



Eva J. Henry - District #1
Charles "Chaz" Tedesco - District #2
Emma Pinter - District #3
Steve O'Dorisio - District #4
Lynn Baca - District #5

**STUDY SESSION AGENDA
TUESDAY
September 28, 2021**

**ADAMS COUNTY GOVERNMENT CENTER
CONFERENCE CENTER, ROOM BRANTNER GULCH B**

ALL TIMES LISTED ON THIS AGENDA ARE SUBJECT TO CHANGE

11:15 A.M.	ATTENDEE(S):	Dr. John Douglas, Executive Director, Tri-County Health Department / Jennifer Ludwig, Tri-County Health Department
	ITEM:	Budget Presentation
12:15 P.M.	ATTENDEE(S):	Jenni Grafton / Ryan Nalty / Jen Rutter / Nick Eagleson / Maxwell Bernhardt / Karl Onsager
	ITEM:	Proposed Sign Code Changes
12:45 P.M.	ATTENDEE(S):	Brian Staley / David Rausch
	ITEM:	CDOT IGA MTCE I-76 Scour Maintenance Agreement
1:15 P.M.	ATTENDEE(S):	Jenni Grafton / Katie Keefe / Greg Dean
	ITEM:	Oil and Gas Update
1:45 P.M.	ATTENDEE(S):	Adam Burg / Eliza Schultz / Elisabeth Rosen / Alan Morse
	ITEM:	State Lobbyists Update
2:30 P.M.	ATTENDEE(S):	Mike Holub / Jeff Bowman / Cyndi Stringham / Mark Kluth
	ITEM:	Veterans Memorial Budget Amendment for Early Package
3:00 P.M.	ATTENDEE(S):	Raymond Gonzales
	ITEM:	Administrative Item Review / Commissioners Communication

(AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE)

AGENDA IS SUBJECT TO CHANGE



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3:30 P.M.

ATTENDEE(S):
ITEM:

Heidi Miller
Executive Session Pursuant to C.R.S 24-6-402(4)(a)
for the Purpose of Discussing Potential Sale of
Property

(AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE)

AGENDA IS SUBJECT TO CHANGE



STUDY SESSION ITEM SUMMARY

DATE OF STUDY SESSION: September 28, 2021
SUBJECT: Tri-County Health Department 2022 Proposed Budget and Agency Update
OFFICE/DEPARTMENT: Tri-County Health Department
CONTACT: Dr. John Douglas, Executive Director, Tri-County Health Department / Jennifer Ludwig, Deputy Director, Tri-County Health Department
FINACIAL IMPACT: Informational only
SUPPORT/RESOURCES REQUEST:
DIRECTION NEEDED: Informational only
RECOMMENDED ACTION: Informational only

DISCUSSION POINTS:

- Tri-County Health Department will presented the 2022 Proposed Budget

Tri-County Health Department 2022 Proposed Budget and Agency Update

Dr. John Douglas, Executive Director
Jennifer Ludwig, Deputy Director



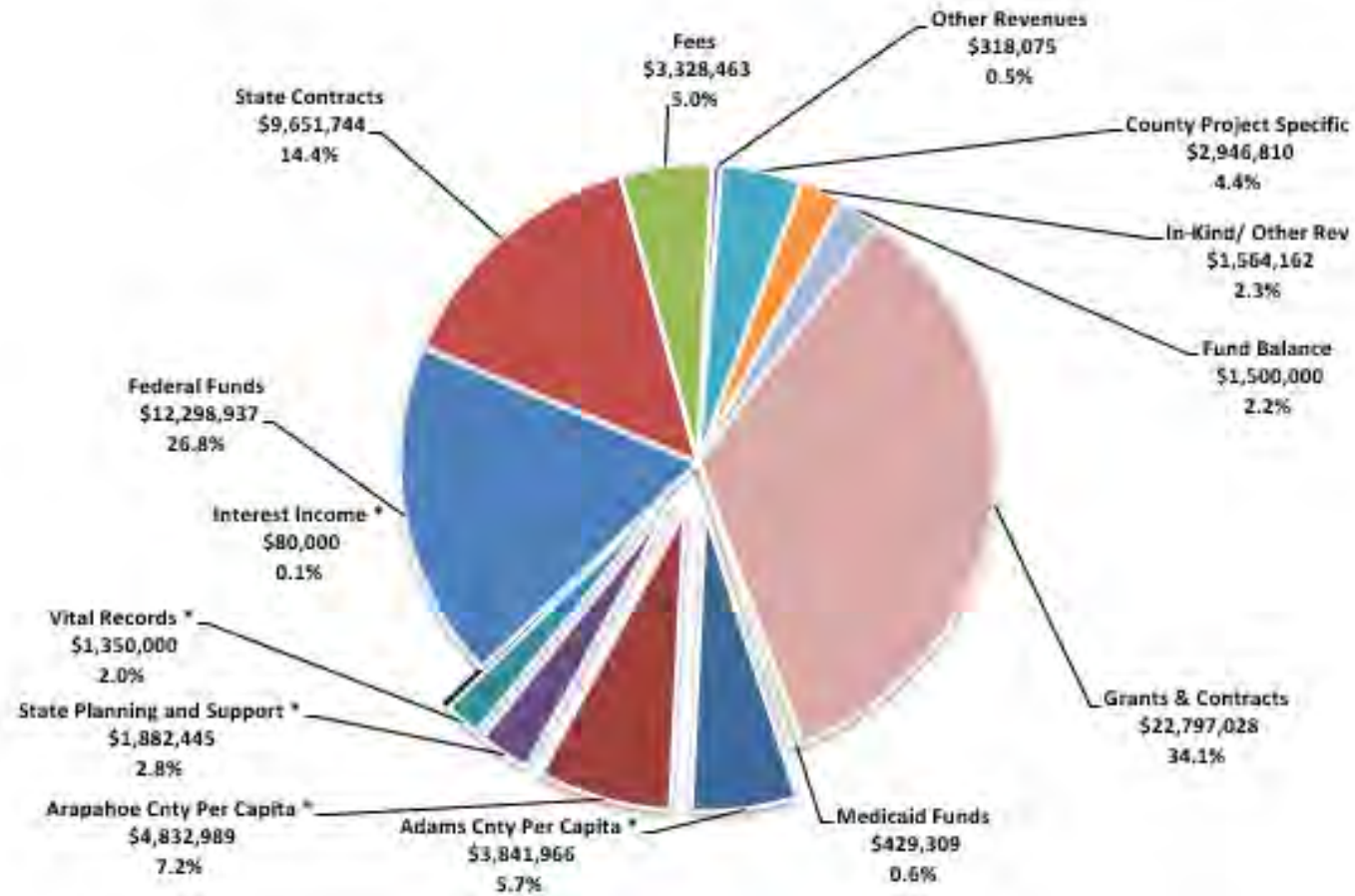
FY 2022 Budget Planning Assumptions



- Proposed Per Capita Increase of \$0.07
 - \$84,161 proposed per capita increase
- No Lost Revenue Due to Douglas County Withdrawal
- Market Rate Wage Adjustment of 4%
- Anticipated Health Benefit Increase of 9%
- General Fund Operation Budget Increase of 3%
- COVID ELC Funding - \$15.8m
- Public Health Transformation Infrastructure Enhancement Funding - \$2.4m
- PERA 0.5% Increase – Effective July 1, 2022

FY 2022 Proposed Revenues by Type

Total of \$ 63,935,783

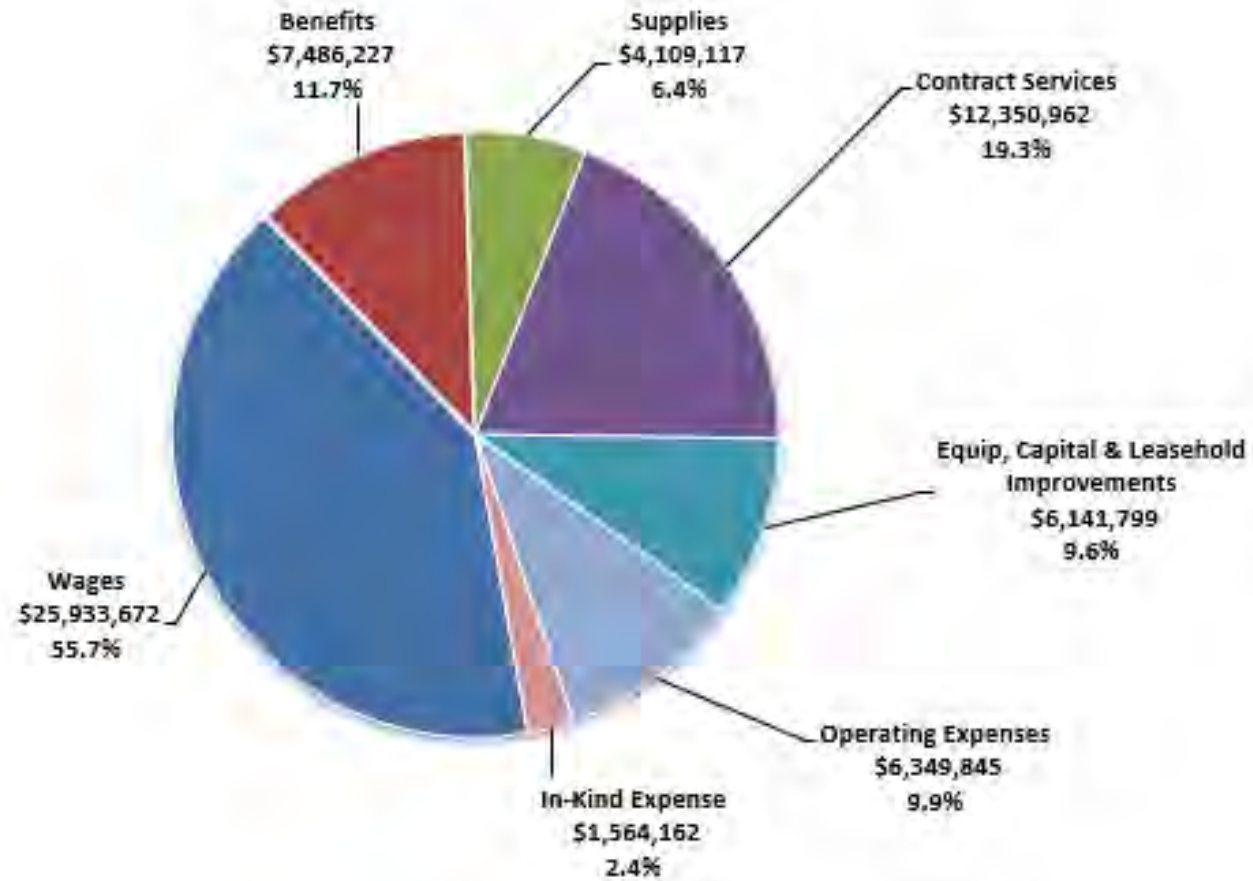


For all sources of revenue, FY 2022 Budget reflects a 4.28% revenue decrease over FY 2021 Revised

*Source is General Fund Revenue

FY 2022 Proposed Expenditure by Type

Total of \$ 63,935,783



Summary of Budget Changes



SUMMARY OF BUDGET CHANGES 2021 TO 2022

Changes to Revenues/Sources of Funds	2021	2022	Increase / (Decrease)	
	Revised Budget	Proposed Budget	\$	%
County Per Capita	\$ 11,141,313	\$ 8,674,955	▼\$ (2,466,358)	(22.14%)
County Project Specific	\$ 2,938,053	\$ 2,946,810	▲ 8,757	0.30%
Federal Funds	\$ 407,681	420,443	▲ 12,762	3.13%
Medicaid Funds	\$ 489,991	429,309	▼ (60,682)	(12.38%)
Fees	\$ 3,358,802	3,328,463	▼ (30,339)	(0.90%)
Interest Income	\$ 80,000	80,000	■ -	0.00%
Vital Records Fees	\$ 1,350,000	1,350,000	■ -	0.00%
State Contracts	\$ 8,834,573	9,651,744	▲ 817,171	9.25%
State Planning and Support	\$ 1,882,445	1,882,445	■ -	0.00%
Federal Pass Through Funds	\$ 12,398,377	11,878,494	▼ (519,883)	(4.19%)
Other Grants & Contracts	\$ 20,004,490	19,910,883	▼ (93,607)	(0.47%)
Other Revenue *	\$ 318,075	318,075	■ -	0.00%
Fund Balance Use	\$ 2,024,755	1,500,000	▼ (524,755)	(25.92%)
In-Kind	\$ 1,564,162	1,564,162	■ -	0.00%
TOTAL REVENUES	\$ 66,792,717	\$ 63,935,783	▼\$ (2,856,934)	(4.28%)

Douglas County contract revenue included in Other Grants & Contracts – Totaling \$2,886,145

Summary of Budget Changes



SUMMARY OF BUDGET CHANGES 2021 TO 2022

Changes to Expenditures	2021	2022	Increase / (Decrease)	
	Revised Budget	Proposed Budget	\$	%
Wages	\$26,108,015	\$ 25,933,672 ▼	\$ (174,343)	(0.67%)
Fringe Benefits	7,876,721	7,486,227 ▼	(390,494)	(4.96%)
Contracts for Services	16,307,007	12,350,960 ▼	(3,956,047)	(24.26%)
Operating - Travel	503,460	528,651 ▲	25,191	5.00%
Operating - Supplies	4,761,641	4,109,117 ▼	(652,525)	(13.70%)
Operating - Expenses	5,781,438	5,737,871 ▼	(43,567)	(0.75%)
Operating - Other Costs	88,858	83,323 ▼	(5,535)	(6.23%)
Equipment (Non-capital)	1,850,415	1,669,020 ▼	(181,395)	(9.80%)
Capital Equipment	1,951,000	4,222,779 ▲	2,271,779	116.44%
Leasehold Improvement	-	250,000 ▲	250,000	0.00%
In-Kind	1,564,162	1,564,162 ▬	-	0.00%
TOTAL EXPENDITURES	\$66,792,717	\$ 63,935,783 ▼	\$ (2,856,934)	(4.28%)

Proposed Budget Summary



Division: ALL AGENCY

				Increase / (Decrease)	
				\$	%
	FY2020 ACTUAL	FY2021 REVISED	FY2022 PROPOSED		
REVENUE:					
COUNTY	\$ 10,956,329	\$ 11,141,313	8,674,955	▼ (2,466,358)	(22.14%)
COUNTY - PROJECT SPECIFIC**	2,062,645	2,938,053	2,946,810	▲ 8,757	0.30%
FEDERAL FUNDS	235,394	407,681	420,443	▲ 12,762	3.13%
MEDICAID FUNDS	242,304	489,991	429,309	▼ (60,682)	(12.38%)
FEES	4,392,412	4,708,802	4,678,463	▼ (30,339)	(0.64%)
STATE CONTRACTS	9,329,726	10,717,018	11,534,189	▲ 817,171	7.62%
FEDERAL PASS THRU FUNDS	22,829,326	12,398,377	11,878,494	▼ (519,883)	(4.19%)
OTHER GRANTS / CONTRACTS**	1,010,568	20,004,490	19,910,883	▼ (93,607)	(0.47%)
OTHER REVENUE	355,477	398,075	398,075	■ -	0.00%
FUND BALANCE USE	-	2,024,755	1,500,000	▼ (524,755)	(25.92%)
IN-KIND REVENUE	1,154,627	1,564,162	1,564,162	■ -	0.00%
TOTAL AGENCY REVENUE	\$ 52,568,809	\$ 66,792,717	\$ 63,935,783	▼ \$ (2,856,934)	(4.28%)
<i>FTE's</i>	<i>390.96</i>	<i>389.08</i>	<i>386.25</i>	▼ (2.83)	(0.73%)
<i>Benefits as a Percentage of Wages</i>	<i>30.01%</i>	<i>30.17%</i>	<i>28.87%</i>		

** COVID-19 Specific Funds

Proposed Budget Summary



Division: ALL AGENCY

Division: ALL AGENCY

		FY2020	FY2021	FY2022	Increase / (Decrease)	
		ACTUAL	REVISED	PROPOSED	\$	%
EXPENDITURES:						
WAGES		\$ 24,760,735	\$ 26,108,015	\$ 25,933,672	▼ (174,343)	(0.67%)
BENEFITS		7,431,201	7,876,721	7,486,227	▼ (390,494)	(4.96%)
	Total Personnel	\$ 32,191,936	\$ 33,984,736	\$ 33,419,899	▼\$ (564,837)	(1.66%)
CONTRACTS / SERVICES**		8,232,985	16,307,007	12,350,960	▼ (3,956,047)	(24.26%)
TRAVEL		163,070	503,460	528,651	▲ 25,191	5.00%
SUPPLIES**		863,963	4,761,641	4,109,117	▼ (652,525)	(13.70%)
OPERATING**		4,882,617	5,781,438	5,737,871	▼ (43,567)	(0.75%)
OTHER COSTS		52,382	88,858	83,323	▼ (5,535)	(6.23%)
EQUIPMENT (Non-Capital)		246,320	1,850,415	1,669,020	▼ (181,395)	(9.80%)
	TOTAL DIRECT EXPENSES	\$ 46,633,273	\$ 63,277,555	\$ 57,898,840	▼\$ (5,378,715)	(8.50%)
	CAPITAL & LEASEHOLD IMPROVEMENTS	\$150,923	\$1,951,000	\$4,472,779	▲\$ 2,521,779	129.26%
	IN-KIND EXPENSE	\$1,154,627	\$1,564,162	\$1,564,162	■ -	0.00%
TOTAL AGENCY EXPENDITURES		\$ 47,938,823	\$ 66,792,717	\$ 63,935,783	▼ \$ (2,856,934)	(4.28%)
	INDIRECT ALLOCATION	\$ -	\$ -	\$ -	■\$ -	0.00%
	GENERAL FUND USE	-	-	-	■ -	0.00%
TOTAL AGENCY NET		\$ 4,629,986	\$ -	\$ -	\$ -	0.00%

(Revenue minus Expenses & Allocations)

** COVID-19 Specific Funds

Additional Adams County Revenue



- Air Quality: \$100,000
 - Supports Air Quality Specialist, Kate Fury, and program expenses
- Food Security: \$80,000
 - Supports Food Security Specialist, Lilia Chavez-Bernal, and program expenses
- Nurse Support Program (Contract with Human Services): \$939,092
 - Mothers First: \$567,856
 - Child Nurse Liaison: \$371,236

Summary: Forecasted County Population Change: FY 2021 to FY 2022



FY21 Forecast from May 2020;
FY22 Forecast from May 2021

<u>County</u>	<u>FY 2021</u>	<u>FY 2022</u>	<u>Change</u>
Adams	538,238	535,839	(2,399)
Arapahoe	671,733	674,057	2,324
Total	<u>1,209,971</u>	<u>1,209,896</u>	<u>(75)</u>

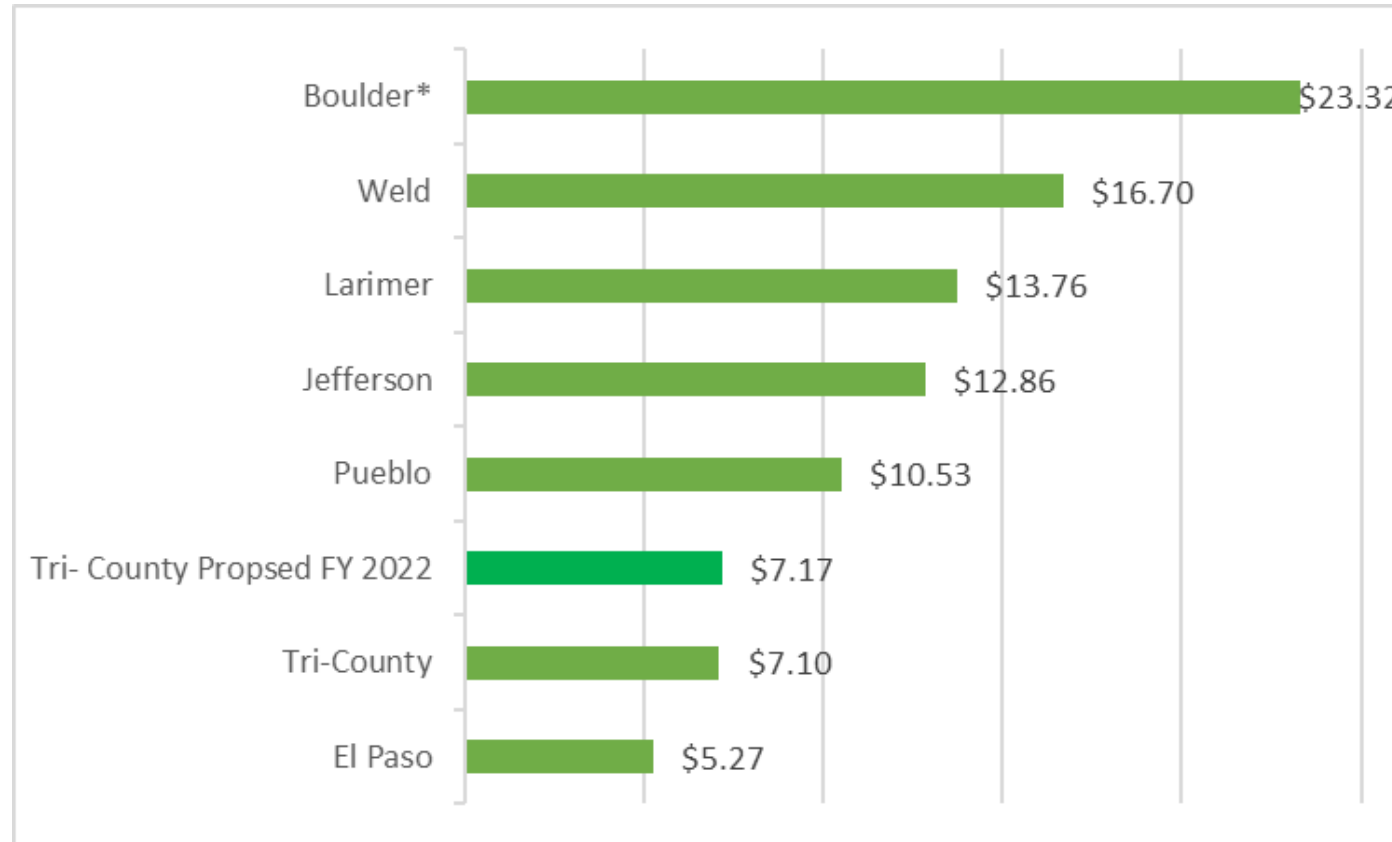
Population Forecast Source: State Demographer, Colorado
Department of Local Affairs.
FY21 Forecast from May 2020; FY22 Forecast from May 2021

