

BOARD OF COUNTY COMMISSIONERS FOR  
ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING EXECUTION OF THE FEDERAL EQUITABLE SHARING  
AGREEMENT AND THE CIVIL RIGHTS PROVISION OF THE AGREEMENT ON  
BEHALF OF THE ADAMS COUNTY SHERIFF'S OFFICE

Resolution 2014-092

WHEREAS, the Federal Equitable Sharing Agreement sets forth requirements for participation in the Federal Equitable Sharing Program and sets forth restrictions on the use of federally forfeited cash, property, proceeds and interest earned thereon, which are equitably shared with participating agencies; and,

WHEREAS, the Adams County Sheriff's Office is required to enter into a Federal Equitable Sharing Agreement between the Federal Government, the Adams County Sheriff's Office and the Adams County Board of County Commissioners as the Sheriff's Office governing body; and,

WHEREAS, the Adams County Sheriff's Office is required to submit a Civil Rights Provision of the Federal Equitable Sharing Agreement in accordance with the Program's requirements; and,

WHEREAS, the Civil Rights Provision requires the Board to verify that Adams County has not been in violation of or entered into a settlement agreement pursuant to any nondiscrimination law in federal or state court or before an administrative agency; and,

WHEREAS, Adams County has not been in violation of any nondiscrimination law but has entered into settlement agreements; and,

WHEREAS, the County of Adams, Colorado is the governmental entity of the Adams County Sheriff's Office and, thereby, authorized to execute agreements on its behalf.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Adams, and the State of Colorado that the Federal Equitable Sharing Agreement and the Civil Rights Provision which are attached hereto and incorporated herein by reference, on behalf of the Adams County Sheriff's Office is hereby approved.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

Henry \_\_\_\_\_ Aye  
Tedesco \_\_\_\_\_ Aye  
Hansen \_\_\_\_\_ Aye

Commissioners

STATE OF COLORADO     )  
County of Adams         )

I, Karen Long, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 24<sup>th</sup> day of February, A.D. 2014.

County Clerk and ex-officio Clerk of the Board of County Commissioners  
Karen Long:



By:



Deputy



# Equitable Sharing Agreement and Certification



OMB Number 1123-0011  
Expires 9-30-2014

- Police Department   
  Sheriff's Office   
  Task Force (Complete Table A)  
 Prosecutor's Office   
  National Guard Counterdrug Unit   
  Other

\* Please fill each required field. Hover mouse over any fillable field for pop-up instructions. \*

**Agency Name:** Adams County Sheriff's Office

**NCIC/ORI/Tracking Number:**

C	O	0	0	1	0	0	0	0
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**Mailing Address:** 332 N 19th Ave

**City:** Brighton

**State:** CO

**Zip:** 80601

**Finance Contact:** First: Marc

Last: Osborne

Phone: 303-655-3238

E-mail: mosborne@adcogov.org

**Preparer:**

First: Marc

Last: Osborne

Same as Finance Contact

Phone: 303-655-3238

E-mail: mosborne@adcogov.org

**Independent Public Accountant:**

E-mail: allison.slife@cliftonlarsonallen.com

**Last FY End Date:** 12/31/2013

**Agency Current FY Budget:**

\$60,273,370.00

- New Participant:** Read the Equitable Sharing Agreement and sign the Affidavit.  
 **Existing Participant:** Complete the Annual Certification Report, read the Equitable Sharing Agreement, and sign the Affidavit.  
 **Amended Form:** Revise the Annual Certification Report, read the Equitable Sharing Agreement, and sign the Affidavit.

## Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds <sup>1</sup>	Treasury Funds <sup>2</sup>
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	\$868.83	
2	Federal Sharing Funds Received		
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (To populate, complete Table B)		
4	Other Income		
5	Interest Income Accrued Non-Interest Bearing <input type="radio"/> Interest Bearing <input checked="" type="radio"/>	\$1.61	
6	Total Equitable Sharing Funds (total of lines 1 - 5)	\$870.44	\$0.00
7	Federal Sharing Funds Spent (total of lines a - m below)	\$870.44	\$0.00
8	Ending Balance (difference between line 7 and line 6)	\$0.00	\$0.00

<sup>1</sup> Justice Agencies are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA.

<sup>2</sup> Treasury Agencies are: IRS, ICE, CBP, TTB, USSS, and USCG.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Total spent on salaries under permitted salary exceptions		
b	Total spent on overtime		
c	Total spent on informants, "buy money", and rewards		
d	Total spent on travel and training		
e	Total spent on communications and computers		
f	Total spent on weapons and protective gear		
g	Total spent on electronic surveillance equipment		
h	Total spent on buildings and improvements	\$870.44	
i	Total transfers to other participating state and local law enforcement agencies (To populate, complete Table C)		
j	Total spent on other law enforcement expenses (To populate, complete Table D)		
k	Total Expenditures in Support of Community-Based Programs (To populate, complete Table E)		
l	Total Windfall Transfers (To populate, complete Table F)		
m	Total spent on matching grants (To populate, complete Table G)		
n	<b>Total</b>	\$870.44	\$0.00
o	Did your agency receive non-cash assets? <input type="radio"/> Yes <input checked="" type="radio"/> No If yes, complete Table H.		

