT PUBLISHED ON THE COUNTY'S WEBSITE, AND SUBJECT TO SUCH OTHER RESTATED, UPDATED AND AMENDED REQUIREMENTS AS ARE SET FORTH IN ARAPAHOE COUNTY RESOLUTION NUMBER 21-263, AND EXTENDING THE TAX CONTINUOUSLY BEYOND ITS CURRENT EXPIRATION DATE, UNTIL REPEALED, AS A VOTER APPROVED REVENUE CHANGE AND EXCEPTION TO LIMITS WHICH WOULD OTHERWISE APPLY UNDER ARTICLE X, SECTION 20 OF THE COLORADO CONSTITUTION OR ANY OTHER LAW, THE ABOVE CONSTITUTING NO SIGNIFICANT CHANGES TO THE PROGRAM REQUIREMENTS, EXCEPT TO: INCREASE THE AMOUNT OF FUNDING AVAILABLE TO MUNICIPALITIES AND THE COUNTY FOR MAINTENANCE OF OPEN SPACE, PARKS AND TRAILS, REDUCE THE ALLOCATION AVAILABLE FOR ACQUISITION AND DEVELOPMENT OF OPEN SPACE AND TRAILS, ALLOW COUNTY EXPENDITURES TO BE ALLOCATED TO ACTIVE OPEN SPACE AND PARK USES BASED ON RECOMMENDATIONS OF THE CITIZEN ADVISORY BOARD, AND TO ALLOW UNSPENT COUNTY OPEN SPACE FUNDS TO BE RE-ALLOCATED FOR OTHER OPEN SPACE, PARK AND TRAIL PURPOSES?

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Littleton, Colorado this 20th day of August, 2021.



A handwritten signature in cursive script, reading "Joan Lopez", is written over a horizontal line.

Joan Lopez, Clerk to the Board

EXHIBIT B

POLICIES AND PROCEDURES FOR COLLECTION OF OPEN SPACE USE TAX

RESOLUTION NO. 914-22

A RESOLUTION APPROVING THE 2022 INTERGOVERNMENTAL AGREEMENT FOR OPEN SPACE SALES AND USE TAX SHAREBACK FUNDS

WHEREAS, in 2021, the voters of Arapahoe County permanently reauthorized the open space sales and use tax, until repealed, as set forth in County Resolution No. 21-263; and

WHEREAS, County Resolution No. 21-263 provides that 50 percent of the annual revenue from the open space sales and use tax shall be distributed to incorporated municipalities within the County (“Shareback Funds”); and

WHEREAS, a new Intergovernmental Agreement has been proposed between the County and the Town concerning the distribution of Shareback Funds; and

WHEREAS, the Board of Trustees has determined that the proposed Intergovernmental Agreement is in the best interests of the Town and its citizens and desires to enter into such Intergovernmental Agreement with the County of Arapahoe.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF BENNETT, COLORADO, AS FOLLOWS:

Section 1. The proposed 2022 Intergovernmental Agreement for Open Space Sales and Use Tax Shareback Funds between Arapahoe County and the Town of Bennett (the “Agreement”) is hereby approved in essentially the same form as the copy of such Agreement accompanying this Resolution.

Section 2. The Mayor is hereby authorized to execute the Agreement, except that the Mayor is hereby further granted the authority to negotiate and approve such revisions to said Agreement as the Mayor determines are necessary or desirable for the protection of the Town, so long as the essential terms and conditions of the Agreement are not altered.

Section 3. The Mayor and Town Staff are further authorized to do all things necessary on behalf of the Town to perform the obligations of the Town under the Agreement and to execute and deliver any and all documents necessary to effect the terms and conditions of such Agreement.

INTRODUCED, ADOPTED AND ADOPTED THIS 26th DAY OF APRIL 2022.

TOWN OF BENNETT

Royce D. Pindell, Mayor

ATTEST:

Christina Hart, Town Clerk