Overview: FY 2022 Request for County General Funds



- County budget increase:
 - Per-capita rate increase from \$7.10 to \$7.17 \$ 84,161
 - Total County budget increase \$ 84,161

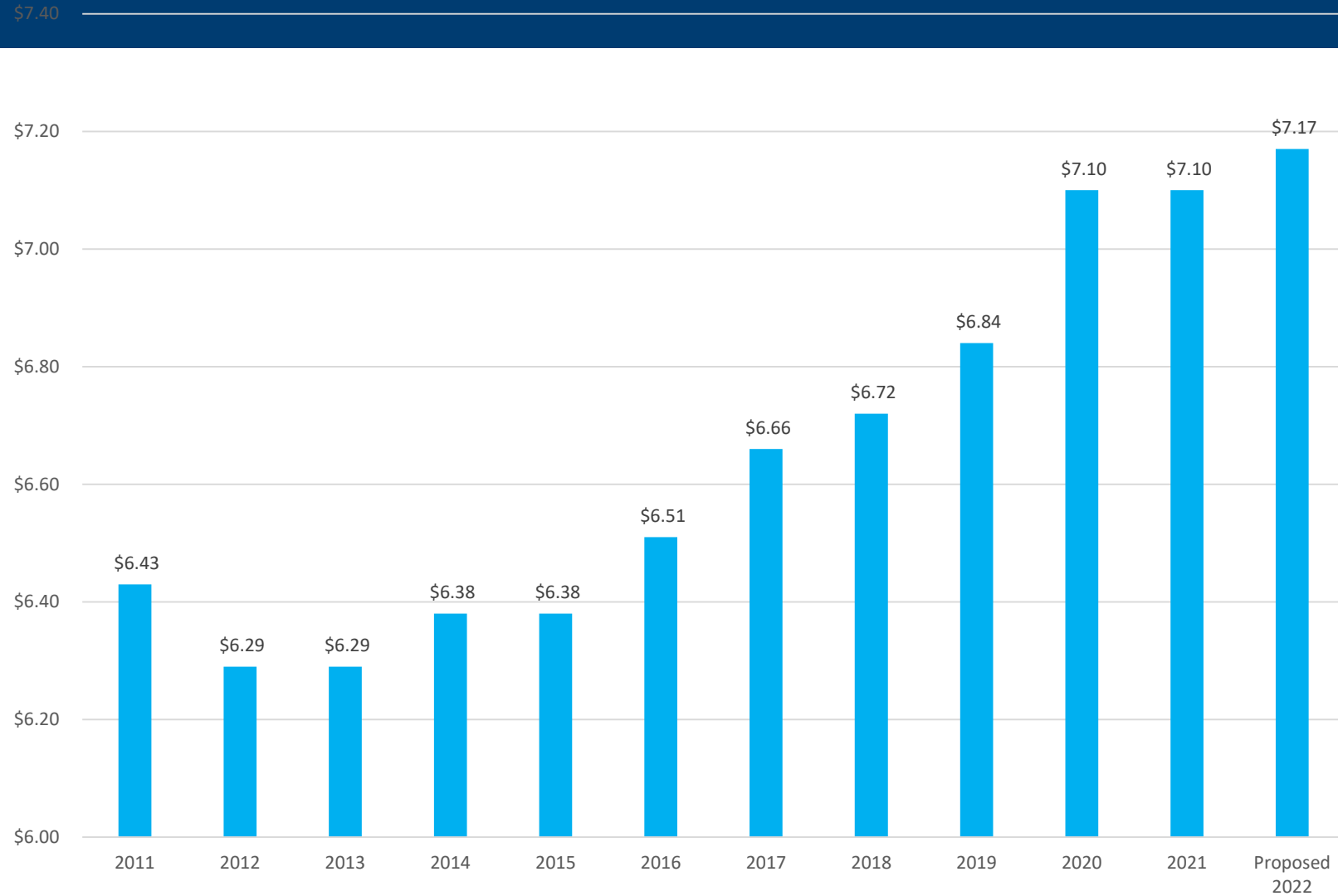
Per Capita Rates for Front Range Local Health Departments



*2018 data.

All others used 2019 data.

TCHD Per Capita Rate History 2011 - 2022



Summary: Proposed FY 2022 County Appropriation



	FY 2021	FY 2022	
<u>County</u>	<u>Adopted</u>	<u>Proposed</u>	<u>Change</u>
Adams	\$ 3,821,490	\$ 3,841,966	\$ 20,476
Arapahoe	\$ 4,769,304	\$ 4,832,989	\$ 63,685
Total	<u>\$ 8,590,794</u>	<u>\$ 8,674,955</u>	<u>\$ 84,161</u>

Proposed Use of Increased FY22 County General Funds



Covered by County General Funds

Merit increase (4%)	\$16,417
PERA Adjustment – July 2022 (0.5%)	<u>\$67,744</u>
Total	<u>\$84,161</u>

Covered by TCHD Budget Adjustments

Merit increase (4%)	<u>\$616,570</u>
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The total adjustment for Merit Increase is \$632,987. As seen above \$16,417 of the adjustment is covered with the county general fund. The remaining \$616,570 will be offset by making adjustments in the agency budget.

QUESTIONS?



Agency Update



Overview



- Public Health Improvement Plan Priority Areas
- High Impact TCHD programs
- Cross-cutting TCHD services

PHIP Priority Areas: Access to Health Care



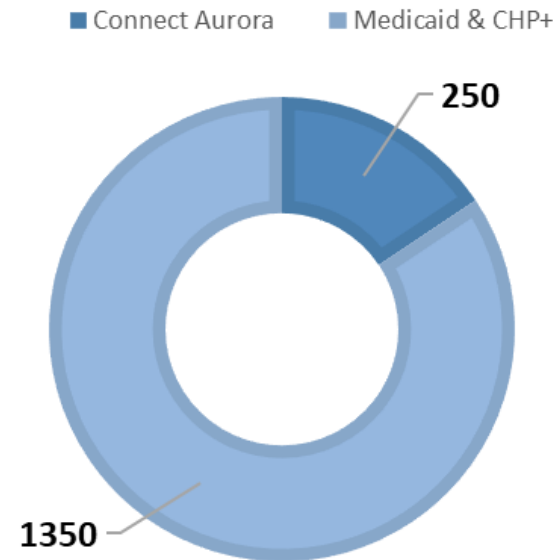
Focused on **coverage**: to increase the proportion of persons who are insured, with a focus on Medicaid and Child Health Plan Plus (CHP+), and **utilization**: to increase the proportion of people accessing preventive care.

Community Services Branch: Resources and Referrals

1,817

of families residing in Adams County referred for support during COVID isolation and/or quarantine in 2021, thus far.

Health Enrollment Team



1,600 total individuals supported in application assistance for Marketplace, Medicaid, CHP+ or Presumptive Eligibility. Approx. 50% were Adams County residents.

Regional Health Connector (RHC)

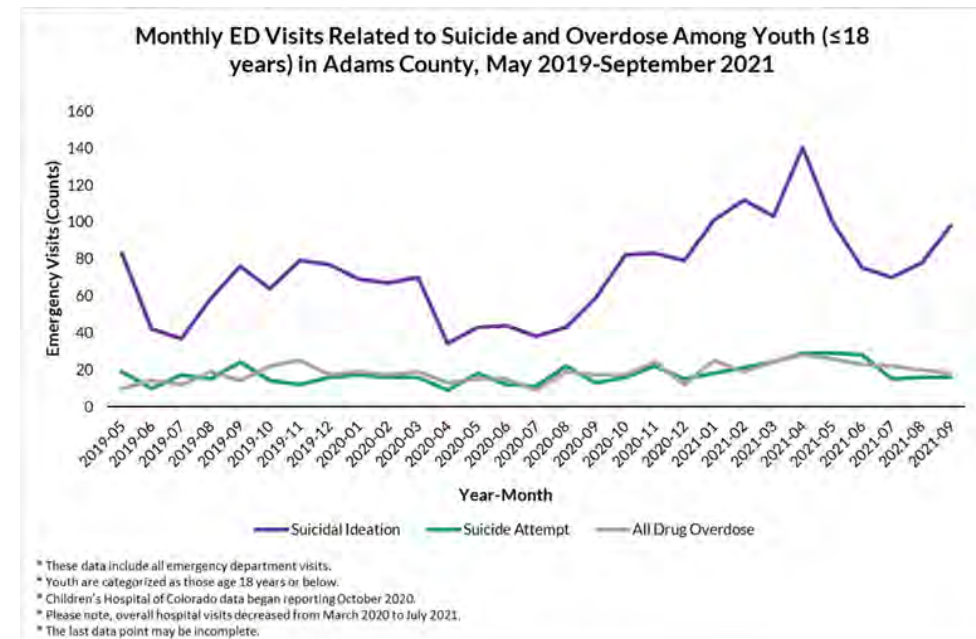


Commerce City Alignment & C4 Hub
Adams County Health Alliance
Innovation Support for PCPs

PHIP Priority Areas: Behavioral Health (Suicide Prevention)



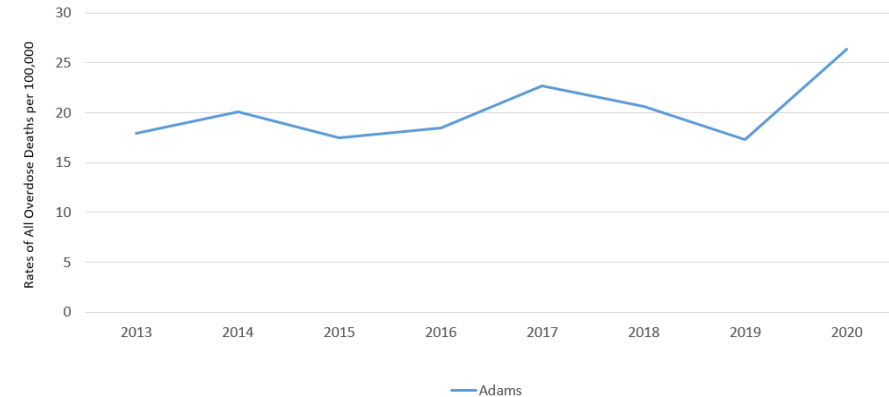
- Purpose: Promote mental health & wellness and prevent suicide attempts & deaths
- Key developments over the past year:
 - Below the Surface youth campaign (July - September 2021)
 - 100,000+ users on social media, 2,800 CO Crisis Center page views
 - Adams County-focused Mental Health & Suicide Prevention Summit planned for November
 - Adams 12 Schools engagement
 - Supporting district bi-monthly Community Connect meetings for mental health and suicide prevention supports
 - Supporting Building Healthy Communities events including planning for 12/9 Understanding Youth Suicide event
 - Piloting hospital syndromic surveillance data alerts for suicidal ideation & attempts and overdose.
 - Systematized process for behavioral health referrals when indicated for COVID-19 contacts.
 - Coordinated agency wide responses to area hospital systems and the Behavioral Health Transformation Task Force to inform prioritization for Hospital Transformation Program plans and ARPA funding.



PHIP Priority Areas: Behavioral Health (Substance Abuse Prevention)

- Purpose: Community partnerships to prevent youth use and to reduce overdose deaths
- Key developments over the past year:
 - TCHD awarded 2 new competitive grants to facilitate youth substance use prevention in Adams County communities
 - Colorado Communities that Care Grant (I-70 Corridor)
 - CDC Drug Free Communities Grant (Aurora and beyond)
 - Completed two community assessments on risk and protective factors for youth substance use in Southwest Adams County and North Aurora, now informing TCOPP efforts
 - Successful annual International Overdose Awareness Day events including NARCAN[®] nasal spray distribution (>75 distributed each year in 2020 and 2021)

Adams County Drug Overdose Deaths (Age-Adjusted Rates)
2013-2020



Tri-County Overdose Prevention Partnership

Strategic Framework for Local Level Opioid Prevention Work

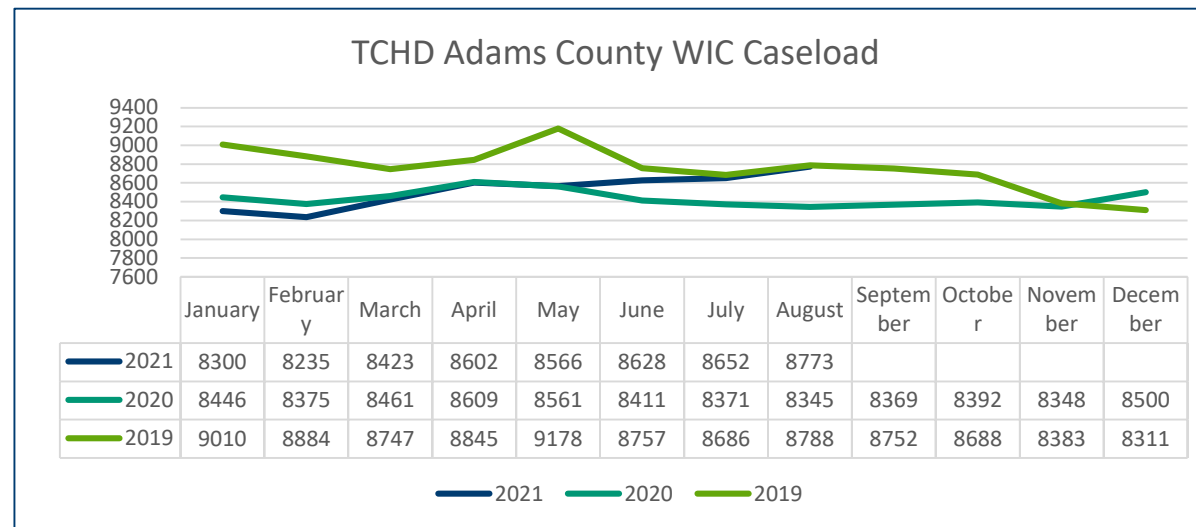


PHIP Priority Areas: Health and Food

Increase access to safe, nutritious, affordable and culturally relevant food and promote food security and healthy eating habits



- Federal Nutrition Programs: WIC and SNAP
 - Average Monthly WIC Caseload of Adams County: 8,773
 - AdCo WIC clients dually enrolled in SNAP: average 75-100/mo
- Healthy Farmer's Markets Partnership in Thornton
 - 2021 NACCHO Model Practice Award
 - 2021 \$54,991 of vouchers to WIC, SNAP and Seniors
- Community Gardens: 27J School District and Anythink Library at Commerce City
 - 2000 lbs of produce harvested 2019-2020
- Community Supported Agriculture Produce Boxes: support 49-51 families weekly since Q2 2020; total of \$82,175 in produce!
- Food In Communities:
 - Provided TA to 20 organizations
 - Engaged and leveraged over \$645,000 from public & private sources for partners to implement strategies/food projects in Adams County
- 18 Organizations received HEAL and Breastfeeding support in Adams County



Food in Communities



**FOOD IN
COMMUNITIES**

Regional collaborative of three local public health agencies (TCHD, DDPHE, & JCPH) that uses community-based participatory approaches to address food insecurity and increase access to healthy, affordable, and culturally important foods

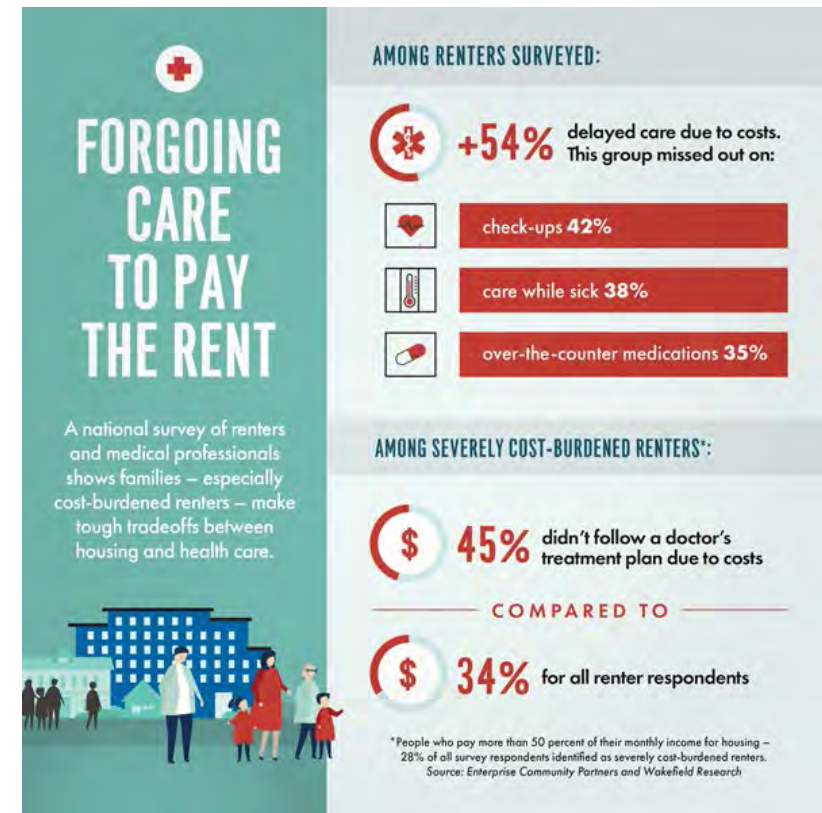
- Funded through CCPD for work in Adams County. In 2018, one of highest ranking proposals by the funder. Selected to receive two additional years of funding through 2023.
- Goals is not only to ensure everyone has food today but also to address long-term food system changes to ensure equitable access in the future.
- TCHD has supported over 20 Adams County organizations with technical assistance, training, implementation funding.
- Leveraged \$645,000+ from additional funders because of the regionalism and strong community-based model.



PHIP Priority Areas: Health and Housing

Improve housing quality and access to attainable housing to improve health outcomes

- Developed policy scan of municipal policy and regulations that support housing quality.
- Provided technical assistance on 5 Comprehensive Plans and Land Development regulations in Adams County to increase access to attainable housing.
- Partnered with DRCOG Accountable Care Communities to build referrals for social determinants of health including housing in clinical settings. From Oct 2020-August 2021, housing and food were the highest needs.
- Established key positions in COVID-19 response to address unhoused including Homeless Liaisons.
- Provided technical assistance with four statewide housing policy efforts.



High Impact TCHD Programs: Air Quality



Purpose: Build capacity to mitigate air quality impacts for vulnerable populations, increase access to AQ monitoring data, promote health equity in policy considerations.

Key developments and areas of work:

- Building capacity to mitigate impacts of AQ on vulnerable populations.
Example: **Love My Air Cohort** - 6 community partners hosting 14 air sensors and community education through the Love My Air initiative
- Promoting local and state policy development that addresses the long-term health impacts of poor AQ
Example: Convening public health and local government partners for the Title V permit process for Suncor and coordinating public comments
- Providing expertise for stakeholder engagement activities to implement statewide policies and programs
Example: Technical assistance with House Bill 19-1261 Climate Action Plan to Reduce Pollution, Statewide work groups to address pollution reduction.
- Providing TA to our local governments as they navigate challenging land development and policy decisions
Example: Coordinated review of land development proposals for industrial use across multiple public health expertise

Adams County investment in air quality technical expertise has grown TCHD's overall Air Quality Program capacity.



