

**City of Black Hawk
City Council
211 Church Street
July 23, 2014
3:00 p.m.**

RINGING OF THE BELL:

- 1. CALL TO ORDER:**
- 2. ROLL CALL & PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. CONFLICTS OF INTEREST: (Council disclosures are on file w/City Clerk & Sec. Of State)**
- 5A. INTRODUCTION OF NEW EMPLOYEE: Heshaum Gari, Police Officer I**
- 5B. PUBLIC COMMENT: *Please limit comments to 5 minutes*
(Notify the City Clerk if you wish to address Council on items not on the agenda)**
- 6. APPROVAL OF MINUTES: July 9, 2014**
- 7. PUBLIC HEARINGS:**
 - A. New Medical Marijuana License - 5B1S, LLC, dba 1859 (Continued to July 30, 2014)**
 - B. CB14, An Ordinance Approving an Intergovernmental Agreement for Temporary Staffing of a State Wildland Fire Engine Between the City of Black Hawk and the Colorado Department of Public Safety, Division of Fire Prevention and Control**
 - C. Resolution 53-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for a Comprehensive Sign Plan for the Lodge Casino**
 - D. Resolution 54-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for a Comprehensive Sign Plan for the Saratoga Casino**
 - E. Certificate of Appropriateness for Proposed Exterior Painting – 111 Hillside Street
(Continued to August 13, 2014)**
 - F. Certificate of Appropriateness for Proposed Exterior Painting – 220 Chase Street
(Continued to August 13, 2014)**
 - G. Certificate of Appropriateness for Proposed Exterior Painting – 111 Marchant Street
(Continued to August 13, 2014)**
 - H. Certificate of Appropriateness for Proposed Exterior Painting and New Garage Door – 261 Church Street
(Continued to August 13, 2014)**
- 8. ACTION ITEMS:**
 - I. Approval and Adoption of the Historic Restoration and Community Preservation Guide to Programs Dated July 2014 (Continued from July 9, Resolution 52-2014)**
 - J. Resolution 55-2014, A Resolution Approving Conveyance of Property from the City of Black Hawk to the Black Hawk Urban Renewal Authority.**
 - K. Resolution 56-2014, A Resolution for Approval and Adoption of the General Fund Paint Program Guide to Program Dated July 2014**
 - L. Resolution 57-2014, A Resolution Establishing Building Permit Fees**
 - M. Approval of PEH Architects proposal for the Rehabilitation of the Historic Homes and Properties Located at 301 High Street and 401 Chase Street.**
 - N. Professional Services Agreement for Maryland Mountain / Quartz Valley Hidden Treasure Trailhead Feasibility and Preliminary Design**
 - O. Professional Services Agreement for Police Annex and Parking Facility Design**
 - P. 2013 Audit**
- 9. CITY MANAGER REPORTS:**
- 10. CITY ATTORNEY:**
- 11. EXECUTIVE SESSION:**
- 12. ADJOURNMENT:**

