

**RESOLUTION APPROVING MODIFICATION AND NON-COMPLIANCE PENALTY
FOR THE BENNETT SCHOOL DISTRICT FOR THE ELEMENTARY PRE K TO 1
SCHOOL PLAYGROUND RENOVATION PROJECT OPEN SPACE SALES TAX
GRANT**

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, Bennett School District received an Open Space Sales Tax grant for the Bennett Elementary Pre K to 1 School Playground Renovation project on May 2, 2017, for a total of 60% of the total project costs, up to \$299,400; and,

WHEREAS, Bennett School District submitted a final project closeout and project modification request on September 19, 2018; and,

WHEREAS, Bennett School District would like to modify the project by removing the shade structure, site furnishings, landscaping, irrigation, lighting and security upgrades; and,

WHEREAS, Bennett School District is also asking to change material types on many of the amenities and add fencing to the project; and,

WHEREAS, the Open Space Advisory Board voted 4-1 in support of the modification on January 23, 2019; and,

WHEREAS, the proposed modification would reduce the project budget from \$499,000 to \$328,174.40, and reduce the grant award from \$299,400 to \$196,904.64; and,

WHEREAS, Bennett School District is non-compliant due to failure to adhere to the Open Space Sales Tax Policies and Procedures; and,

WHEREAS, on January 23, 2019, the Open Space Advisory Board voted unanimously to impose a two-year probationary period as a consequence of said non-compliance.

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Open Space modification request and non-compliance penalty for the Bennett School District for the Elementary Pre K to 1 School Playground Renovation project Open Space Sales Tax Grant is hereby approved.