Air sensor at Silver Creek Elementary School

High Impact TCHD Programs: Consumer Protection



- Purpose: Protect public health by preventing the spread of infectious disease in restaurants, child care centers, body art facilities and in surface, ground and recreational waters.
- Key Developments: Digitizing restaurant and child care plan review submittals and review processes

Adams County	2016	2017	2018	2019	2020
Total Retail Food Establishments	1,556	1,621	1,658	1,588	1,742
Total Retail Food Establishment Inspections	3,469	3,940	3,772	4,063	1,602
Total Child Care Facilities	228	345	246	246	216
Total Child Care Facility Inspections	279	289	336	289	100
Total Body Art Facilities	21	20	20	29	27
Total Body Art Facility Inspections	35	34	34	41	13
Total Recreational Water Facilities	85	90	90	90	91
Total Number of Recreational Water Facility Inspections	213	231	241	228	216
Number of Waste Water Permit Applications	482	404	403	412	422

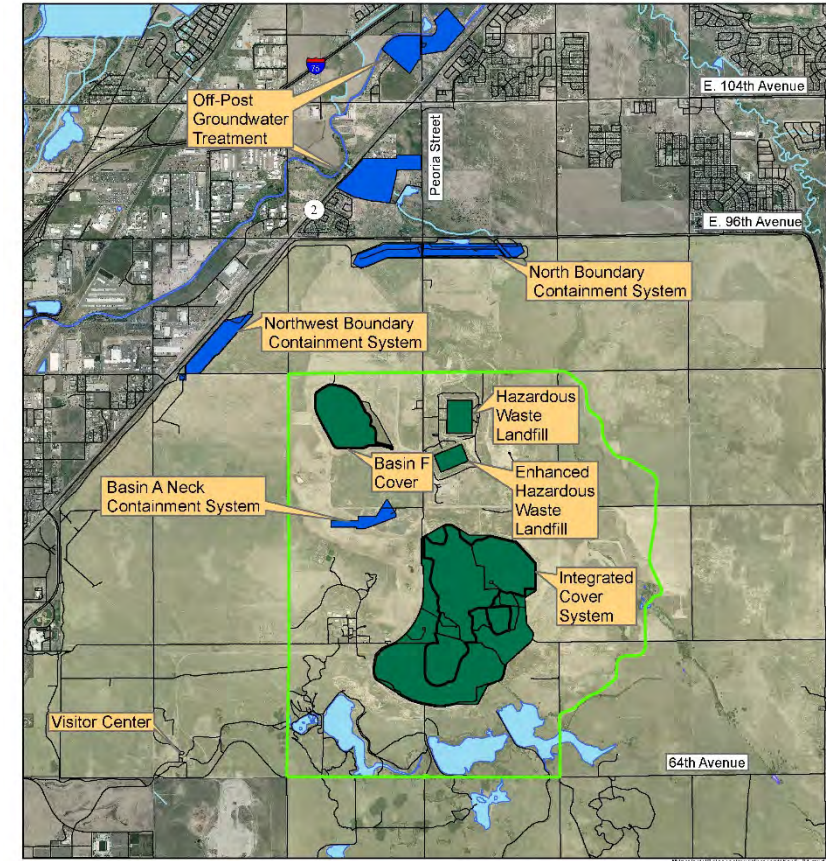
High Impact TCHD Programs: Rocky Mountain Arsenal Oversight

- Purpose

- In coordination with EPA and CDPHE, TCHD works to assure ongoing protectiveness of the remedy for community members in Adams County since 1980s

- Key developments over the past year

- Fifth Five-Year Review Report
 - expected to be finalized September 30th
 - facility designated as protective in the short-term
- Off-Post Private Well Sampling
 - continued free service offered to county residents downgradient of RMA
 - 16 wells sampled during FY-2021
 - one confirmed private well exceeding the DIMP standard of 8 µg/L (result 12 µg/L)
 - bottled water provided free-of-charge to the residential property
- Technical Reviews of Monitoring Documents and Upgrade Designs to Assure Remedial System Optimal Performance
- Inspections of Engineered Waste Caps and Infrastructure
- Working with the U.S. Army on a 10-year Funding Agreement for TCHD

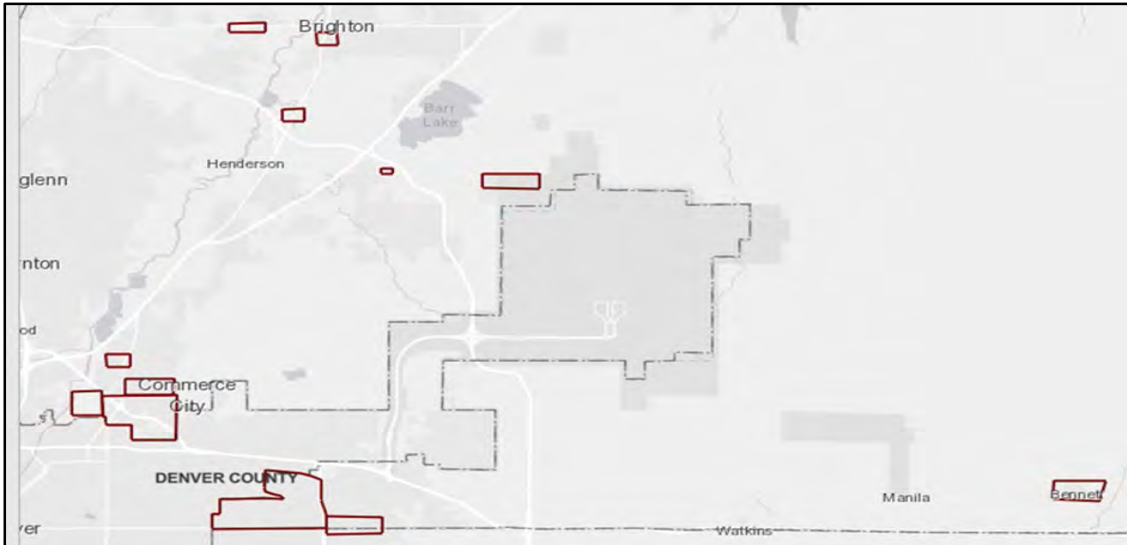


High Impact TCHD Programs: Water Quality/Emerging Contaminants

Purpose: Protect public health by investigating potential sources of groundwater contamination in Adams County

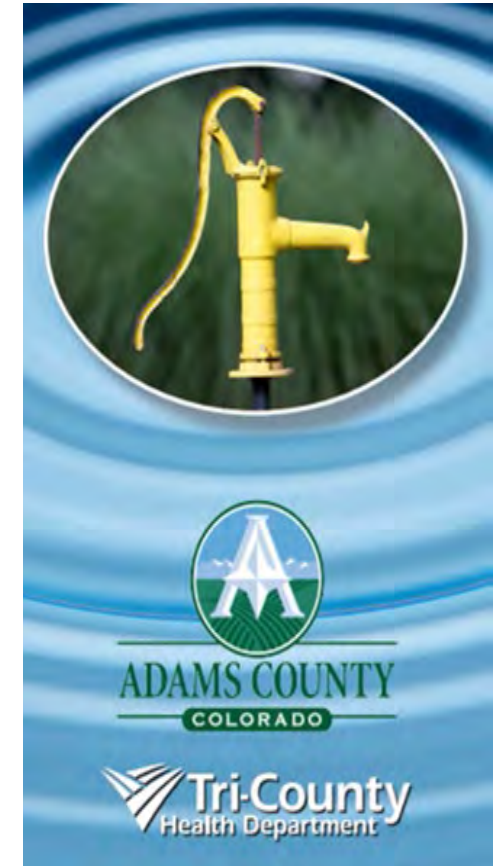
PFAS

- Building on previous efforts in 2018 and 2019, TCHD and CDPHE are investigating 11 study areas in Adams County that have the potential to be impacted by PFAS.
- Outreach efforts are ongoing.
 - Letters, Next Door Posts, Facebook Ads, Door to Door Campaign
- Goal is to sample 5 to 7 wells in each of the 11 areas.



Oil and Gas

- Eligibility: West of Imboden Rd and within ½ mi of active oil and gas well.
- Since the program inception in 2018, 113 wells have been sampled.
- Despite COVID, 37 private wells have been sampled in 2020 and 2021.
- Thus far, no wells have shown any impacts from oil and gas operations.



High Impact TCHD Programs: Sexual Health Adams County 2021



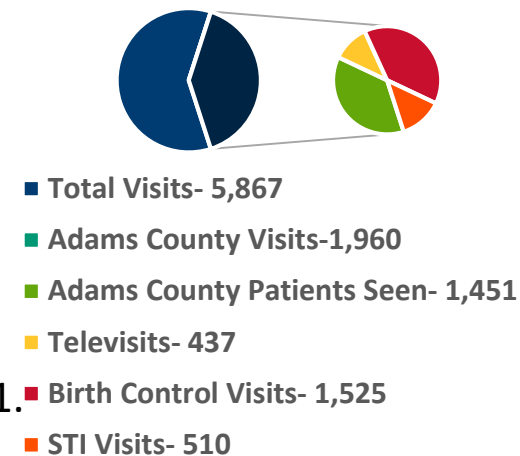
Purpose: To promote positive sexual health and meet changing needs of a diverse population through prevention, education, screening and treatment by:

- Reducing unintended pregnancies.
- Reducing the transmission of STIs.
- Reducing breast and cervical cancer.

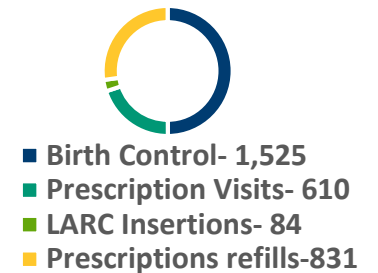
Key developments over the past year:

- Awarded grant funding for breast & cervical cancer screening starting 11/21.
- Implemented Televisits for birth control and STI screening.
- Expanded clinic hours to meet client needs.
- Developed and implemented an instructional program for client-injected birth control. Patients instructed in clinic & self-inject birth control at home.
- Implemented new clinical guidelines for cervical cancer and STI screening and treatments to ensure best practices.
- Providing comprehensive Sexual Health Education live via zoom to students during school closures; training recorded and played for other health classes.
- Outreach and STI testing on site at Front Range Community College
- Collaborating with Immunizations for SH RN's to administer HPV vaccines during clinic visits.

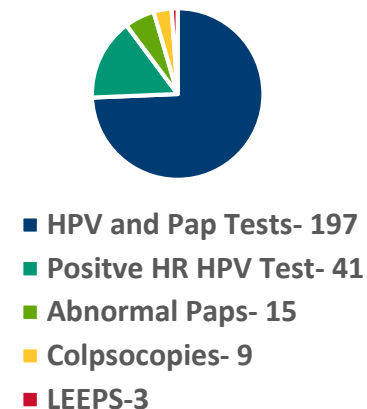
Total Clinic Visits



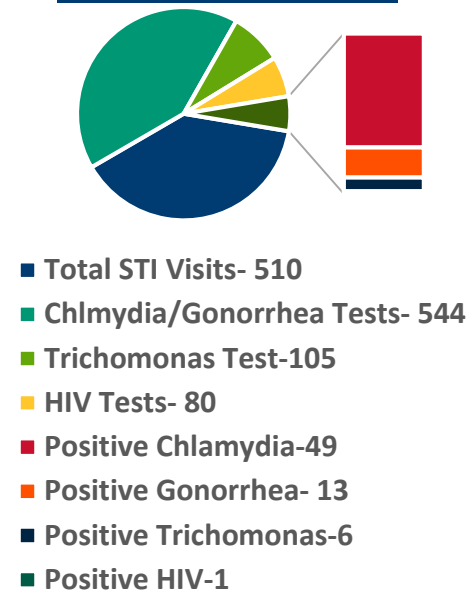
Birth Control Visits



Cervical Cancer Screenings



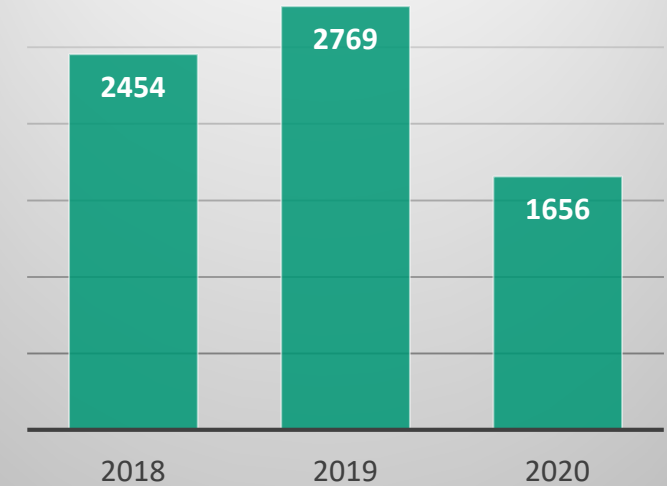
STI Testing and Treatment Visits



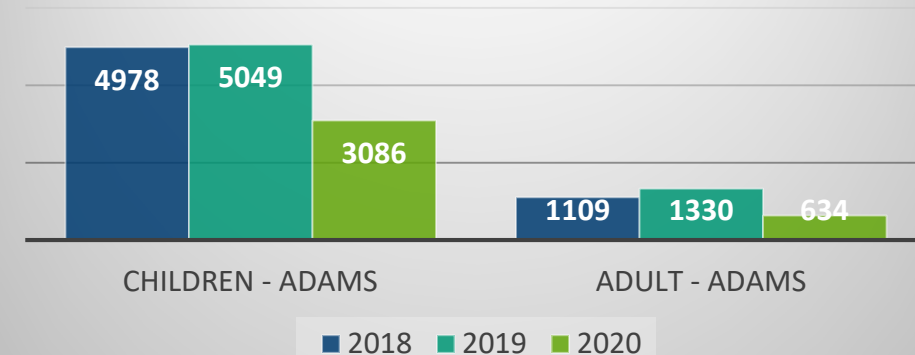
High Impact TCHD Programs: Immunization

- Purpose:
 - Reduce morbidity and mortality from vaccine preventable diseases
 - Provide culturally appropriate comprehensive education and immunization services to residents of Adams County
 - Focus population uninsured, underinsured, and Medicaid/CHP+ insured
- Key developments over the past year:
 - Direct immunization clinical services
 - Clinical outbreak response for VPD
 - Hepatitis A, Rabies, Varicella, Measles, Mumps, Meningitis
 - Development and implementation of health strategies related to immunization rates, programs, and policies
 - 2019-20 MMR focused school and childcare outreach,
 - Flu--partnering with businesses, flu media campaign,
 - VFC provider enrollment and compliance support,
 - SB 20-163 workgroup subject matter experts and implementation

Adams County Patient Visits



Vaccines Administered at Adams County Clinic



High Impact TCHD Programs: Nurse Home Visitor Programs

Purpose: TCHD offers Adams County 2 nurse home visitation programs providing nursing support, education, and resources for families with young children. These programs aim to advocate and educate so families can thrive.

The **Nurse-Family Partnership:** evidence-based program that connects pregnant women living in poverty with a highly-trained RNs; outcomes include healthier moms and babies, improved child health & development, and increased economic self-sufficiency measured over decades.

The **Nurse Support Program** partners with Adams County Department of Human Services to provide families with individualized nursing assessments, care coordination and education. Families are referred to the program through Workforce and Business Center and Child Protection Services. The Nurse Support Program seeks to maintain family stability.

Key Developments

Nurse-Family Partnership

- Services expanded 10/1; TCHD NFP program now largest NFP program in CO, funded to serve 823 families, including 370 in Adams County.
- Adams County benchmarks in FY 2020-21: 75% received postpartum depression screening, 88% attended their last well-child check, 88.5% engaged in early language & literacy activities with their child, and 75% received timely developmental screenings



1/2020-6/30/2021 Adams County	Clients Served	# Home Visits	# Telehealth Visits
Nurse Family Partnership	261	294	2214
Nurse Support Program	173	1286	483



Nurse Support Program

- 2020 TCHD expanded services in a new innovative Nurse Liaison Program to aid Children and Family Services assess child abuse and neglect concerns.
- TCHD NSP was recognized as a Promising Practice from NACCHO.



High Impact TCHD Programs: Harm Reduction and HIV Prevention

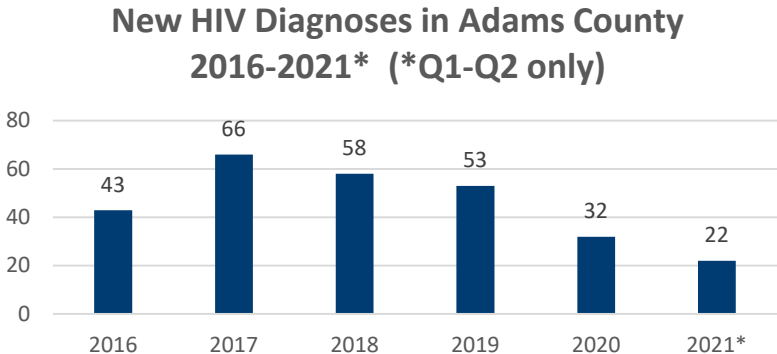
Purpose: To Prevent HIV & HCV and Provide Harm Reduction

Focuses on high-risk & hard to reach populations; people experiencing homelessness and people who inject drugs through street outreach and one fixed site location and provides:

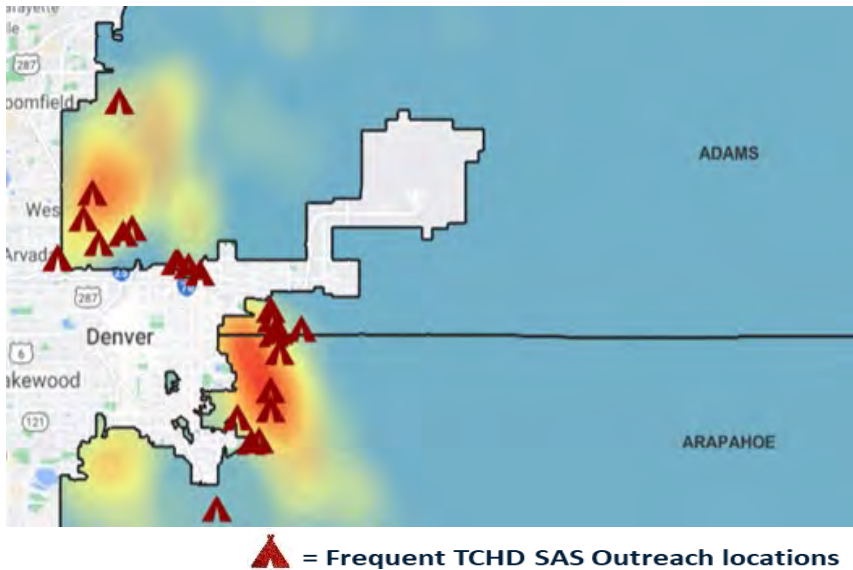
- HIV and HCV testing, education and linkage to care for people living with HIV
- Provision of sterile equipment, wound care kits and naloxone; education on safe injection practices, overdose prevention, wound care, and other health problems related to IDU
- Referrals and navigation for range of services (substance use treatment, mental health services, PrEP for HIV prevention, Medicaid enrollment, housing, medical care/treatment)

Key developments over the past year

- 2020—program expanded to Adams County
- March -Dec. 2020- -outreach continued 4-5 days a week in Adams and Arapahoe Counties
- 2019-2020 provided **123** HIV community tests, **69** HCV community tests
- 2020-2021 provided **53** mail-home HIV tests for Adams County residents
- Future: Plans in 2022 include opening fixed site in Adams Co!



TCHD Overdose Deaths 2019-2020



Total Program Numbers 10/2016-06/2021

# SAS enrolled	798
# SAS participant interactions	3,952
# Syringes provided	302,571
# syringes returned	273,223
# Naloxone kits provided	998
# self-reported reversals (saved lives!)	142

High Impact TCHD Programs: Tobacco Prevention

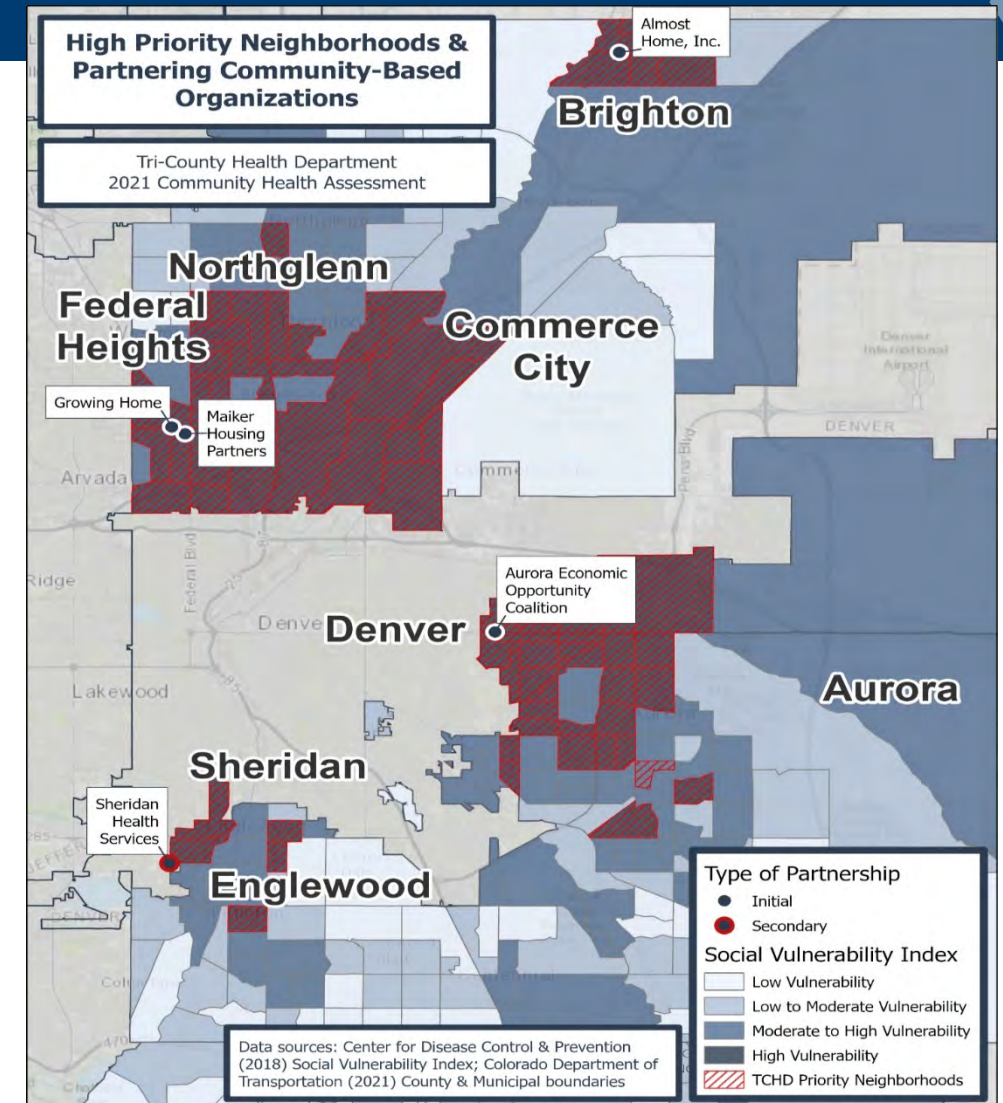


- Purpose: To prevent youth initiation of nicotine use, protect communities from secondhand smoke exposure, promote cessation among current users and identify and address the disparities and inequities in tobacco use burdens.
- Key developments
 - Conducted outreach and provided education to city partners following passage of HB20-1001, state licensing of tobacco retailers.
 - Supported cities in strengthening licensing authorities through local tobacco retail licensing (eg, Northglenn local retail tobacco sales licensing)
 - Supported Boys and Girls Clubs in Brighton, Commerce City and Westminster to provide tobacco and substance prevention education, as well as life skills training and civic engagement activities.
 - Youth-driven media campaign, Tobacco Free 303 “Vape’s No Escape” generating 35.5 m impressions across all platforms in English & Spanish.
 - Innovative assessment of equity impact of tobacco control policies on diverse populations, with Boulder and Jefferson County health departments.