Please fill out the following tables, if applicable.

**Table A: Members of Task Force**

Agency Name	NCIC/ORI/Tracking Number												
	<table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>												

**Table B: Equitable Sharing Funds Received from other Agencies**

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds									
Agency Name: <input style="width: 450px;" type="text"/>											
NCIC/ORI/Tracking Number: <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>											

**Table C: Equitable Sharing Funds Transferred to Other Agencies**

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds									
Agency Name: <input style="width: 450px;" type="text"/>											
NCIC/ORI/Tracking Number: <table border="1" style="display: inline-table; border-collapse: collapse;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>											

**Table D: Other Law Enforcement Expenses**

Description of Expense	Justice Funds	Treasury Funds

**Table E: Expenditures in Support of Community-Based Programs**

Recipient	Justice Funds	

**Table F: Windfall Transfers**

Recipient	Justice Funds	Treasury Funds

**Table G: Matching Grants**

Matching Grant Name	Justice Funds	Treasury Funds

**Table H: Other Non-Cash Assets Received**

Source	Description of Asset
Justice <input type="radio"/>	
Treasury <input type="radio"/>	

**Table I: Civil Rights Cases**

Name of Case	Type of Discrimination Alleged			
	<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Gender
	<input type="checkbox"/> Disability	<input type="checkbox"/> Age	<input type="checkbox"/> Other _____	

**Paperwork Reduction Act Notice**

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section, 1400 New York Avenue, N.W., Washington, DC 20005.

# Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal Equitable Sharing Program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal Equitable Sharing Program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

**1. Submission.** This Document must be submitted to [aca.submit@usdoj.gov](mailto:aca.submit@usdoj.gov) within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature submitted by fax. This will constitute submission to the Department of Justice and the Department of the Treasury.

**2. Signatories.** This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.

**3. Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal Equitable Sharing Program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing for State and Local Law Enforcement (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide)*.

**4. Transfers.** Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of the Treasury, depending on the source of the funds, that the receiving agency is a current and compliant Equitable Sharing Program participant.

**5. Internal Controls.** The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal equitable sharing account.

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public funds as supplemented by requirements set forth in the current edition of the *Justice Guide* and the *Treasury Guide*, including the requirement in the *Justice Guide* to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Justice or Treasury Guides*, depending on the source of the funds/property.

**6. Audit Report.** Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.

# Affidavit - Existing Participant


Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the *Justice* and/or *Treasury Guides* during the reporting period and that the recipient Agency is in compliance with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.


**During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?**       Yes     No

**If you answered yes to the above question, complete Table I**

**Agency Head**

Signature:   
 Name: Douglas N. Darr  
 Title: Sheriff  
 Date: 1-31-14  
 E-mail: ddarr@adcogov.org

**Governing Body Head**

Signature:   
 Name: Charles "Chaz" Tedesco  
 Title: Commissioner  
 Date: 2-24-14  
 E-mail: ctedesco@adcogov.org

**Subscribe to Equitable Sharing Wire:**

The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.


**Final Instructions:**

- Step 1: Click to save for your records
- Step 2: Click to save in XML format

- Step 3: Email the XML file to [aca.submit@usdoj.gov](mailto:aca.submit@usdoj.gov)
- Step 4: Scan & email this Affidavit to [aca.affidavit@usdoj.gov](mailto:aca.affidavit@usdoj.gov)  
 (Email subject line must include Agency NCIC/ORI Code)

FOR AGENCY USE ONLY

Entered by \_\_\_\_\_

Entered on \_\_\_\_\_

FY End: 12/31/2013

NCIC: CO0010000    Agency: Adams County Sheriff's Office


State: CO      Preparer: Marc Osborne



Date Printed: January 28, 2014 11:07

Phone: 303-655-3238

E-mail: [mosborne@adcogov.org](mailto:mosborne@adcogov.org)

APPROVED AS TO FORM  
 COUNTY ATTORNEY  




**Appendix A:**  
**Supplemental Environmental Project Application**  
**COVER SHEET**

**Project Title:** Adams County Energy Challenge  
**Organization:** Adams County  
**Address:** 4430 S. Adams County Parkway  
**City, State, Zip:** Brighton, CO 80601  
**E-Mail Address:** adorsey@adcogov.org      **Website Address:** www.adcogov.org  
**Phone Number:** 720-523-6287  
**Fax Number:** \_\_\_\_\_  
**Federal Tax Identification Number:** 84-6000732  
**Legal Tax Status (check one):**       Nonprofit\*     Governmental Entity/School  
\*If nonprofit, you must attach a copy of your IRS tax exempt letter to this SEP Application

By signing and submitting this application, the applicant agrees to operate the program as described in the SEP Application and in accordance with the Department's SEP Policy. The applicant agrees that the information provided in this application is, to the best of the applicant's knowledge and based on reasonable inquiry, true, accurate, and complete. The applicant understands that knowingly submitting any false information on this application could result in the project not being considered for funding or voiding any current or future contracts with the Department of Public Health & Environment.

