

**RESOLUTION APPROVING THE OPEN SPACE MODIFICATION REQUEST AND THE AMENDED OPEN SPACE GRANT AGREEMENT BETWEEN ADAMS COUNTY AND THE CITY OF WESTMINSTER FOR THE RANCH CREEK UNDERPASS AND TRAILS PROJECT**

WHEREAS, Adams County voters approved an Open Space Sales Tax on November 2, 1999, to be used in accordance with Resolution 99-1; and,

WHEREAS, City of Westminster received an Open Space Sales Tax grant for improvements and construction of an underpass and trail along Ranch Creek and south of the Metzger Farm Open Space on December 2, 2013 and on May 12, 2015 for a total of \$985,000,000; and,

WHEREAS, City of Westminster determined during the design process that the project would require multiple bridges and that there would be significant impacts to the wildlife habitat and heron rookery; and,

WHEREAS, City of Westminster reevaluated the need for the trail segment south of Metzger Farm since a sidewalk was installed on the south side of 120<sup>th</sup> Avenue, which has created an alternate route for users; and,

WHEREAS, City of Westminster is requesting permission to remove the trail segment from the project and instead include additional elements to improve the pond habitat and preserve the heron rookery; and,

WHEREAS, City of Westminster expects a lower total project cost, which will reduce the grant award; and,

WHEREAS, City of Westminster wishes to amend the grant agreement allowing for periodic reimbursements for a total of 43% of the total project costs, up to \$761,000; and,

WHEREAS, City of Westminster has submitted an Open Space Sales Tax modification request; and,

WHEREAS, the Open Space Advisory Board voted unanimously in support of the modification on August 23, 2017; and,

WHEREAS, the modification is contingent upon the full execution of an amended grant agreement between the City of Westminster and the County.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, County of Adams, State of Colorado, that the Open Space Modification Request and the Amended Open Space Grant Agreement between Adams County and the City of Westminster for the Ranch Creek Underpass and Trails Project Open Space Sales Tax Grant is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is authorized to execute said amended grant agreement on behalf of Adams County.