Cross-cutting TCHD Services: Community Health Assessment

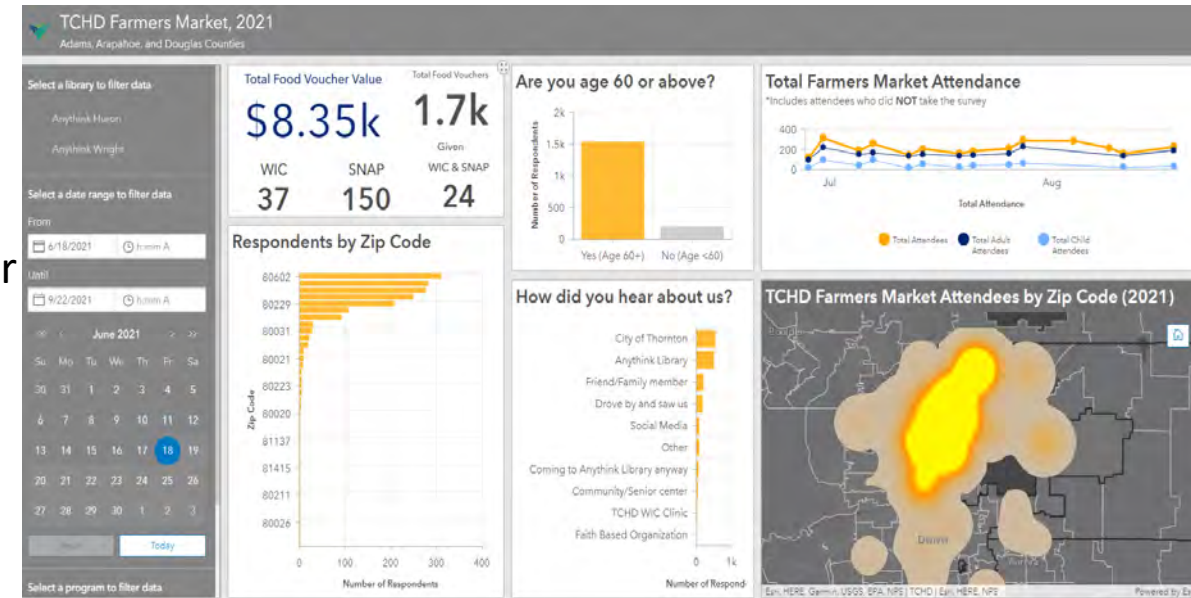
- Required every 5 years by the CO Public Health Act (SB 08-194)
- Last two assessments completed in 2016 and 2018
- Determined 2021 was opportunity for updated assessment due to COVID-19 pandemic and need for resource planning
- 2021 CHA has ***enhanced*** community engagement with health equity focus
 - Community Survey
 - English
 - Spanish
 - Partner and Government Leader Surveys
- Focus Groups with contracted CBOs to raise the voices of hard-to-reach populations (using CDC's Social Vulnerability Index)
 - BIPOC
 - Low-income, essential service workers
 - Unemployed
 - LGBTQI
 - Seniors
 - Youth
 - Non-English, Non-Spanish
 - Refugees and immigrants
 - Single-parent households
 - People experiencing homelessness



Cross-cutting TCHD Services: Population Health Epidemiology and Public Health Informatics



- Purpose: TCHD's Health Data and GIS Team provides data collection and analyses of health and demographic data to understand and describe how various factors affect population health
- Key Adams County-Focused Data Products Developed in Past Year
 - COVID-19 Case Investigation and Contact Tracing software development and Nationally-Award Winning COVID-19 Dashboards
 - Adams County Farmer's Market Client and Resource Mapping
 - Aurora Community Safety Project
 - HIV/Harm Reduction Program Utilization Mapping
 - Oil and Gas Operations Monitoring and Mapping
 - PFAS Exposure Assessment and Water Testing Dashboard
 - Multiple Municipality-Focused Population Health Dashboards



PROGRAM RECOGNITION

- 2017 ESRI Special Achievement in GIS Award
- 2018 NACCHO Model Practice Award
- 2020 ESRI webinar on TCHD's COVID1-19 case investigation/contact tracing system
- 2020 FME webinar on TCHD's COVID-19 data automation
- 2020 Center for Digital Government – County Government Experience Award for TCHD's COVID1-19 case investigation/contact tracing system
- 2020 NACCHO webinar on TCHD's COVID1-19 case investigation/contact tracing system
- 2020 Colorado Public Health Association Technical Innovation Award for TCHD's COVID-19 case investigation/contact tracing system
- 2021 ESRI Map Book showcase of TCHD's COVID-19 data work

HEALTH AND ENVIRONMENTAL DATASETS

<ul style="list-style-type: none"> • Vital Records (birth & death certificate data) • All routine health surveillance datasets <ul style="list-style-type: none"> • Behavioral Risk Factor Surveillance System (BRFSS) • Healthy Kids Colorado Survey • Pregnancy Risk Assessment Monitoring System (PRAMS) • National Violent Death Reporting System • Colorado Hospital Association Data • US Census and American Community Survey Datasets 	<ul style="list-style-type: none"> • Colorado Health Observation Regional Data Service • Colorado Immunization Information System • TCHD Facility Inspection (Restaurant) data • TCHD Onsite Waste Water Treatment System Inspection/Permitting • Colorado Division of Water Resources • Colorado Oil & Gas Conservation Commission
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Cross-cutting TCHD Services: Epidemiology/Disease Surveillance

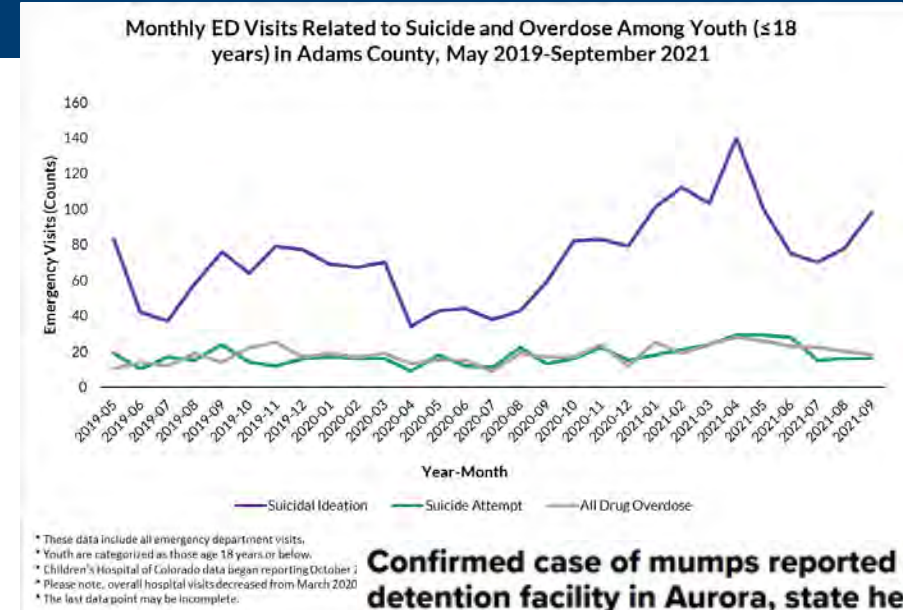


- **Syndromic Surveillance Program**

- Uses real-time hospital data to improve situational awareness & enhance responsiveness to hazardous events and disease outbreaks.
- Collects hourly hospital data and develops data reports for leadership in Adams County, Arapahoe County and Aurora regarding emergency department (ED) visits related to suicidal ideation, suicide attempt, drug overdose, and other health indicators .

- **Communicable Disease Surveillance**

- The Communicable Disease Surveillance program conducts surveillance, investigation, intervention, prevention and epidemiological studies of communicable disease.
- Example: GEO/ICE
 - TCHD staff began working closely with GEO/ICE beginning in 2019 to control an outbreak of mumps.
 - 1140 of 1348 (85%) of detainees were vaccinated with MMR within 5 days.
 - Additional 217 of 270 (80%) of facility staff were also vaccinated.
 - First ICE facility to implement universal vaccinations as primary method for controlling mumps outbreaks



Confirmed case of mumps reported at ICE detention facility in Aurora, state health officials say



By: Sharon Corbitt

Published: 6:18 PM, Fri, Oct 15, 2021. Last updated: 7:18 PM, Fri, Oct 15, 2021

DENVER – A case of the mumps has been confirmed at an ICE detention center in Aurora, Tri-County Health Department officials said Wednesday afternoon.





Cross-cutting TCHD Services: Communications

- **Purpose:** Communications elevates public health priorities through communications/marketing encouraging healthy behaviors and providing information on disease prevention
- **Key developments over the past year:**
 - Leverage COVID-19 marketing dollars through collaboration with county and state partners.
 - Worked with Idea Marketing to hire social media influencers who delivered at least 23 million impressions encouraging people in underserved communities to get vaccinated for COVID-19 in English and Spanish in 2021.
 - Partnered with Burke Communications, the Black Alliance for Health and the Aurora NAACP to host a town hall that delivered 122,191 impressions.
 - Delivered more than 155,000 impressions on Univision throughout the world soccer cup games.
- **Language Access:** Increased interpreted calls by 90% (to 16,909), interpreted minutes by 124% (to 158,007), and # of interpreted languages by 28% (to 68).





Cross-cutting TCHD Services: Intergovernmental Affairs

Purpose: Enhance agency policy development and advocacy activities as a Core Competency for Public Health Professionals, an Essential Public Health Service, and an activity required under state statute. The Policy and Public Affairs Officer leads agency-wide efforts addressing community-based policy development and implementation, serves as lead TCHD liaison with elected officials, and works with agency leadership and subject-matter-expert staff to develop and implement agency's policy agenda.

Key Developments

- Expanded relationships with city and school elected officials
- Process for tracking legislation and providing regular internal and external updates
- Process for soliciting engagement opportunities from subject matter expert staff
- Internal and External "Policy 101" and Policy Engagement training opportunities available
- New opportunities to engage with policy makers including TCHD's Annual Elected Officials Event, Elected Officials Newsletter, in-person meetings with leadership, and bi-weekly COVID-19 check-in calls.
- TCHD representation in key groups including CALPHO and CPHA
- Increased number of subject matter expert staff (CHP, Nutrition, Nursing, EH) interacting with elected officials

Numbers served

- 126 Letters to State Representatives between 2020 and 2021
- 176 registrants for 2020 Elected Officials Event (23/26 municipalities represented)
- 230+ 30-minute COVID-19 check-in calls with elected officials since March 2020



Emerging Areas of Focus: Healthy Aging and Climate Change

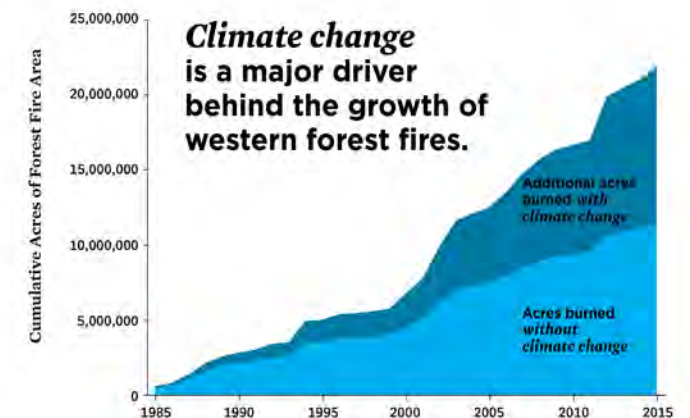
Brain Health, Alzheimer's Disease, and Related Dementias

TCHD is one of 8 agencies nationwide - alongside leaders such as Seattle & King County - recently announced as a recipient of competitive federal grant funding to catalyze efforts related to brain health and reducing the burden of Alzheimer's disease and related dementias.



Climate Change

- TCHD has been integral member of the Metro Denver Partnership for Health (MDPH) Climate Workgroup.
- MDPH workgroup has expanded partnerships with National Jewish, CSPH, CU Boulder, CALPHO and other LPHA's and municipalities along the Front Range.
- TCHD leading efforts to develop climate-health related metrics to tell the story of climate and health.
- TCHD researching and exploring opportunities to advance efforts related to climate change including potential funding opportunities.



Questions & Discussion





STUDY SESSION ITEM SUMMARY


DATE OF STUDY SESSION: September 28, 2021
SUBJECT: Sign Code Text Amendments
OFFICE/DEPARTMENT: Community and Economic Development
CONTACT: Nick Eagleson, Senior Strategic Planner
FINACIAL IMPACT: None
SUPPORT/RESOURCES REQUEST: None
DIRECTION NEEDED: Provide input on the proposed sign code text amendments
RECOMMENDED ACTION: n/a

DISCUSSION POINTS:

- Summary of proposed text amendments
 - Residential Guidelines
 - Updated Review Timeline
 - Updated Electronic Standards
 - Large Sign/Billboard Conditional Use
- Stakeholder Outreach Summary
- Discuss next steps
- Proposed timeline
- Discussion

2021 Regulation Amendments Sign Code Phase

Board of County Commissioners Study Session
Community and Economic Development Department
September 28, 2021



Summary of Sign Code Text Amendments

- Removal of Off-Premise/On-Premise Commercial Message Distinction
- Updated Residential Guidelines
- Updated Electronic Standards
- Updated Review Timeframe
- Creation of Large Sign (Billboard) Conditional Use Process

Updated Residential Guidelines

- Freestanding Signs
 - Maximum sign area 20 sq.ft. (R-E, R-1-A, R-1-C, R-2, R-3, R-4, A-1, MH, CO, and PL Zone Districts)
- Electronic Signs
 - Electronic signs shall not be permitted in Residential (R-E, R-1-A, R-1-C, R-2), Agricultural (A-1), MH, CO, and PL Zone Districts
- Illuminated Signs
 - Preference to internally illuminated signs. If signs cannot be internally illuminated, the source of illumination shall be shielded to not cause glare on adjacent properties.

Updated Review Timeframe

- **Building/Sign Permits**
 - 10-day initial review to determine approval, denial, or resubmittal
 - If a resubmittal is required, the applicant will have 15 calendar days to resubmit, otherwise application will be void
 - County will review resubmittal within 5 business days and provide determination
 - If third submittal is incomplete, the application will be void
- **Large Sign Conditional Use Permit**
 - 29-day review cycle to process and recommend approval, denial, or requirement of resubmittal of the application
 - 30 calendar days to resubmit, otherwise application will be void
 - After resubmittal, the County will have 12 business days to review and either schedule for public hearings or request an additional resubmittal
 - If third submittal is incomplete, the application will be void

Large Sign/Billboard Conditional Use

- Applies to all signage over one-hundred and sixty (160) square feet, maximum size of three-hundred (300) square feet
- Only permitted in C-5 and Industrial (I-1, I-2, I-3) Zone Districts
- Shall not be allowed on local roads (as defined by Adams County DSR)
- Setback from other billboards for reduction of clutter:
 - 2,000ft for both sides of the road

Other Proposed Changes

- Electronic Standards:
 - Setting a required duration between messages at 8 seconds
 - Shall not be permitted in Residential (R-E, R-1-A, R-1-C, R2), Agricultural (A-1), Mobile Home (MH), Conservation (CO), and Public Land (PL) Zone Districts
- Addition of Sign Maintenance Standards
- Addition of Specific Non-Conforming Sign Standards

Outreach and Next Steps

- Stakeholder and Public Outreach meetings on August 10th
 - Multiple sign companies in attendance
 - Discussed electronic sign standards
- Finalize draft language
- Stakeholder and Public referral period
- Planning Commission Study Session
- Schedule for Public hearings

Discussion

- Recommendation:
 - Proceed with public and stakeholder referral period for proposed text amendments



STUDY SESSION ITEM SUMMARY

DATE OF STUDY SESSION: September 28, 2021
SUBJECT: CDOT IGA MTCE I-76 Scour maintenance agreement
OFFICE/DEPARTMENT: Public Works
CONTACT: David Rausch
FINACIAL IMPACT: No
SUPPORT/RESOURCES REQUEST:
DIRECTION NEEDED:
RECOMMENDED ACTION: BOCC approval of IGA for Maintenance of the Scour Mitigation at the I-76 bridge over Clear Creek.

DISCUSSION POINTS:

- CDOT and the Mile High Flood District designed a scour mitigation project for the I-76 bridge over clear creek which constitutes several large drop structures
- The County is to accept maintenance responsibility for the drop structures in Clear Creek through this agreement.
- The County will then have the Mile High Flood District perform any routine maintenance on the drop structures as this qualifies as a maintenance eligible project.
- Routine maintenance includes debris removal and inspection of the drop structures.

(Facilities Maintenance)

ADAMS COUNTY I-76 CLEAR CREEK SCOUR

Project #: FBR 0761-236 (23444)

REGION 4 –vjm (6/21/2021)

Routing: 21-HA1-XC-00147

SAP # 331002515

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT (“Agreement”) is made and effective as of the date when signed by both Parties, by and between the State of Colorado for the use and benefit of the COLORADO DEPARTMENT OF TRANSPORTATION (“State” or “CDOT”), and ADAMS COUNTY, COLORADO, 4430 S. Adams County Parkway, Suite W2000B Brighton, CO 80601 (SAP vendor #200055) (the “Local Agency”). CDOT and the Local Agency individually shall be referred to as “Party”, and collectively shall be referred to as the “Parties”. This Agreement shall not be effective or enforceable until it is approved and signed by the Governor or his designee (“Effective Date”).

RECITALS

1. Required approval, clearance and coordination have been accomplished from and with appropriate agencies;
2. Sections 43-2-102 and 43-2-103 CRS require the State to maintain all roads comprising the state highway system, including where any part of the state highway system extends into or through a city or incorporated town;
3. The Parties desire to enter into this agreement to delineate each one’s responsibilities and obligations for maintenance of drop structures in Clear Creek beneath a bridge over I-76 in Adams County, more specifically detailed in in **Exhibit A**;
4. The State and the Local Agency have the authority, as provided in Sections 29-1-203, 43-1-106, 43-1-110, 43-2-103, 43-2-104, and 43-2-144 CRS, as amended, and in an ordinance or resolution duly passed and adopted by the Local Agency, to enter into this Intergovernmental Agreement for the purpose of maintaining the state highways and facilities as hereinafter set forth; and
5. The Parties are adequately staffed, suitably equipped and have the necessary resources to perform their respective maintenance responsibilities under this agreement.

THE PARTIES NOW AGREE THAT:

Section 1. Scope of Work

CDOT and the Local Agency will maintain the drop structures in Clear Creek beneath the I-76 bridge as further described in **Section 2**, **Section 3**, **Section 4** and **Exhibit A**.

This document does not describe responsibilities beyond what is required by C.R.S. §43-2-135, Division of authority over streets.

This scope of work is special to the maintenance of state highways and other transportation-related facilities within Adams County. Future agreements may be executed to alter the delegation described herein or to delineate responsibilities for future state highway system projects.

This Agreement replaces any and all previous agreements and memorandums that delineate CDOT and Local Agency maintenance responsibilities and obligations for the roadways and streets listed in **Exhibit A**.

Section 2. CDOT Commitments

CDOT, at its own expense, shall be responsible for maintaining the following unless otherwise indicated in **Exhibit A**:

1. Normal wear of CDOT owned structures, CDOT owned adjacent structures to these structures, the associated roadway prism, and associated roadway items.
 - a. E-16-LT
 - b. E-16-LU
2. Cleaning of sediment, trash, debris, and graffiti and removal of vegetation around CDOT owned structures that is not present due to the stream treatment structures, as necessarily needed to keep the CDOT structures and stream in proper working order.
3. Maintaining the stormwater systems on both sides of Clear Creek draining the stormwater between bridges, from Fisher Ditch, and from the south side of I-76.
4. Maintaining the dirt road and appurtenances between the Clear Creek bikepath and the Fisher Ditch.
5. Maintaining the access control fencing along I-76.
6. Maintaining guardrail, lighting, and signing along I-76.
7. Maintaining embankments of I-76 including near the bridges to prevent erosion into the drop structures and bikepath.

Section 3. Local Agency Commitments

The Local Agency, at its own expense, shall be responsible for the following unless otherwise indicated in **Exhibit A**:

1. Maintenance and upkeep of scour mitigation and stream treatment structures constructed as a part of this project and as shown in this **Exhibit A**.
2. Maintenance and upkeep of pedestrian Bridge on Clear Creek Bikepath immediately downstream of these stream treatment structures and the bikepath itself, including graffiti removal, repair, snow removal and replacement.
3. Maintenance and upkeep of any stream impacts associated with the mitigation and stream treatment structures constructed as a part of this project and as shown in this **Exhibit A**.
4. Cleaning of sediment, trash, and debris, and removal of vegetation as necessary needed to

keep the stream treatment structures and stream in proper working order. This includes sediment, trash, debris, and vegetation that may accumulate around CDOT Structures due to the presence of the stream treatment structures.

5. Maintaining any signage for the pedestrian bikepath, the Adams County Parks system, and recreational signing related to the drop structures.

The Local Agency shall implement CDOT Procedural Directive 1502.1 “Traffic Control for Planned and Unplanned Work” in the performance of all maintenance activities performed on the state highway system.

If the Local Agency fails to perform any maintenance duty as provided for herein, CDOT may perform the maintenance and bill the Local Agency for actual cost of such performance, including all labor, materials and equipment. Should the Local Agency fail to pay the actual costs of the maintenance so performed by CDOT, CDOT may withhold the actual cost of such performance from another agreement or agreements with the Local Agency.

Section 4. Local Agency Streets and Roadways Under CDOT Ownership and Authority

Some streets and roadways are part of the Local Agency street and local roadway system, however, right-of-way acquisition and/or contracts have placed these roadways under CDOT ownership and authority. The applicable streets and roadways, and the division of maintenance responsibilities between CDOT and the Local Agency, are tabulated in **Exhibit A**.

Section 5. Term and Termination Provisions

This Agreement shall be in effect only after it is executed by both Parties. The Agreement will remain in effect until this Agreement is terminated in accordance with the requirements of this **Section 5** and both Parties agree to terminate.

Termination for Cause. If, through any cause, either Party shall fail to fulfill its obligations under this Agreement, or if either Party shall violate any of the covenants, agreements, or stipulations of this Agreement, either Party shall thereupon have the right to terminate this Agreement for cause by giving written notice to the other Party of its intent to terminate and giving at least thirty (30) days opportunity to cure the default or show cause why termination is otherwise not appropriate.

Section 6. Legal Authority

The Local Agency warrants that it possesses the legal authority to enter into this Agreement and that it has taken all actions required by its procedures, by-laws, and/or applicable law to exercise that authority, and to lawfully authorize its undersigned signatory to execute this Agreement and to bind the Local Agency to its terms. The person(s) executing this Agreement on behalf of the Local Agency warrants that such person(s) has full authorization to execute this Agreement.

Section 7. Representatives and Notice

The State will provide liaison with the Local Agency through the State's Region Director, Region 2, 5615 Wills Boulevard, Pueblo, Colorado 81008. Said Region Director will also be responsible for coordinating the State's activities under this Agreement. All communications relating to the

day-to-day activities for the work shall be exchanged between representatives of the State's Transportation Region 2 and the Local Agency. All communication, notices, and correspondence shall be addressed to the individuals identified below. Either Party may from time to time designate in writing new or substitute representatives.

If to State:

Gary Huber, P.E.
CDOT Region 1
4670 Holly Street
Denver, CO 80216
303-398-6768
Gary.Huber@state.co.us

If to the Local Agency:

David Rausch, CFM Infrastructure and
Stormwater Manager
4430 S. Adams County Parkway, Suite W2000B
Brighton, CO 80601
720-523-6840
DRausch@adcogov.org

Section 8. Successors

Except as herein otherwise provided, this Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

Section 9. Governmental Immunity

Notwithstanding any other provision of this Agreement to the contrary, no term or condition of this Agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions of the Colorado Governmental Immunity Act, §24-10-101, *et seq.*, CRS, as now or hereafter amended. The Parties understand and agree that liability for claims for injuries to persons or property arising out of negligence of the State of Colorado, its departments, institutions, agencies, boards, officials and employees is controlled and limited by the provisions of §24-10-101, *et seq.*, CRS, as now or hereafter amended and the risk management statutes, §24-30-1501, *et seq.*, CRS, as now or hereafter amended.