**Print name of Authorized Official:**      Charles "Chaz" Tedesco

**Signature of Authorized Official:**

\*Please insert electronic signature into the box on the right



**Date:** 2/18/14      **Title:** Chairman of the Board of Commissioners

**Project Manager or Main Project Contact:**

**Name:** Adrienne Dorsey      **Title:** Sustainability Coordinator  
**Address:** 4430 S. Adams County Parkway, Brighton, CO 80601      **E-Mail:** adorsey@adcogov.org  
**Phone:** 720-523-6287

**Total Amount of SEP Funds Requested:** \$100,000  
**Total Matching/In-Kind Contributions:** \$5,000  
**Total Project Cost:** \$105,000

**Please check one:**

**Tier 1 Application**        
(NE Denver/Commerce City)  
**Tier 2 Application**        
(Other areas of Denver and Adams Counties)



**Appendix B:**  
**SUPPLEMENTAL ENVIRONMENTAL PROJECTS (SEP)**  
**APPLICATION TEMPLATE**

<b>Project Title</b>	Adams County Energy Challenge
<b>Geographical Area to Benefit Most Directly From Project</b>	The geographic area that will benefit most directly from this project includes residents living in
<b>SEP Category</b>	<input checked="" type="checkbox"/> Pollution Prevention <input type="checkbox"/> Pollution Reduction <input type="checkbox"/> Environmental Restoration and Protection <input type="checkbox"/> Environmental Education and Training <input type="checkbox"/> Public Health
<b>Project Summary</b>	<p>Adams County is requesting Supplemental Energy Project (SEP) funding to implement an Energy Challenge program that is designed to help residents improve the comfort of their homes while saving money and reducing energy use. Using SEP dollars, the county would create a call center staffed with energy advisors that would work with residents to establish energy-saving goals for their homes, identify opportunities to achieve savings (i.e. install insulation, upgrade furnace, install programmable thermostat, etc.), and then connect residents with local contractors and available rebate dollars. The program would target 200 households during the year and a half long duration of the grant cycle. If successful in enrolling 200 homes in the program, an estimated 72,612 kWh would be saved, 22,303 therms would be saved, and an estimated 160 metric tons of pollution in the form of greenhouse gas emissions will be prevented from being released into the atmosphere. Implementation of this program will result in pollution prevention, reduced dependency on traditional energy sources, and the conservation of natural resources through increased energy efficiency. This project is in alignment with the county's Sustainability Program vision, which seeks to establish a balance between the economic, community, and environmental health of the county.</p>

**Project  
Description**

Problem Statement: The average single family home emits 7.268 metric tons of CO2 equivalent annually, according to statistics from the Environmental Protection Agency.

<p><b>Expected Environmental and/or Public Health Benefits</b></p>	
<p><b>Project Evaluation and Measurable Results</b></p>	

**Feasibility of Successful Implementation**

<b>Project Budget</b>	<b>Budget Category</b>	<b>Description</b>	<b>SEP Cost</b>	<b>Matching or In-kind Funds</b>	<b>Total Cost</b>
	Personnel (Salaries, Wages)				
Materials and Supplies					
Major Equipment					
Contractors/ Subcontractors					
Other Direct Costs					
Indirect Costs (limited to no more than 10%)					
<b>Total:</b>			<b>\$</b>	<b>\$</b>	<b>\$</b>

<p><b>Budget Discussion</b></p>			
<p><b>Project Schedule/ Work Plan</b></p>	<p><b>Activities</b></p>	<p><b>Staff Responsible</b></p>	<p><b>Date</b></p>
<p><b>Experience and Qualifications</b></p>			

The applicant has reviewed the reporting requirements below and if selected for SEP funding, agrees to adhere to these requirements.

Biannual Status Reports

The applicant will submit a biannual project status report to the Department’s SEP Coordinator. Status reports will be submitted using the Department’s template and include the following information:

- A description of activities completed to date;
- A budget summary table listing funds expended to date by budget category; and
- A discussion of any anticipated changes to the project scope or timeline.

Final SEP Completion Report

The applicant will submit the SEP Completion Report within 30 days of project completion, using the Department’s template, and contain at a minimum:

- A detailed description of the project as implemented;
- A summary table identifying project deliverables and tasks along with the associated completion date;
- A description of any operating problems encountered and the solutions thereto;
- A full expense accounting including itemized costs, documented by copies of purchase orders, contracts, receipts or canceled checks;
- Certification and demonstration that the SEP has been fully implemented pursuant to the provisions of the Settlement Agreement and this SEP Agreement;
- A description of the environmental and public health benefits resulting from implementation of the SEP along with **quantification** of the outcomes and benefits;
- Examples of brochures, educational or outreach materials developed or produced as part of the SEP; and
- Photographs documenting both project implementation and results.

Depending on the project scope, the Department may also require the applicant to develop and submit a case study with the final report.

**Reporting**

**Other  
Relevant  
Information**