MISSION STATEMENT

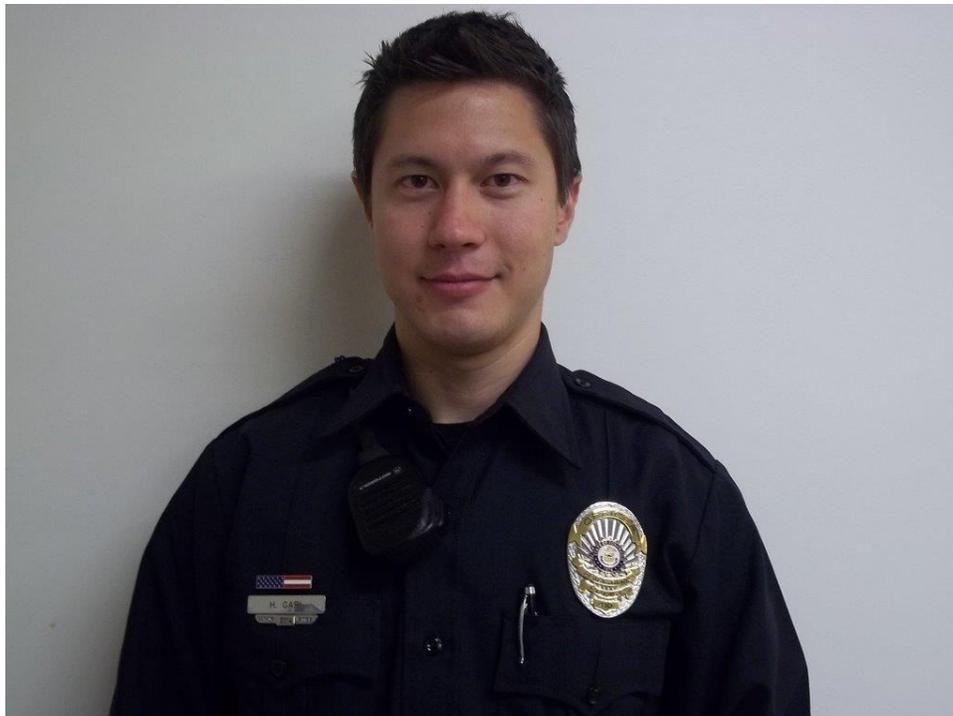
The mission of the City of Black Hawk is to progressively provide cost effective programs and services of the highest quality to the community

**INTRODUCTION OF
NEW EMPLOYEE
POLICE OFFICER
HESHAUM GARI**

CITY OF BLACK HAWK POLICE DEPARTMENT



OFFICER HESHAUM GARI



Officer Heshaum Gari was born in Fort Collins, Colorado, but, grew up in Saudi Arabia for 12 years. He graduated from Colorado State University with a bachelor's degree in biology. While in college Heshaum was a volunteer wild land firefighter. After graduating from CSU he attended the Arapahoe Community College Law Enforcement Academy. Officer Gari enjoys playing baseball, hiking, reading and skiing. He feels honored to be a part of the Black Hawk Police Department and is looking forward to his career with the City of Black Hawk.

APPROVAL OF MINUTES FOR JULY 09, 2014

City of Black Hawk
City Council Minutes
July 9, 2014

Police Chief Stephen Cole rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order at 3:00 p.m. by Mayor Spellman, Wednesday, July 9, 2014.

2. ROLL CALL: Present were: Mayor Spellman, Aldermen Armbright, Bennett, Johnson, Midcap, Moates, and Torres.

Staff present: City Attorney Hoffmann, City Manager Lewis, City Clerk Greiner, Community Planning & Development Administrator Linker, Finance Director Hillis, Senior Civil Engineer Reed, IT Support Technician Muhammad, Fire Captain Martschinske, Police Chief Cole, and Public Works Director Isbester.

PLEDGE OF
ALLEGIANCE:

Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. AGENDA CHANGES: City Clerk Greiner informed Council there were no agenda changes.

4. CONFLICTS OF
INTEREST:

City Attorney Hoffmann asked Council to declare any Conflicts of Interest on any issue appearing on the agenda this afternoon other than those previous disclosures and conflicts that have already been disclosed and are on file with the City Clerk and Secretary of State.

City Attorney Hoffmann asked the audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. The audience had no objections.

5. PUBLIC COMMENTS: No one came forward to speak.

6. APPROVAL OF
MINUTES FOR
June 25, 2014

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve the Minutes of the meeting as presented.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously.

7. PUBLIC HEARINGS:

- A. CB12, An Ordinance Amending Article VII of Chapter 8 of the Black Hawk Municipal Code to Require Provision of an Ambulance for a Bicycle Event Permit

Mayor Spellman read the title.