Section 10. Severability

To the extent that this Agreement may be executed and performance of the obligations of the Parties may be accomplished within the intent of the Agreement, the terms of this Agreement are severable, and should any term or provision hereof be declared invalid or become inoperative for any reason, such invalidity or failure shall not affect the validity of any other term or provision hereof.

Section 11. Waiver

The waiver of any breach of a term, provision, or requirement of this Agreement shall not be construed or deemed as a waiver of any subsequent breach of such term, provision, or requirement, or of any other term, provision or requirement.

Section 12. Modification and Amendment

A. This Agreement is subject to such modifications as may be required by changes in federal or State law, or their implementing regulations. Any such required modification shall automatically be incorporated into and be part of this Agreement on the effective date of such change as if fully

set forth herein. Except as provided above, no modification of this Agreement shall be effective unless agreed to in writing by both Parties in an amendment to this Agreement that is properly executed and approved in accordance with applicable law.

B. Either Party may suggest renegotiation of the terms of this Agreement, provided that the Agreement shall not be subject to renegotiation more often than annually, and that neither Party shall be required to renegotiate. If the Parties agree to change the provisions of this Agreement, the renegotiated terms shall not be effective until this Agreement is amended/modified accordingly in writing.

Section 13. Failure to Perform

If the Local Agency fails to perform any of its maintenance obligations in accordance with this Agreement, in whole or in part or in a timely or satisfactory manner, the State may perform these tasks and charge the Local Agency actual costs for the performance of this work. If the Local Agency fails to reimburse the State within 30 days of invoicing of such costs, the State will withhold from future projects the amount of such invoices.

Section 14. Disputes

Except as otherwise provided in this Agreement, any dispute concerning a question of fact arising under this Agreement which is not disposed of by agreement will be decided by the Chief Engineer of the Department of Transportation. The decision of the Chief Engineer will be final and conclusive unless, within 30 calendar days after the date of receipt of a copy of such written decision, the Local Agency mails or otherwise furnishes to the State a written appeal addressed to the Executive Director of the Department of Transportation. In connection with any appeal proceeding under this clause, the Local Agency shall be afforded an opportunity to be heard and to offer evidence in support of its appeal. Pending final decision of a dispute hereunder, the Local Agency shall proceed diligently with the performance of the Agreement in accordance with the Chief Engineer's decision. The decision of the Executive Director or his or her duly authorized representative for the determination of such appeal will be final and conclusive and serve as final agency action. This dispute clause does not preclude consideration of questions of law in connection with decisions provided for herein. Nothing in this Agreement, however, shall be construed as making final the decision of any administrative official, representative, or board on a question of law.

Section 15. Sub-Local Agencies

The Local Agency may subcontract for any part of the performance required under this Agreement, subject to the Local Agency first obtaining approval from the State for any particular Sub-local Agency. The State understands that the Local Agency may intend to perform some or all of the services required under this Agreement through a Sub-local Agency. The Local Agency agrees not to assign rights or delegate duties under this Agreement (or subcontract any part of the performance required under the Agreement) without the express written consent of the State (which shall not be unreasonably withheld). Except as herein otherwise provided, this Agreement shall inure to the benefit of and be binding only upon the Parties hereto and their respective successors and assigns.

Section 16. Entire Understanding

This Agreement represents the complete integration of all understandings between the Parties and all prior representations and understandings, oral or written, are merged herein. Prior or contemporaneous addition, deletion, or other amendment hereto shall not have any force or effect whatsoever, unless embodied herein.

Section 17. Third Party Beneficiaries

Enforcement of this Agreement and all rights and obligations hereunder are reserved solely to the Parties, and not to any third party. Any services or benefits which third parties receive as a result of this Agreement are incidental to the Agreement, and do not create any rights for such third parties.

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SPECIAL PROVISIONS

Section 18. The Special Provisions apply to all Agreements except where noted in *italics*.

A. STATUTORY APPROVAL. §24-30-202(1), C.R.S.

This Contract shall not be valid until it has been approved by the Colorado State Controller or designee. If this Contract is for a Major Information Technology Project, as defined in §24-37.5-102(2.6), then this Contract shall not be valid until it has been approved by the State's Chief Information Officer or designee.

B. FUND AVAILABILITY. §24-30-202(5.5), C.R.S.

Financial obligations of the State payable after the current State Fiscal Year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available.

C. GOVERNMENTAL IMMUNITY.

Liability for claims for injuries to persons or property arising from the negligence of the State, its departments, boards, commissions, committees, bureaus, offices, employees and officials shall be controlled and limited by the provisions of the Colorado Governmental Immunity Act, §24-10-101, et seq., C.R.S.; the Federal Tort Claims Act, 28 U.S.C. Pt. VI, Ch. 171 and 28 U.S.C. 1346(b), and the State's risk management statutes, §§24-30-1501, et seq. C.R.S. No term or condition of this Contract shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, contained in these statutes.

D. INDEPENDENT CONTRACTOR

Local Agency shall perform its duties hereunder as an independent contractor and not as an employee. Neither Local Agency nor any agent or employee of Local Agency shall be deemed to be an agent or employee of the State. Local Agency shall not have authorization, express or implied, to bind the State to any agreement, liability or understanding, except as expressly set forth herein. **Local Agency and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the State and the State shall not pay for or otherwise provide such coverage for Local Agency or any of its agents or employees. Local Agency shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this Contract. Local Agency shall (i) provide and keep in force workers' compensation and unemployment compensation insurance in the amounts required by law, (ii) provide proof thereof when requested by the State, and (iii) be solely responsible for its acts and those of its employees and agents.**

E. COMPLIANCE WITH LAW.

Local Agency shall comply with all applicable federal and State laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to discrimination and unfair employment practices.

F. CHOICE OF LAW, JURISDICTION, AND VENUE.

Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this Contract. Any provision

included or incorporated herein by reference which conflicts with said laws, rules, and regulations shall be null and void. All suits or actions related to this Contract shall be filed and proceedings held in the State of Colorado and exclusive venue shall be in the County of El Paso.

G. PROHIBITED TERMS.

Any term included in this Contract that requires the State to indemnify or hold Local Agency harmless; requires the State to agree to binding arbitration; limits Local Agency's liability for damages resulting from death, bodily injury, or damage to tangible property; or that conflicts with this provision in any way shall be void ab initio. Nothing in this Contract shall be construed as a waiver of any provision of §24-106-109 C.R.S.

H. SOFTWARE PIRACY PROHIBITION.

State or other public funds payable under this Contract shall not be used for the acquisition, operation, or maintenance of computer software in violation of federal copyright laws or applicable licensing restrictions. Local Agency hereby certifies and warrants that, during the term of this Contract and any extensions, Local Agency has and shall maintain in place appropriate systems and controls to prevent such improper use of public funds. If the State determines that Local Agency is in violation of this provision, the State may exercise any remedy available at law or in equity or under this Contract, including, without limitation, immediate termination of this Contract and any remedy consistent with federal copyright laws or applicable licensing restrictions.

I. EMPLOYEE FINANCIAL INTEREST/CONFLICT OF INTEREST. §§24- 18-201 and 24-50-507, C.R.S.

The signatories aver that to their knowledge, no employee of the State has any personal or beneficial interest whatsoever in the service or property described in this Contract. Local Agency has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Local Agency's services and Local Agency shall not employ any person having such known interests.

J. VENDOR OFFSET AND ERRONEOUS PAYMENTS. §§24-30-202(1) and 24-30-202.4, C.R.S.

[Not applicable to intergovernmental agreements] Subject to §24-30-202.4(3.5), C.R.S., the State Controller may withhold payment under the State's vendor offset intercept system for debts owed to State agencies for: (i) unpaid child support debts or child support arrearages; (ii) unpaid balances of tax, accrued interest, or other charges specified in §§39-21-101, *et seq.*, C.R.S.; (iii) unpaid loans due to the Student Loan Division of the Department of Higher Education; (iv) amounts required to be paid to the Unemployment Compensation Fund; and (v) other unpaid debts owing to the State as a result of final agency determination or judicial action. The State may also recover, at the State's discretion, payments made to Local Agency in error for any reason, including, but not limited to, overpayments or improper payments, and unexpended or excess funds received by Local Agency by deduction from subsequent payments under this Contract, deduction from any payment due under any other contracts, grants or agreements between the State and Local Agency, or by any other appropriate method for collecting debts owed to the State.

K. PUBLIC CONTRACTS FOR SERVICES. §§8-17.5-101, *et seq.*, C.R.S.

[Not applicable to agreements relating to the offer, issuance, or sale of securities, investment advisory services or fund management services, sponsored projects, intergovernmental agreements, or information technology services or products and services] Local Agency certifies, warrants, and agrees that it does not knowingly employ or contract with an illegal alien who will perform work under this Contract and will confirm the employment eligibility of all employees who are newly hired for employment in the United States to perform work under this Contract, through participation in the E-Verify Program or the State verification program established pursuant to §8-17.5-102(5)(c), C.R.S., Local Agency shall not knowingly employ or contract with an illegal alien to perform work under this Contract or enter into a contract with a Subcontractor that fails to certify to Local Agency that the Subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this Contract. Local Agency **(i)** shall not use E-Verify Program or the program procedures of the Colorado Department of Labor and Employment (“Department Program”) to undertake pre-employment screening of job applicants while this Contract is being performed, **(ii)** shall notify the Subcontractor and the contracting State agency or institution of higher education within 3 days if Local Agency has actual knowledge that a Subcontractor is employing or contracting with an illegal alien for work under this Contract, **(iii)** shall terminate the subcontract if a Subcontractor does not stop employing or contracting with the illegal alien within 3 days of receiving the notice, and **(iv)** shall comply with reasonable requests made in the course of an investigation, undertaken pursuant to §8-17.5-102(5), C.R.S., by the Colorado Department of Labor and Employment. If Local Agency participates in the Department program, Local Agency shall deliver to the contracting State agency, Institution of Higher Education or political subdivision, a written, notarized affirmation, affirming that Local Agency has examined the legal work status of such employee, and shall comply with all of the other requirements of the Department program. If Local Agency fails to comply with any requirement of this provision or §§8-17.5-101, *et seq.*, C.R.S., the contracting State agency, institution of higher education or political subdivision may terminate this Contract for breach and, if so terminated, Local Agency shall be liable for damages.

L. PUBLIC CONTRACTS WITH NATURAL PERSONS. §§24-76.5-101, *et seq.*, C.R.S.

Local Agency, if a natural person eighteen (18) years of age or older, hereby swears and affirms under penalty of perjury that Local Agency **(i)** is a citizen or otherwise lawfully present in the United States pursuant to federal law, **(ii)** shall comply with the provisions of §§24-76.5-101, *et seq.*, C.R.S., and **(iii)** has produced one form of identification required by §24-76.5-103, C.R.S. prior to the Effective Date of this Contract.

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THE PARTIES HERETO HAVE EXECUTED THIS INTERGOVERNMENTAL AGREEMENT

Persons signing for the Local Agency hereby swear and affirm that they are authorized to act on the Local Agency’s behalf and acknowledge that the State is relying on their representations to that effect.

<p>THE LOCAL AGENCY ADAMS COUNTY,COLORADO</p> <p>By:</p> <p>Title:</p> <p>Signature</p> <p>Date:</p>	<p>STATE OF COLORADO Jared Polis, GOVERNOR Colorado Department of Transportation</p> <p>By Steve Harelson P.E., Chief Engineer (For) Shoshana M. Lew, Executive Director</p> <p>Effective Date:</p>
--	---

Approved as to form:

By:

Name:

County Attorney

2000055
CDOT Vendor Number

LOCAL AGENCY:
(A Local Agency attestation is required.)

Attest: County Clerk

EXHIBIT A – SCOPE OF WORK

PROJECT: FBR 0761-236 (23444) I-76 over Clear Creek Scour Mitigation

Scope-Of-Work:

Engineered features to be designed and constructed by CDOT as a part of Project FBR 0761-236 (23444) I-76 over Clear Creek Scour Mitigation. Refer to pages 3 & 4 within this **Exhibit A**.

Maintenance shall be as designated below. Maintenance includes upkeep, cleaning, sediment removal, repair, and replacement as necessary to insure continuous, safe operation of identified features including insuring proper operation to prevent scour at or around the structural features identified in this **Exhibit A**.

CDOT Responsibilities

1. Normal wear of CDOT owned structures, CDOT owned adjacent structures to these structures, the associated roadway prism, and associated roadway items.
 - a. E-16-LT
 - b. E-16-LU
2. Cleaning of sediment, trash, debris, and graffiti and removal of vegetation around CDOT owned structures that is not present due to the stream treatment structures, as necessary needed to keep the CDOT structures and stream in proper working order.
3. Maintaining the stormwater systems on both sides of Clear Creek draining the stormwater between bridges, from Fisher Ditch, and from the south side of I-76.
4. Maintaining the dirt road and appurtenances between the Clear Creek bikepath and the Fisher Ditch.
5. Maintaining the access control fencing along I-76.
6. Maintaining guardrail, lighting, and signing along I-76.
7. Maintaining embankments of I-76 including near the bridges to prevent erosion into the drop structures and bikepath.

Adams County Responsibilities

1. Maintenance and upkeep of scour mitigation and stream treatment structures constructed as a part of this project and as shown in this **Exhibit A**.
2. Maintenance and upkeep of pedestrian Bridge on Clear Creek Bikepath immediately downstream of these stream treatment structures and the bikepath itself, including graffiti removal, repair, snow removal and replacement.
3. Maintenance and upkeep of any stream impacts associated with the mitigation and stream treatment structures constructed as a part of this project and as shown in this **Exhibit A**.
4. Cleaning of sediment, trash, and debris, and removal of vegetation as necessary needed to keep the stream treatment structures and stream in proper working order. This includes sediment, trash, debris, and vegetation that may accumulate around CDOT Structures due to the presence of the stream treatment structures.

5. Maintaining any signage for the pedestrian bikepath, the Adams County Parks system, and recreational signing related to the drop structures.

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PoDI / NHS	
FHWA PROJECT OF DIVISION INTEREST (PoDI)?	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
NATIONAL HIGHWAY SYSTEM?	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES

Related Projects:
P. E. UNDER PROJECT:
Project Number
Project Code:
R.O.W. Projects:
R.O.W. Project Description

DEPARTMENT OF TRANSPORTATION

STATE OF COLORADO

HIGHWAY CONSTRUCTION BID PLANS OF PROPOSED

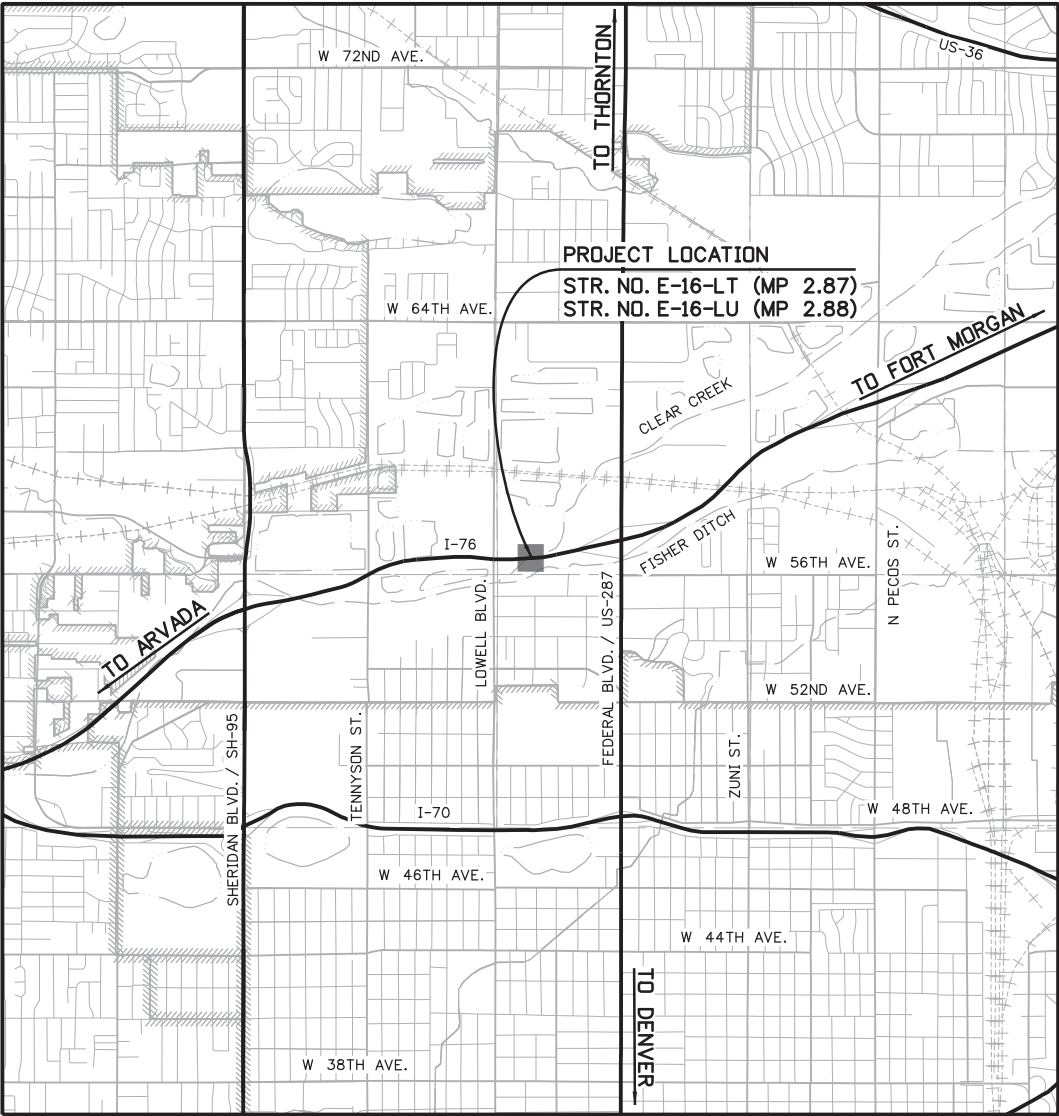
FEDERAL AID PROJECT NO. FBR 0761-236

INTERSTATE NO. 76

ADAMS COUNTY

CONSTRUCTION PROJECT CODE NO. 23444

TABULATION OF LENGTH		
STATION	FEET	
	CHANNEL CLEAR CREEK	MAJOR STR.
BEGIN PROJECT FBR 0761-236 STA 3230+00.00		
EXISTING STRUCTURE AT MP 2.87 I-76 STRUCTURE NO. E-16-LT		435
EXISTING STRUCTURE AT MP 2.88 I-76 STRUCTURE NO. E-16-LU		435
END PROJECT FBR 0761-236 STA 3242+48.65	1249	
TOTAL	1249	870
SUMMARY OF PROJECT LENGTH	FEET	MILES
CHANNEL (NET LENGTH)	1249	0.24
MAJOR STRUCTURE	870	0.16
PROJECT GROSS LENGTH	1249	0.24



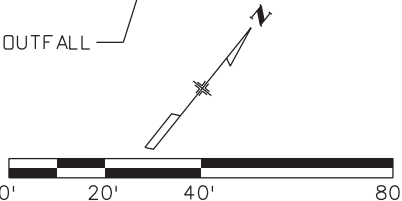
PROJECT LOCATION MAP

SHEET NO.	INDEX OF SHEETS
1	I-76 OVER CLEAR CREEK TITLE SHEET
2	I-76 OVER CLEAR CREEK STANDARD PLANS LIST
3 - 5	I-76 OVER CLEAR CREEK GENERAL NOTES
6 - 7	I-76 OVER CLEAR CREEK SUMMARY OF APPROXIMATE QUANTITIES
8	I-76 OVER CLEAR CREEK SURVEY TABULATION
9 - 12	I-76 OVER CLEAR CREEK PROJECT CONTROL DIAGRAM
13 - 14	I-76 OVER CLEAR CREEK GEOMETRY
15 - 17	I-76 OVER CLEAR CREEK PLAN SHEETS
18 - 20	I-76 OVER CLEAR CREEK PROFILE SHEETS
21	I-76 OVER CLEAR CREEK DROP STRUCTURE AND MISCELLANEOUS TABULATIONS
22	I-76 OVER CLEAR CREEK TABULATIONS OF TRAFFIC CONTROL SIGNS, AND SIGN DETAILS
23 - 25	I-76 OVER CLEAR CREEK DROP STRUCTURE CHANNEL PLAN AND PROFILE SHEETS
26	I-76 OVER CLEAR CREEK DROP STRUCTURE CENTERLINE SECTIONS
27 - 40	I-76 OVER CLEAR CREEK DROP STRUCTURE GRADING PLANS
41 - 50	I-76 OVER CLEAR CREEK DROP STRUCTURE CROSS SECTIONS
51 - 53	I-76 OVER CLEAR CREEK CROSS VANE DETAILS
54	I-76 OVER CLEAR CREEK DRAINAGE PLAN AND PROFILE AND TABULATION
55 - 56	I-76 OVER CLEAR CREEK PORTAGE PATH PLAN AND PROFILE SHEETS
57 - 63	I-76 OVER CLEAR CREEK SWMP NOTES
64	I-76 OVER CLEAR CREEK SWMP SITE PLAN
65	I-76 OVER CLEAR CREEK SWMP SITE PLAN (INITIAL)
66	I-76 OVER CLEAR CREEK SWMP SITE PLAN (INTERIM)
67	I-76 OVER CLEAR CREEK SWMP SITE PLAN (FINAL)
68	I-76 OVER CLEAR CREEK SWMP CONTROL MEASURE DETAILS
69 - 70	I-76 OVER CLEAR CREEK REVEGETATION PLAN
71	I-76 OVER CLEAR CREEK REVEGETATION DETAILS
72 - 73	I-76 OVER CLEAR CREEK UTILITY PLAN




PROJECT DESCRIPTION:

THE PROJECT IS LOCATED AT INTERSTATE 76 IN ADAMS COUNTY. IT IS LOCATED AT STRUCTURE NUMBERS E-16-LT (MP 2.87) AND E-16-LU (MP 2.88) OVER CLEAR CREEK. WORK INCLUDES SCOUR COUNTER MEASURES AT THE EXISTING BRIDGE PIERS WITH THE ADDITION OF THREE DROP STRUCTURES ALONG THE CLEAR CREEK CHANNEL. WORK ALSO INCLUDES EROSION CONTROL MANAGEMENT.

Print Date: 1/26/2021	0000	Sheet Revisions			Colorado Department of Transportation Region 01	As Constructed No Revisions: Revised: Void:	Contract Information	Project No./Code		
File Name: 23444DES_TitleSheet.dgn		Date:	Comments	Init.				Contractor:		FBR 0761-236
Horiz. Scale: 1:4000 Vert. Exaggeration Scale: N/A								Resident Engineer:		23444
1670 Broadway, Suite 3400 Denver, Colorado 80202 Phone: 303 764 1575 Fax: 303 860 7139							PROJECT ENGINEER:	PROJECT STARTED: / / ACCEPTED: / /	Sheet Number 1	



1. THE BOULDERS AND BOULDER CLUSTERS SHALL BE BROKEN AND MOVED TO THE BANKS AND OUT OF THE ACTIVE CHANNEL WITHIN THE LIMITS OF DISTURBANCE. THESE BOULDERS MAY BE USED IN THE DROP STRUCTURE IF THEY MEET SPECIFICATIONS.
2. SEE CDDT STANDARD M-605-1 FOR GEODCOMPOSITE DRAIN DETAILS. TO BE PAID FOR AS 4 INCH PERFORATED PIPE UNDERDRAIN AND SHALL INCLUDE ALL WORK.

Print Date: 1/26/2021		<div>00000</div>	Sheet Revisions			<div>Colorado Department of Transportation</div> <div><div><div></div><div></div><div>4670 Holly Street Denver, CO 80216 Phone: 303-398-6783</div></div><div>Region 1<div>RTS</div></div></div>		As Constructed		I-76 OVER CLEAR CREEK SCOUR MITIGATION CHANNEL PLAN SHEET STA 1005+00 TO STA 1010+00			Project No./Code	
File Name: 23444DES_ClearCreek_PNP02.dgn			Date:	Comments	Init.			No Revisions:					FBR 0761-236	
Horiz. Scale: 1:40 Vert. Scale: As Noted								Revised:		Designer: C. MCKERNAN	Structure Numbers	23444		
<div><div></div><div>1670 Broadway, Suite 3400 Denver, Colorado 80202 Phone: 303 764 1575 Fax: 303 860 7139</div></div>								Void:		Detailer: B. CASE		Sheet Number 16		
								Sheet Subset: HYDR		Subset Sheets: 2 OF 6				

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STUDY SESSION ITEM SUMMARY

DATE OF STUDY SESSION: September 28, 2021
SUBJECT: Oil & Gas Update
OFFICE/DEPARTMENT: Community & Economic Development
CONTACT: Jenni Grafton, Community & Economic Development Director; Ryan Nalty, Community & Economic Development Deputy Director; Katie Keefe, Environmental Program Manager; Greg Dean, Oil & Gas Liaison; Christy Fitch, Assistant County Attorney
FINACIAL IMPACT: None
SUPPORT/RESOURCES REQUEST: N/A
DIRECTION NEEDED: Update only, no formal direction needed
RECOMMENDED ACTION: Staff will provide an update on orphaned wells in the County, COGCC's proposed financial assurance regulation amendments, and Staff's initial comments and recommendations

DISCUSSION POINTS:

- Current Orphaned Well Review
- Orphaned Well Program Summary
- COGCC Regulation Amendment Update
 - Timeline
 - Focus Areas
 - County Participation
- Future County Orphaned Well Risk Analysis



Oil & Gas Update

September 28, 2021

Greg Dean
Oil & Gas Liaison
gdean@adcogov.org





Oil & Gas Update

Orphaned Well Assessment

Agenda



Current Orphaned Well Review



Orphaned Well Program Summary



COGCC Regulation Amendment Update

- **Timeline**
- **Focus Areas**
- **County Participation**



Future County Orphaned Well Risk Analysis



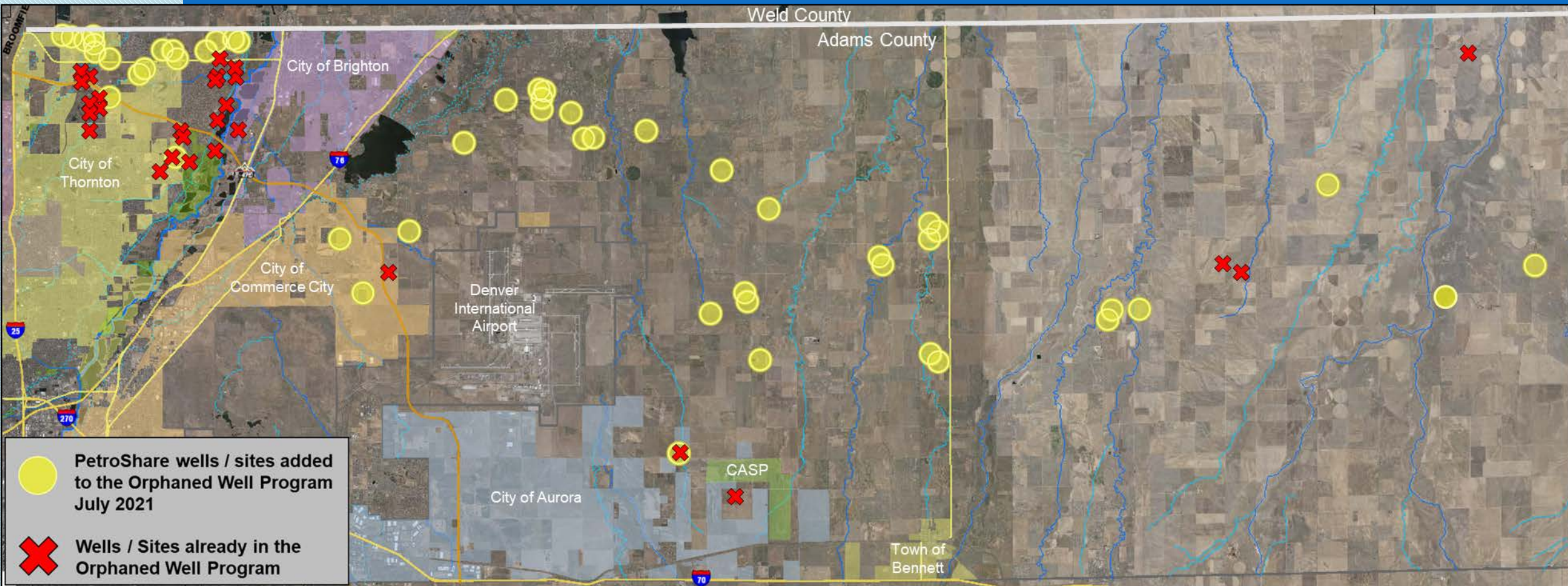
Oil & Gas Update

Orphaned Well Assessment

Current Orphaned Well Review

Orphaned Wells – All of Adams County

- PetroShare, through bankruptcy transferred 55 wells into the Orphaned Well Program (OWP), 45 in AdCo
- Currently 77 Orphaned Wells in Adams County
 - 2nd most in the state (tied with La Plata County and behind Logan County with 100 wells)



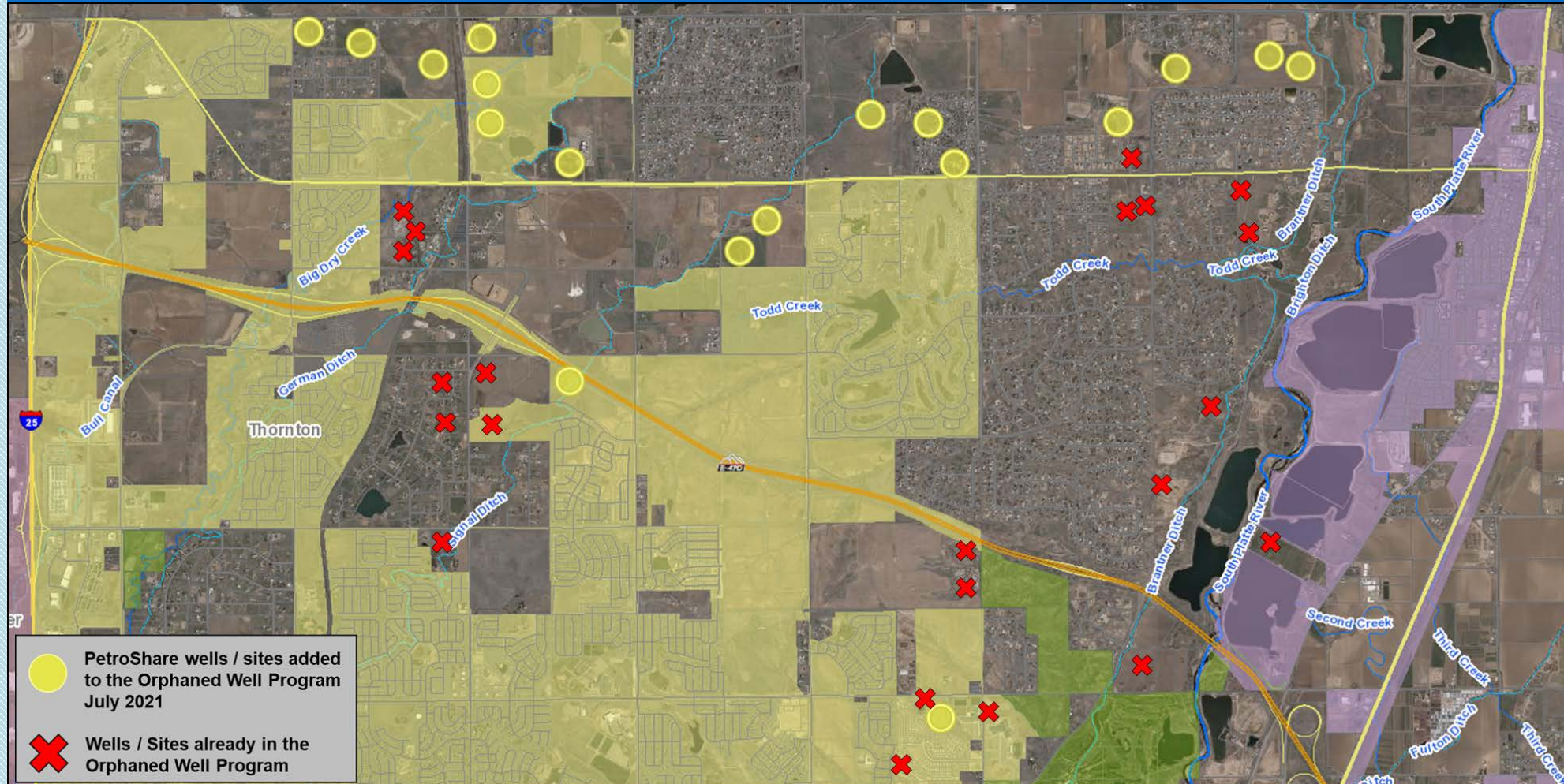


Oil & Gas Update

Orphaned Well Assessment

Current Orphaned Well Review

Orphaned Wells – Western Adams County



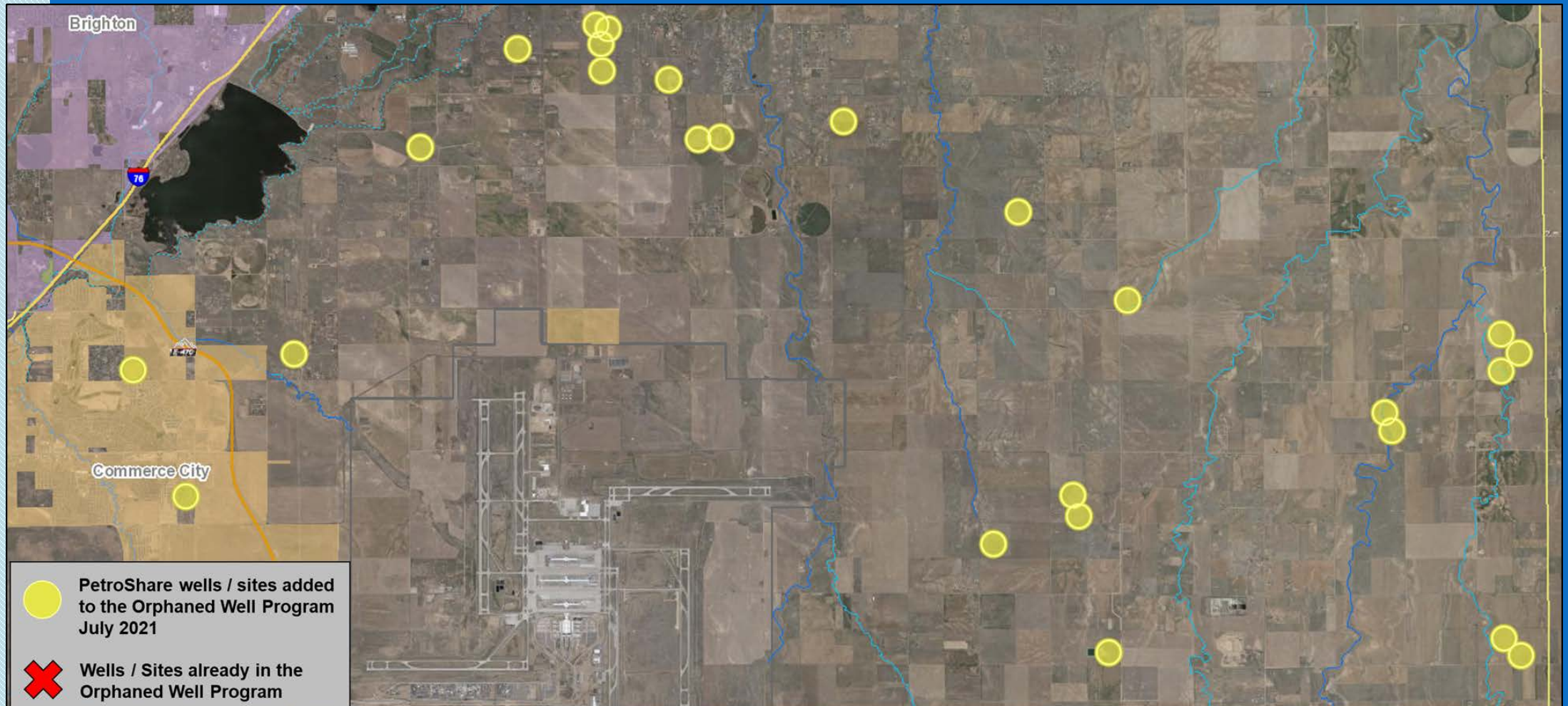


Oil & Gas Update

Orphaned Well Assessment

Current Orphaned Well Review

Orphaned Wells – Central Adams County





Oil & Gas Update

Orphaned Well Assessment

Orphaned Well Program Summary

Orphaned Well Program (OWP) Summary:

- The Orphaned Well Program (OWP) was formally created in 2017 and significantly expanded by then-Governor Hickenlooper's Executive Order D2018-012 in 2018
- The OWP is funded partially through a mill-levy on oil and natural gas production and partially through an annual budget appropriation from the legislature
- Orphaned Wells are prioritized for plugging and abandonment through the COGCC's Field Inspection Priority system into High, Medium, and Low Priority using several weighted-factors including:
 - 1) Age of the well (35%)
 - 2) Environmental risks (20%)
 - 3) Number of reportable spills (13%)
 - 4) Time since last inspection (12%)
 - 5) Population density of surrounding area (10%)
 - 6) Operator performance and compliance history (10%)

Adams County Orphaned Wells:

14 High Priority
50 Medium Priority
13 Low Priority



Oil & Gas Update

Orphaned Well Assessment

COGCC Regulation Amendment Update

**** COGCC Financial Assurance Rulemaking has been delayed. The next round of draft regulations will be released in October, with final hearings in late-January 2022 ****

Financial Assurance Rulemaking: COGCC Proposals

- **Revised Well Classification Definitions:**

- Inactive Well: A well producing less than 1 Barrel of Oil Equivalent (BOE) per day on a trailing 12-month average
- Low Producing Well: A well producing less than 5 BOE per day on a trailing 12-month average
- Used or Useful: A well that remains economically viable based on production trends, decommissioning and remediation costs in relation to revenue generation potential, and failure to fully develop a site

- **Well Bonding Amounts:**

- Increased bonding to \$78,000 per well in most cases, with limited exceptions for Operators with lower asset risk profiles
- Introduction of a new sinking fund for the funding of the OWP based on a yearly fee (\$200 per well per year) and mill levy on production

- **Plugging and Abandonment Requirements:**

- Require an Operator to plug an Inactive Well within 6 months, unless they can increase production and provide financial assurance to cover future decommissioning costs, granting the Operator up to 3 years to close a facility.

- **Financial Assurance Review and Hearing:**

- Financial Assurance will be required for the transfer of wells to other Operators with a mandatory hearing in some instances
- A relevant local government may request a hearing at the COGCC for to request a well be plugged and abandoned



Oil & Gas Update

Orphaned Well Assessment

COGCC Regulation Amendment Update

**** COGCC Financial Assurance Rulemaking has been delayed. The next round of draft regulations will be released in October, with final hearings in late-January 2022 ****

Initial Staff Review and Proposals:

- **Annual Well Registration:**
 - Requested the COGCC conduct a financial sensitivity analysis to ensure the proposed annual fee is substantial enough to cover the current and future funding needs of the OWP
- **Transfer of Operatorship and Permits:**
 - Proposed additional submission requirements during well transfers to ensure Operators are in good standing with the COGCC, have a demonstrated history of compliance, and are not using the OWP to discard high liability or less desirable assets to the state
 - Recommended prohibiting the transfer of active permits to new Operators absent significant financial protections in place
- **Financial Assurance Review Plan:**
 - Proposed the addition of a Plugging and Abandonment and Financial Assurance Review Summary submission during the state permitting process to ensure Operators with any documentable deficiencies in meeting responsibilities are not granted new permits to drill additional wells
- **Well Plugging Timelines:**
 - Proposed reducing the allowable time to plug, abandon, remediate and reclaim an Inactive Well from 3 years to 1.5 years
- **Relevant Local Government Consultation and Notice:**
 - Suggested provisions to expand local government involvement and notice during financial assurance hearings, COGCC plan reviews, and release or claims of bonds



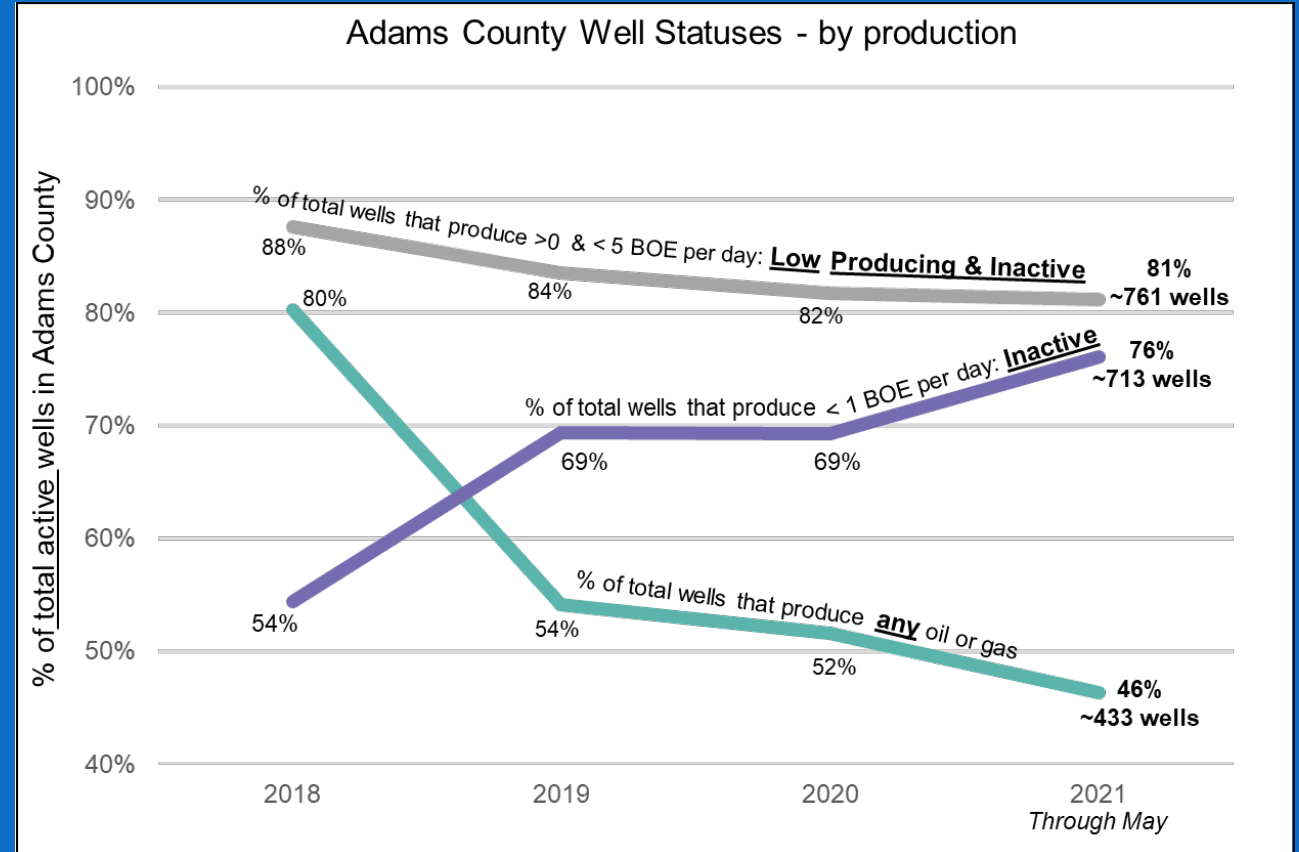
Oil & Gas Update

Orphaned Well Assessment

Future Orphaned Well Risk

Well Production Trends

- **950 + active wells in AdCo: 50% + are either shut-in, temporarily abandoned, or low producing**
 - These types of wells pose a higher risk to be orphaned in the future
 - AdCo could have a disproportionate share of orphaned wells relative to other jurisdictions
- **54% of active wells in AdCo have produced NO oil or gas so far in 2021, an increase from 20% in 2018**
- **Of wells that are producing, approximately 50% are low producers and would be classified as Inactive under COGCC proposals**
 - Inactive Wells must be plugged in the near term (6 months – 3 years)



Percentage of all active status wells in Adams County that have produced any reportable volume of oil or gas (green line), percentage of wells that have produced less than 1 barrel of oil equivalent (BOE) per day (purple line), and percentage of total wells that produce greater than zero BOE per day and less than five BOE per day (grey line) from 2018 through May 2021. Based on an analysis conducted by Staff on publicly available well and production data for all wells in Adams County



Oil & Gas Update

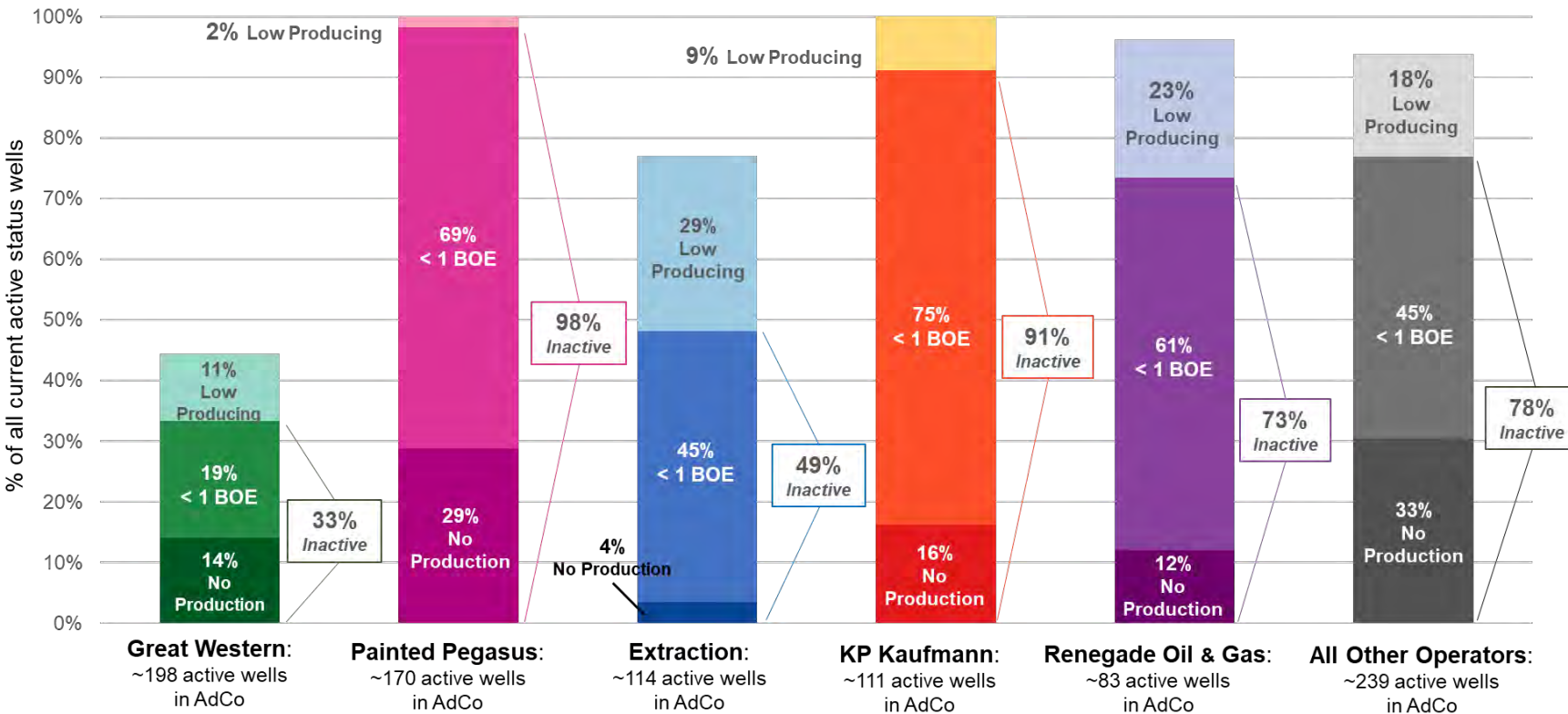
Orphaned Well Assessment

Future Orphaned Well Risk

Operator Production Trends

- **Individual Operators demonstrate different orphaned well risk profiles**
 - Operators with a lower percentage of their wells that are Inactive likely pose a lower future orphaned well risk
- **Most of the largest Operators in AdCo have well portfolios that would be largely classified as Inactive by COGCC and would be required to be plugged.**
 - These types of wells pose higher orphaned risks because an Operator may not be financially solvent enough to secure required bonds or to fulfill their decommissioning responsibilities
- **550+ wells in AdCo could be considered immediate orphaned risks in the future based on these proposed classifications.**

Adams County Well Statuses – by Operator



Percentage of Inactive (< 1 BOE / pad) and Low Producing (> 1 & < 5 BOE / pad) wells from the five largest Operators and all other Operators combined by well count in the County. Calculations include any unique well from an Operator that meets the corresponding production threshold for any one year or more between 2018 through May 2021. Classification is based on proposed COGCC definitions from June 2021 draft rules. Based on an analysis conducted by Staff on publicly available well and production data for all wells in Adams County



Community & Economic Development Department

4430 South Adams County Parkway,
1st Floor, Suite W2000
Brighton, CO 80601-8205
PHONE 720.523.6800 FAX 720.523.6967

MEMORANDUM

To: Katie Keefe, Environmental Program Manager
From: Greg Dean, Oil & Gas Liaison
Date: September 17, 2021
Subject: Adams County Orphaned Well Review and Potential Future Risk Assessment Report

Executive Summary:

There are currently 547 orphaned wells or sites statewide and 77 in Adams County, the second most in the state. The plugging, abandonment, remediation, and reclamation of orphaned sites is managed through the Orphaned Well Program (OWP) at the Colorado Oil and Gas Conservation Commission (COGCC). According to the COGCC, the average cost to fully decommission an orphaned well or site is \$85,500, which is significantly higher than current state bonding and financial assurance requirements. These types of wells present higher risks to public health, safety, welfare, the environment and wildlife resources in the form of historical releases and spills that can impact soil and groundwater or via leaks of methane, greenhouse gases, or Hazardous Air Pollutants. Based on definitions in the COGCC's proposed financial assurance regulations, there is currently an estimated 550+ additional wells in the County that pose a higher risk to being orphaned in the future.

Background:

Oil and gas drilling in Colorado began in the 1860s with the Colorado Oil and Gas Conservation Commission (COGCC or Commission) being established in 1951 for the purposes of regulating groundwater and plugging and abandonment activities for orphaned wells. An orphaned well or site is an oil and gas facility for which no owner or Operator can be found or where an owner is unwilling or unable to maintain responsibility for the compliance and reclamation of the facility. In these instances, the oil and gas facilities become the responsibility of the state for the purposes of plugging, decommissioning, and reclamation. The COGCC has been utilizing bonds and other surety claims to plug and abandon orphaned wells around the state since the late 1900s with the creation of an authorized orphaned well fund in 1990. The Orphaned Well Program (OWP) with new formal management,

organization, and reporting structure within the COGCC was officially created in 2017. The OWP was significantly expanded again in 2018 through then-Governor Hickenlooper's Executive Order D2018-012 that added additional COGCC staff resources, increased annual budget appropriation for the OWP from \$445,000 to \$5,000,000, and increased flexibility for rollover of funds and spending authority. As reported by the COGCC, orphaned wells present higher risks to public health, safety, welfare, the environment and wildlife resources (PHSWEW) in the form of historical releases and spills impacting soil and groundwater or leaks of methane, greenhouse gases, or Hazardous Air Pollutants. For example, there are more than 50 unresolved or ongoing remediation projects addressing historic spills and releases in Adams County associated with both orphaned well sites and other operator-controlled well plugging and abandonment. Historical spills and releases discovered during reclamation, plugging, and abandonment operations account for nearly two-thirds of all reported spills and releases in the County, primarily from older vertical wells.

Orphaned wells and sites are prioritized by the COGCC for plugging, abandonment, reclamation, and remediation through the Field Inspection Priority System that includes several weighted-factors that could impact PHSWEW. These weighted-factors include: 1) 35% - Age of the well, 2) 20% - Environmental risks, 3) 13% - Number of reportable spills, 4) 12% - Time since last inspection, 5) 10% - Population density, and 6) 10% - Operator performance and compliance history. Orphaned wells are then prioritized by their score into high, medium, and low priority and added to the orphaned well list for eventual decommissioning. As of July 1, 2021, there are currently 547 active orphaned wells and sites statewide for which plugging, and reclamation work is in progress or planned (77 in Adams County (14% of all state orphaned sites)). Of this total, 14 High Priority, 50 Medium Priority, and 13 Low Priority sites are located in Adams County. The COGCC has already completed the plugging and abandonment of approximately 99 sites around the state through the OWP (7 in Adams County). To date, the COGCC has made bond claims against operators of \$1,849,183 and spent more than \$4.2 million in appropriation funds to reclaim sites within the OWP.

In July 2021 the COGCC transferred 55 wells and sites from PetroShare into the OWP, the second largest single Operator transfer in the program's history. Of those 55 wells, 45 are in Adams County. This single transfer increased the orphaned well inventory in the County by 265% (to 77) and gives Adams County the second most orphaned sites in Colorado tied with La Plata County and behind Logan County at 100 sites (see Figures 1a, 1b, and 1c for a map

of new and existing orphaned wells in the County). PetroShare was one of the most active Operator's in the County until they filed for bankruptcy protection in September 2019. Through those bankruptcy proceedings the state was only able to seize approximately \$325,000 in surety bonds for the plugging and abandonment work for those specific assets. According to the COGCC, the cost to properly plug all 55 of PetroShare's orphans will be approximately \$4.7 million (based on a median cost of \$85,500 per well/site as presented by COGCC). There is reason to suspect that certain planned or in progress sites may be significantly more expensive to fully remediate, especially those with contamination to soil or groundwater. For example, two orphaned sites in unincorporated Adams County, the North Colorado Blvd #1 and Kortum #3 have estimated final costs to the OWP of \$175,932 and \$126,000 respectively to fully decommission. Based on COGCC estimates, the total cost to plug and abandon all current orphaned sites statewide is approximately \$46.8 million (\$6.6 million for all current orphaned wells in Adams County). These total cost estimates do not include adjustments needed for inflation, increases in costs, or any future wells or sites that may be added into the OWP.

Executive Order D2018-012 required the COGCC to improve protections for PHSWEW by plugging, remediating, and reclaiming orphaned wells and sites while also preventing future orphaned wells from entering the program. Senate Bill 19-181 (SB19-181) was signed into law by Governor Polis in April 2019 and required the COGCC to undergo a rulemaking process to change the mission of the agency from fostering the responsible and balanced development of oil and gas to regulating in a manner that is protective of PHSWEW. SB19-181 also requires the COGCC to undertake a rulemaking to require operators to provide assurance that it is financially capable of fulfilling every obligation imposed in the revised Oil and Gas Conservation Act. This required rulemaking must address, at a minimum: 1) increasing financial assurance for inactive wells and wells transferred to a new owner 2) requiring financial assurance accounts tied to the specific well, 3) requiring financial assurance accounts to be fully funded to cover future costs to plug, reclaim, and remediate the wells, and 4) creating a pooled fund to address orphaned wells. As the first step in this rulemaking process, the COGCC released an informational docket request in February 2021 and the first initial draft of the rules in June 2021. Adams County is an official party to this rulemaking and as of August 2021 has submitted two rounds of written comments and testified in front of the COGCC on these financial assurance topics to advocate for strong protections for the residents and resources of the County.

Adams County Well Analysis:

According to the COGCC, shut-in, temporarily abandoned, or low producing wells, particularly older vertical wells, pose a potentially higher risk of becoming orphaned by an insolvent Operator in the future. There are approximately 950 active wells in the County, of which more than 50% are shut-in, temporarily abandoned, or have not produced any oil or gas in the last year. Of the total statewide active wells, only 25% are shut-in, temporarily abandoned or low producing. Based on the COGCC risk determination, the County appears to be in a unique situation where most of the active wells in its jurisdiction have a higher risk of becoming orphaned in the future. This disparity in high risk wells is alarming because any expansive or rapid increase in orphaned sites would likely lead to a disproportionate share in the County compared to other jurisdictions in the state.

The draft regulations issued by the COGCC in June 2021 proposed new definitions for an Inactive Well and Low Producing Well that include production volume considerations. An Inactive Well is defined as any well that produces less than one Barrel of Oil equivalent (BOE) per day on a rolling twelve-month average, whereas a Low Producing Well is defined as any well that produces between one and five BOE per day. These production values proposed by the COGCC consider potential economic factors and risk profiles for individual wells and Operators. Per the initial draft regulations, if a well is deemed Inactive by this definition, the Operator would be required to plug and abandon the well within six months unless the Operator can increase production levels or provide financial assurance to cover future plugging and remediation costs, granting the Operator up to three additional years to fully close a facility.

Under current COGCC rule an Operator may be ordered to plug and abandon a well or close a facility if it is necessary and reasonable to protect PHSWEW or is deemed no longer Used or Useful, which is currently undefined in COGCC rules. The new proposed definition for a Used or Useful determination includes elements related to a well's historical production trends, numerous economic viability factors, and an Operator's failure to fully develop a facility timely. Proposed rules also provide mechanisms for only the Director of COGCC or a local government with citing authority to request a hearing at the Commission on a Used or Useful well determination. This would further allow the County to request the COGCC to require an Operator plug and abandon a well that meets these definitional elements or if there are known applicable impacts to PHSWEW. The proposed definitions of Inactive and Low Producing

wells are directly related to the determination of Used or Useful and is an important new tool in helping prevent future orphaned properties by allowing a local government to directly petition the COGCC to require a well or facility be closed, remediated, and reclaimed.

County Staff conducted an analysis utilizing publicly available well and production data for all wells in Adams County. This evaluation discovered that the percentage of wells which have not produced any measurable quantities of oil or gas has increased from 20% in 2018 to 54% through May 2021 (Figure 2). As illustrated in Figure 3, over the same time period, the percent of wells producing higher volumes of oil and gas (> 5 BOE / day) increased from 15% to 41% (176 of 430 wells) while the percentage of Inactive producing wells (< 1 BOE / day) increased to nearly 50% (210 of 430 wells). In summary, of the 930 active status wells in the County only 46% (approximately 430 wells) have produced any volume of oil or gas in the last year and of those wells that did produce, only 50% (approximately 210 wells) have produced above the proposed Inactive well threshold. This is likely due to the rapid increase in horizontal wellbore development in more oil prone geologic formations, with significantly less focus by industry on single vertical well production in the County. Figure 4 shows that the percentage of wells not producing any volume of hydrocarbons does not appear to be directly correlated to commodity prices as one may suspect with crude oil ranging from \$23-\$75 per barrel from late-2017 through May 2021, while at the same time the percentage of active status wells producing in the County continued to decline. Further, Figures 3 and 4 demonstrate a similar pattern for wells in the County deemed Inactive under COGCC's proposals with an increase from 54% in 2018 to 76% through May of 2021. Low Producing, Inactive, or non-producing wells are more likely to be orphaned and pose inherently higher risks to the environment, public health, and safety. This analysis indicates a very concerning statistic that more than three quarters of all wells in the County (~700+ wells) may be nearing the end of their productive lifespan and would need to be plugged, abandoned, and remediated in the near-term or could eventually become orphaned to the state if the Operator is unable or unwilling to fulfill their obligations to properly close the facility and address any health and environmental impacts.

As previously presented, wells producing five BOE / day or less (Inactive and Low Producing wells) pose an elevated risk to be orphaned in the future, largely independent of commodity price fluctuations. However, well production thresholds alone do not indicate the only potential orphan risk for wells in the County and statewide. Individual Operators demonstrate different well risk profiles associated with their future orphaning potential, based on the percentage of

their assets that are designated Inactive (<1 BOE / day) or Low Producing (< 5 BOE / day). Figures 5 and 6 show the five largest Operators in the County by well count and their representative well statuses based on these COGCC proposed definitions. Great Western, the largest Operator in our jurisdiction, has only one third of their wells (approximately 65 of 198 wells) producing less than one BOE / day. Conversely, Painted Pegasus, KP Kaufmann, and Renegade Oil & Gas, the second, fourth, and fifth largest Operators in the County, respectively, have 98%, 91%, and 73% of their active wells producing less than one BOE per day (approximately 327 of 364 wells combined). Of all other Operators with active wells in the County, 78% of their wells (approximately 186 of 239 wells) would also be deemed Inactive. When examining these production trends since 2018, Great Western's assets on average, have consistently produced above the five BOE / day threshold (average 110 BOE / day) (Figure 6). During the same time, the other Operators in the County have produced less than the Low Producing levels (<5 BOE / day) and in most cases below the Inactive well production requirements (<1 BOE / day), averaging around 0.7 BOE / day combined. This is important because it further illustrates the heightened risk in the County for future orphaned wells and sites, specifically from certain Operators whose well asset portfolios have been producing significantly below COGCC proposed economic profitability and viability guidelines for required plugging and abandonment for several years, many without adequate or full-cost financial assurance being required by the COGCC.

The more than 700 wells currently meeting proposed Inactive or Low Producing well classifications pose immediate orphaned well risks as they may be nearing the end of their productive life. Further, of those 700+ wells in the County, more than 550 are owned by Operators whose total asset portfolios are comprised of more than 70% wells that meet COGCC proposed threshold for Inactive status (155 wells from those same Operators that have not produced any volume of oil or gas in at least one year since 2018). Given that wells deemed Inactive by the proposed COGCC definition must be plugged, abandoned, and reclaimed in the short-term (6 months – 3 years), these types of assets are the most likely to become orphaned in the future. This is primarily because if an Operator is not financially solvent enough to secure required assurance bonds or to fulfill their facility decommissioning responsibilities or considers their wells incapable of increased production, they may leave hundreds of additional wells in the County orphaned until they can be addressed by the OWP. This volume of orphaned sites could take the COGCC decades to fully plug, abandon, and

reclaim, prolonging any impacts to the County's water, soil, and air resources and increasing potential for public health, safety, and welfare effects for residents.

As presented in the County's initial official comments during financial assurance rulemaking, Staff contends some Operators may attempt to orphan their wells rather than comply with the revised protective standards proposed in the COGCC's rules. Further, Operators may attempt to use wells producing greater than 5 BOE / day and state-approved permits as a mechanism to enhance the perceived value of their assets to another Operator during bankruptcy proceedings or a merger or sale, while simultaneously utilizing the OWP to inappropriately abandon higher liability assets, including open remediation projects, without securing proper financial assurance. The transfer of higher producing wells and permits has historically been used as an instrument to siphon off more economically attractive assets while leaving the future responsibility for plugging, remediation, and reclamation of inactive wells with a financially insolvent entity unwilling or incapable of meeting financial assurance and decommissioning requirements. As such, enhanced protections and policies are necessary in COGCC and County regulations to ensure the longevity of the OWP and to prevent its rapid expansion. The oil and gas industry broadly, and active Operators specifically, should continue to promptly plug, abandon, reclaim, and remediate wells and sites Inactive wells or those facilities that are no longer Used or Useful at their own expense; either voluntarily, through incentive mechanisms in the Commission's rules, or as required by the COGCC or County to prevent impacts to PHSWEW.

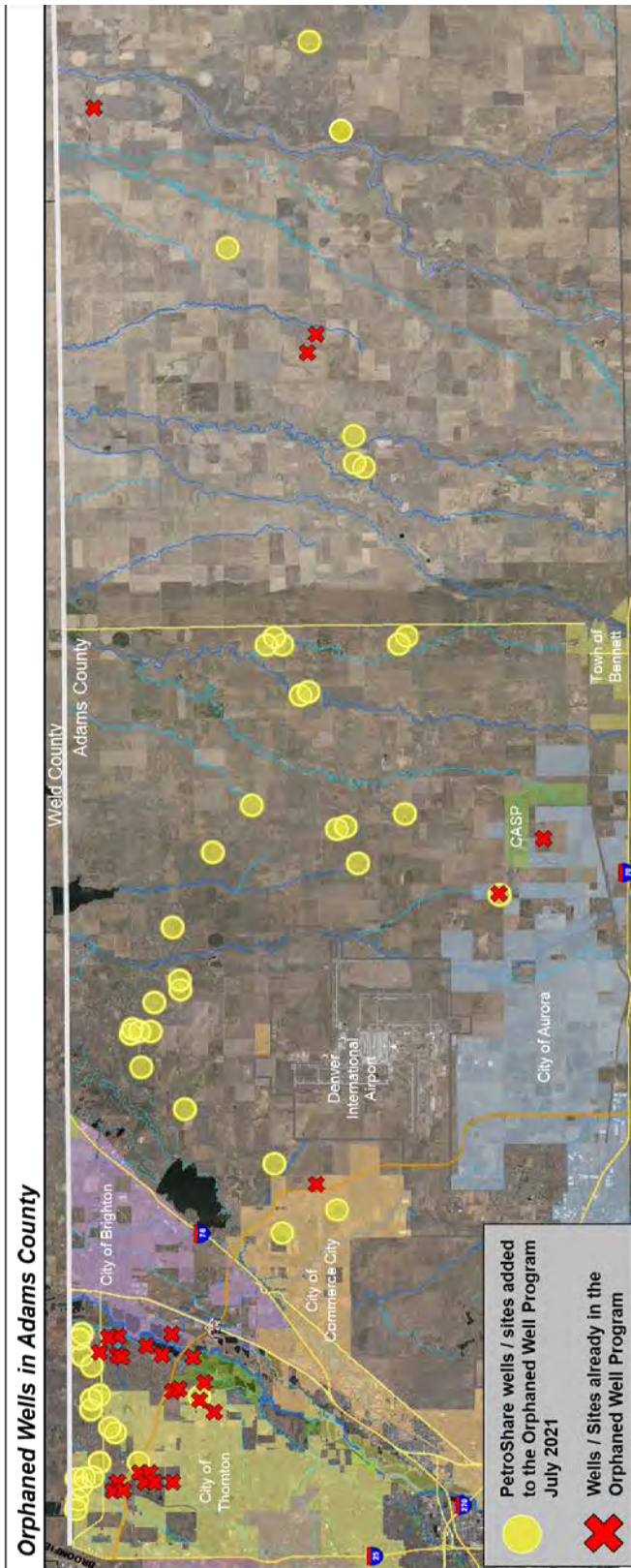


Figure 1a: Map of all orphaned wells in Adams County. Red X's denote orphaned wells and sites in the Orphaned Well Program (OWP) prior to July 1, 2021. Yellow circles denote wells or sites in the County added to the OWP from the PetroShare transfer.

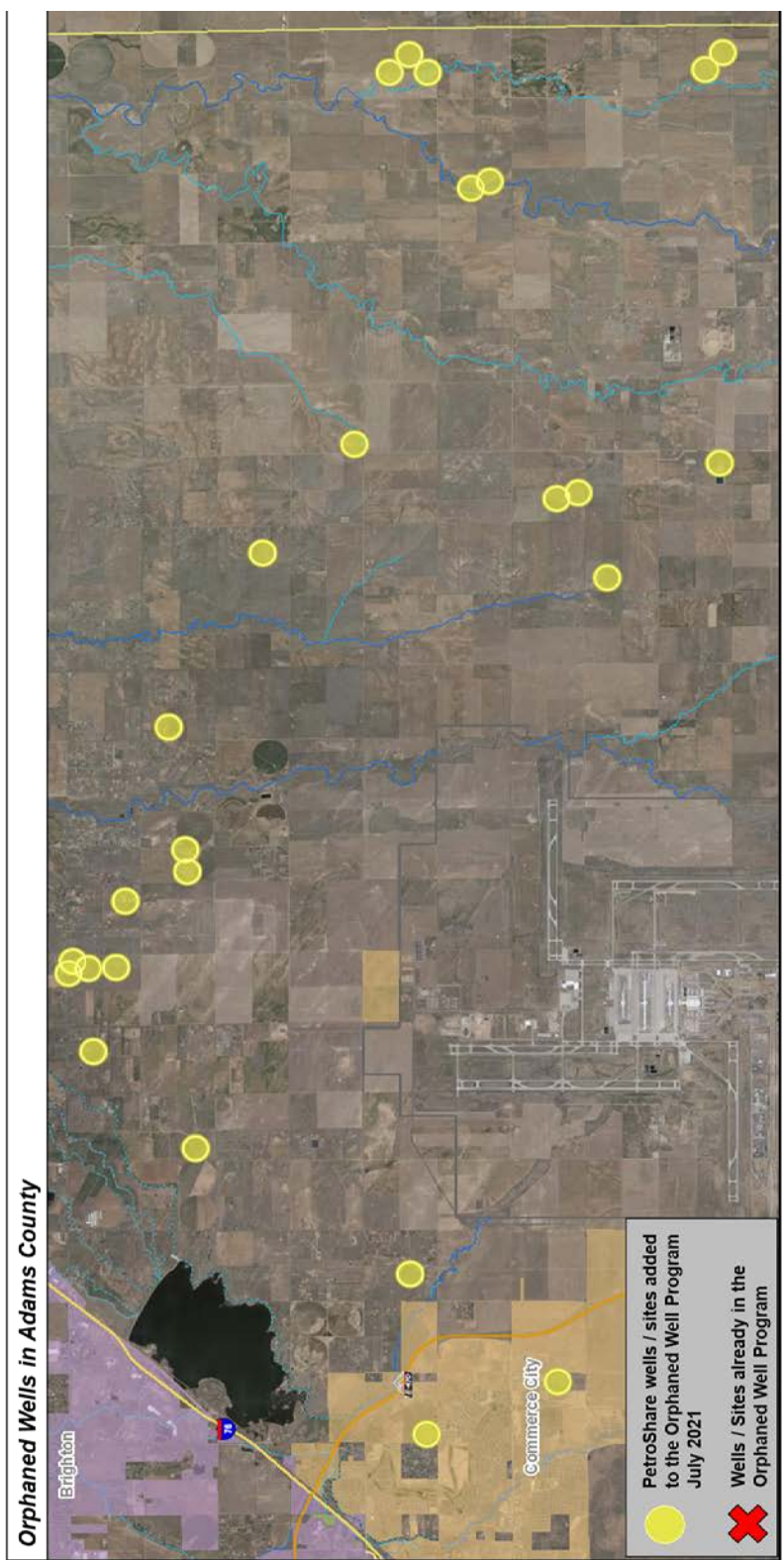


Figure 1c: Enlarged map of all orphaned wells in central Adams County. Yellow circles denote wells or sites in the County added to the Orphaned Well Program from the PetroShare transfer.

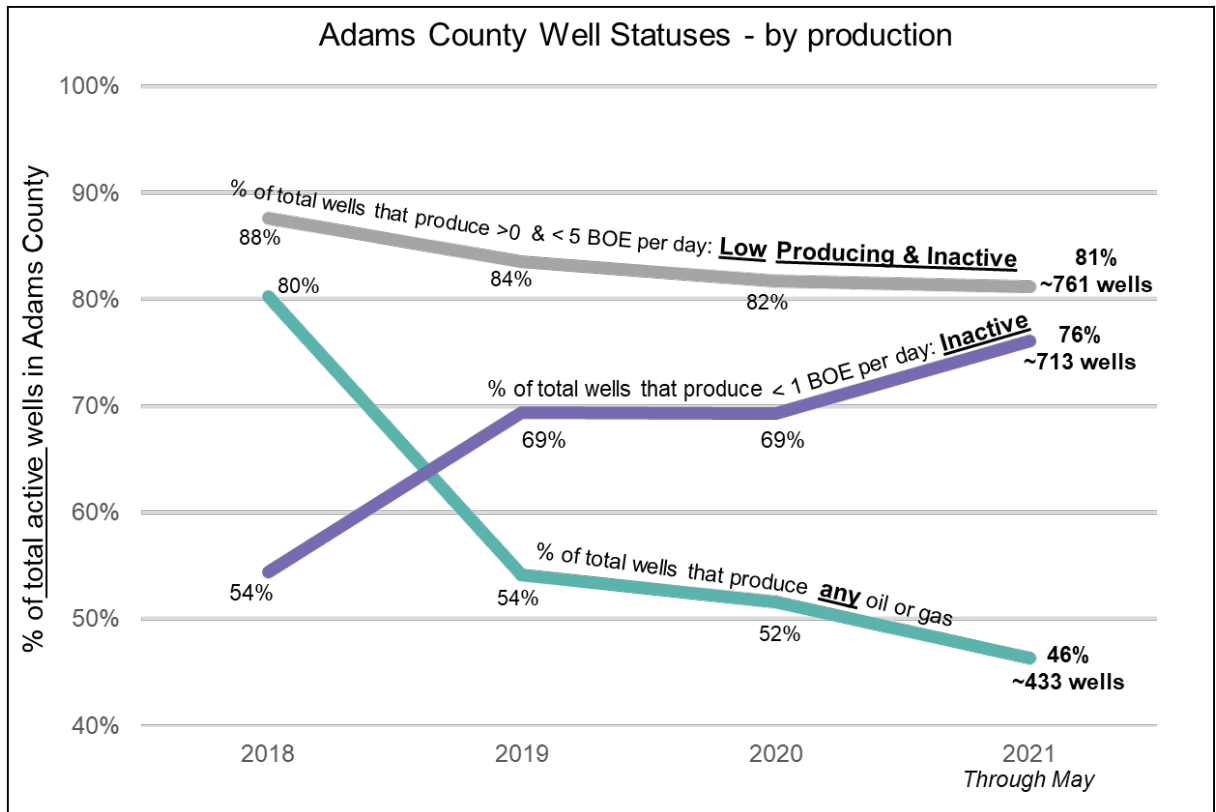


Figure 2: Percentage of all active status wells in Adams County that have produced any reportable volume of oil or gas (green line), percentage of wells that have produced less than 1 barrel of oil equivalent (BOE) per day (purple line), and percentage of total wells that produce greater than zero BOE per day and less than five BOE per day (grey line) from 2018 through May 2021.

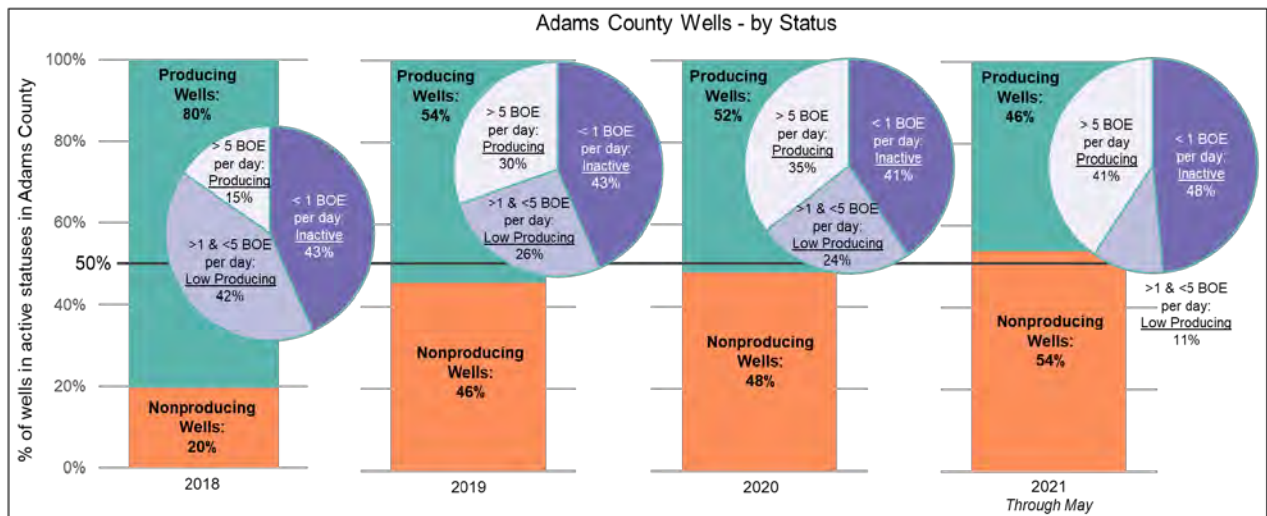


Figure 3: Percentage of active status wells in Adams County that were producing wells (teal) and non-producing (orange) from 2018 through May 2021. For producing wells, the pie charts in purple depict the percentage of wells that are Inactive, Low Producing, and Producing based on proposed COGCC definitions from June 2021 draft rules.

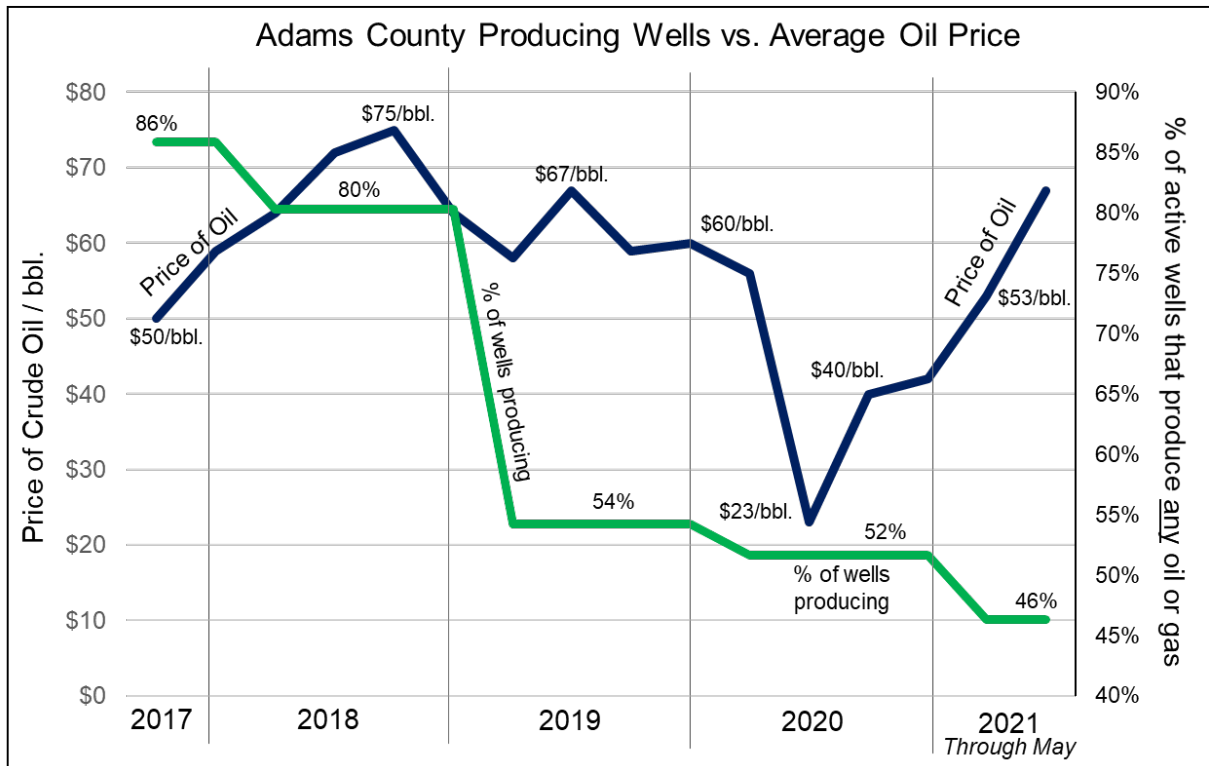


Figure 4: Percentage of all active status wells in Adams County that have produced any reportable volume of oil or gas (green line) and the price of crude oil (blue line) from late-2017 through May 2021.

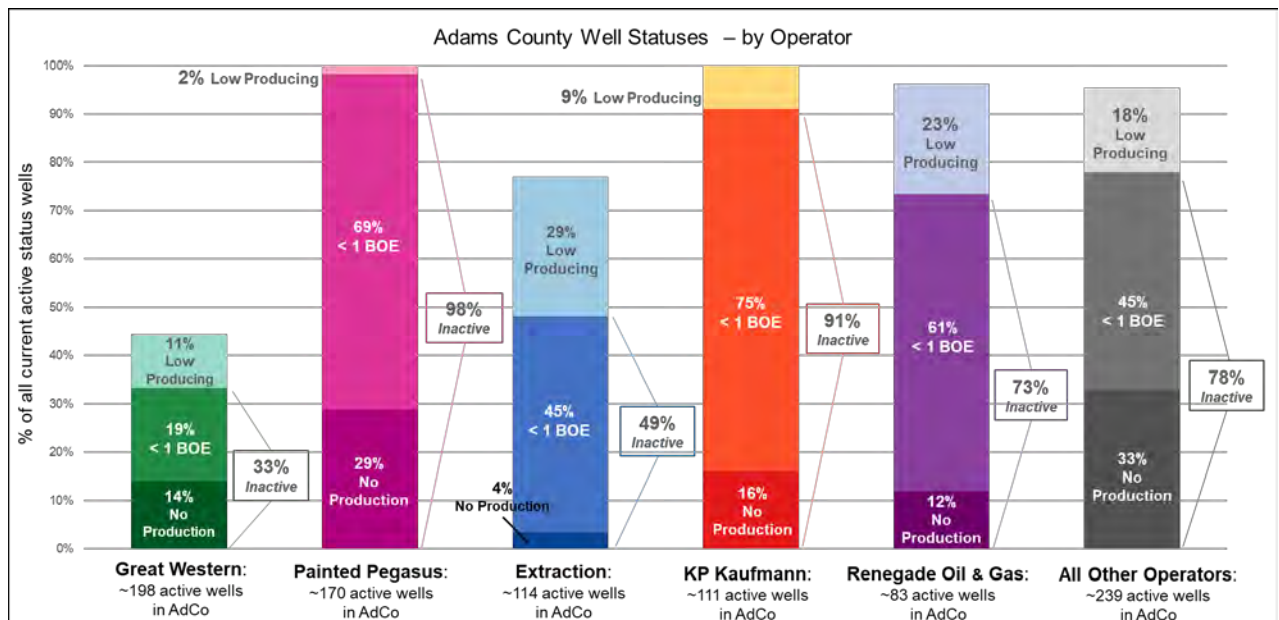


Figure 5: Percentage of Inactive (< 1 BOE / pad) and Low Producing (> 1 & < 5 BOE / pad) wells from the five largest Operators and all other Operators combined by well count in the County. Calculations include any unique well from each Operator that meets the corresponding production threshold for any one year or more between 2018 through May 2021. Classification is based on proposed COGCC definitions from June 2021 draft rules.

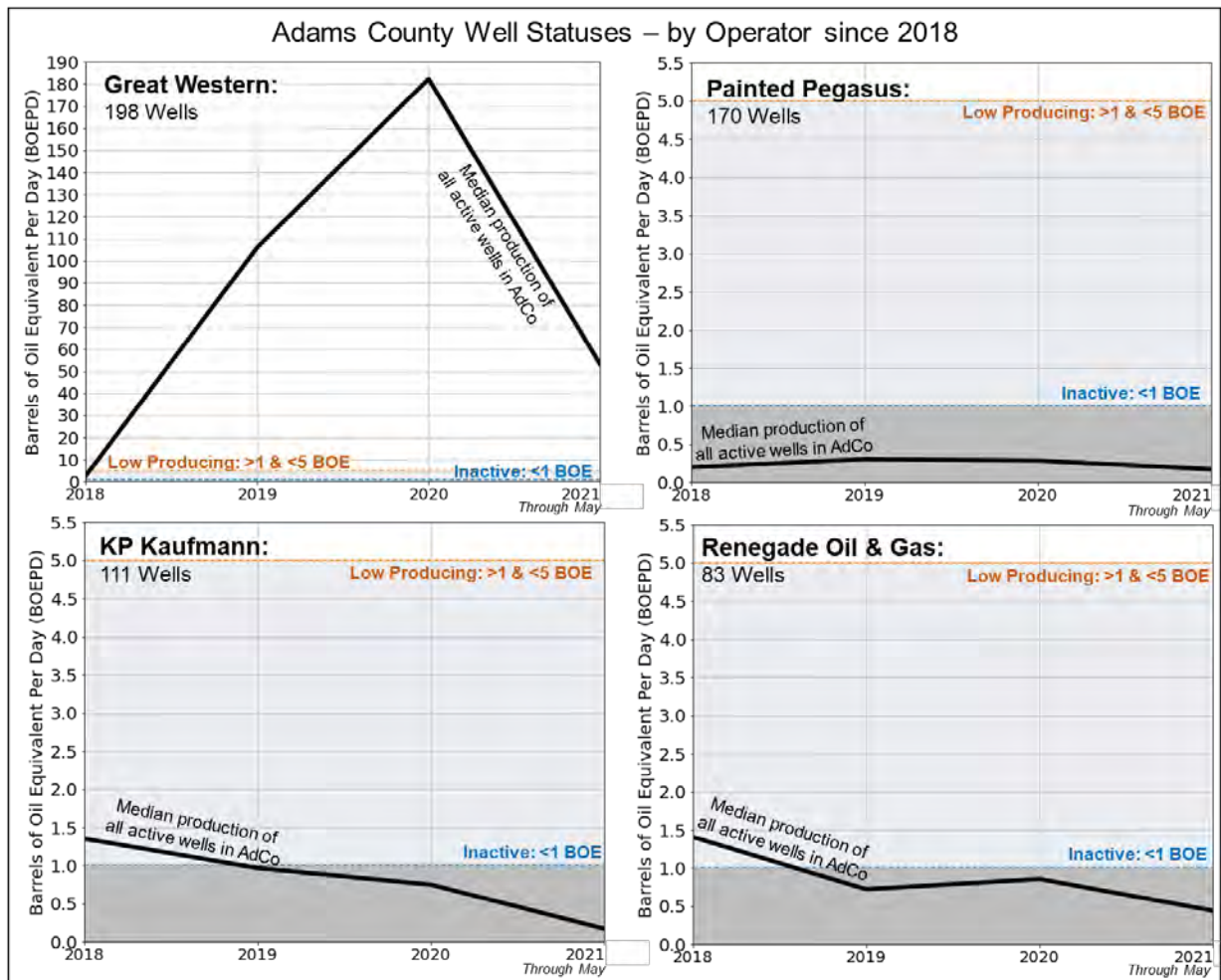


Figure 6: Median well production from all wells (solid black line) for individual Operators from wells in Adams County from 2018 through May 2021. Dashed blue line represents Inactive well threshold (<1 BOE / day) and dashed orange line represents Low Producing threshold (>1 & <5 BOE / day). Classification is based on proposed COGCC definitions from June 2021 draft rules.



STUDY SESSION ITEM SUMMARY

DATE OF STUDY SESSION: September 28, 2021
SUBJECT: State Lobby Team Update
OFFICE/DEPARTMENT: County Manager's Office
CONTACT: Adam Burg, Legislative & Government Affairs Senior Advisor
FINACIAL IMPACT: None
SUPPORT/RESOURCES REQUEST: None
DIRECTION NEEDED: None
RECOMMENDED ACTION: Information update session

DISCUSSION POINTS:

- The state lobby team (Eliza Schultz, Elisabeth Rosen, and Alan Morse) would like to meet with the board to provide an update as we head towards legislative season in January. The lobby team would like to meet for 30-45 minutes with the BoCC/ELT the following SS dates:
 - Sept. 28
 - Oct. 26
 - Nov. 16



STUDY SESSION ITEM SUMMARY

DATE OF STUDY SESSION: September 28, 2021
SUBJECT: Veterans Memorial Budget Amendment for Early Package
OFFICE/DEPARTMENT: Facilities
CONTACT: Cyndi Stringham, Project Manager
FINACIAL IMPACT: \$1,500,000.00
SUPPORT/RESOURCES REQUEST: n/a
DIRECTION NEEDED: Approval of a budget amendment in the amount of \$1,500,000.00 for the commencement of construction in 2021
RECOMMENDED ACTION: Approval from BoCC for Budget Amendment to commence construction

DISCUSSION POINTS:

- To share updated renderings
- To demonstrate needed funds in order to commence construction in 2021
- To provide update on overall budget, still to be determined for utilities, sewer, restrooms, etc.


Adams County Veterans Memorial

Facilities - Planning, Design, & Construction Division
Parks, Open Space, & Cultural Arts Department
Budget Amendment Presentation

September 28, 2021




Schedule (Estimated)

- | | |
|-----------------|--|
| 2021 Aug.-Sept. | Finalizing site design, contracting, project setup; developing budget and schedule; add design of running restrooms and coordinating utilities |
| 2021 Oct.-Dec. | Permitting (in process) , finalizing structural design, mobilization; commencing on early construction packages – earthwork, water control |
| 2022 Jan.-March | Commencement of hardscapes and ship construction, utilities |
| 2022 Apr.-June | Commencement of features and steel structure |
- 

Budget Amendment

To commence construction (items that will be completed) in 2021:

\$1,500,000

- Permitting
 - Mobilization/Setup
 - Insurance & Bonding
 - Erosion Control
 - Demolition/Existing Site Work
 - Earthwork – 50%
 - Stormwater
 - Shoreline Stabilization
 - Design Restrooms and Site Utilities
 - Groundbreaking Ceremony
- 


Budget Amendment

To continue construction in 2022:

\$6,100,000

- Erosion Control / Earthwork
- Hardscapes
- Boulder Work
- Battleship Amenities, Features, Structures

Initiating work for:

- Utilities – Electrical, Stormwater, Water, Sanitary
 - Parking Lot
 - Landscaping/Irrigation
 - Site Furnishings
- 

Overall Estimated Budget

\$ 0.5 M Design (Already contracted with DHM)

\$ 7.6 M Budget Amendment

- ECI – Package 1
- DHM – Additional design and engineering
- ECI – Package 2

\$ 2.4 M Finalize Utilities and Project in 2022

\$10.5 M Estimated Budget



Renderings



Renderings



Renderings



Renderings



Renderings



Renderings



Renderings



Renderings



Renderings



Any Questions?