City Attorney Hoffman explained this ordinance, if adopted, would slightly revise the existing provisions of the Black Hawk Municipal Code regarding bicycle event permits. The revision would be more specific than the existing language by allowing the City to require the applicant to provide dedicated medical personnel as the City deems necessary at the applicant’s own expense.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB12, An Ordinance Amending Article VII of Chapter 8 of the Black Hawk Municipal Code to Require Provision of an Ambulance for a Bicycle Event Permit open and invited anyone wanting to address the Board either “for” or “against” the proposed ordinance to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Johnson to approve CB12, An Ordinance Amending Article VII of Chapter 8 of the Black Hawk Municipal Code to Require Provision of an Ambulance for a Bicycle Event Permit.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously

- B. CB13 a Bill for an Ordinance Rezoning Certain Properties Located

at 380 Gregory Street
and 281 Church Street
to the HARD – History
Appreciation Recreation
Destination District

Mayor Spellman read the title.

Vince Harris with Baseline explained this is a rezoning application submitted by the City of Black Hawk to City Council to rezone 380 Gregory Street and 281 Church Street. The proposal is to rezone them to the HARD district with four findings. Staff recommended approval of the rezoning application.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on a Bill for an Ordinance Rezoning Certain Properties Located at 380 Gregory Street and 281 Church Street to the HARD – History Appreciation Recreation Destination District open and invited anyone wanting to address the Board either “for” or “against” the proposed ordinance to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

**MOTION TO
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Bennett to approve CB13, a Bill for an Ordinance Rezoning Certain Properties Located at 380 Gregory Street and 281 Church Street to the HARD – History Appreciation Recreation Destination District.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously.

**C. Resolution 49-2014,
A Resolution Approving
a Certificate of
Appropriateness for the
Demolition of a Structure
Located at 281 Church
Street**

Mayor Spellman read the title and noted the item was continued from the June 25, 2014 meeting.

Community Planning and Development Administrator Linker explained the applicant is the City of Black Hawk and is requesting a complete demolition of the house at 281 Church Street and stated the Park Service has determined the building to be non-contributing to the National Historic Landmark District. Staff recommended approval of the application.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on Resolution 49-2014, A Resolution Approving a Certificate of Appropriateness for the Demolition of a Structure Located at 281 Church Street open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 49-2014, A Resolution Approving a Certificate of Appropriateness for the Demolition of a Structure Located at 281 Church Street.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously.

D. Resolution 50-2014,
A Resolution Approving
a Certificate of
Appropriateness for the
Demolition of a Structure
Located at 380 Gregory
Street

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained the applicant is the City of Black Hawk is requesting complete demolition of the house at 380 Gregory Street and stated the Park Service has determined the building to be non-contributing to the National Historic Landmark District. Staff recommended approval of the application.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on Resolution 50-2014, A Resolution Approving a Certificate of Appropriateness for the Demolition of a Structure Located at 380 Gregory Street open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 50-2014, A Resolution Approving a Certificate of Appropriateness for the Demolition of a Structure Located at 380 Gregory Street.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously.

- E. Resolution 51-2014,
A Resolution
Conditionally
Approving a
Certificate of
Appropriateness
for a Comprehensive
Sign Plan for the
Red Dolly Casino

Mayor Spellman read the title.

Vince Harris with Baseline explained this is a Certificate of Appropriateness for a Comprehensive Sign Plan for the Red Dolly Casino. Their sign plan proposed 168.2 square feet of sign area and they are allowed 217 square feet of signage. The application is for two designs. Staff recommended approval of the Certificate of Appropriateness for the Red Dolly Casino

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Resolution 51-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for a Comprehensive Sign Plan for the Red Dolly Casino open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

MOTION TO APPROVE

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 51-2014, a Resolution Conditionally Approving a Certificate of Appropriateness for a Comprehensive Sign Plan for the Red Dolly Casino.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously.

- F. Certificate of
Appropriateness
for a Comprehensive
Sign Plan for the
Saratoga Casino

Mayor Spellman read the title and asked Council to make a motion to continue the Certificate of Appropriateness for a Comprehensive Sign Plan for the Saratoga Casino to the July 23, 2014 meeting.

MOTION TO

APPROVE

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Johnson to continue the Certificate of Appropriateness for a Comprehensive Sign Plan for the Saratoga Casino to the July 23, 2014.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously.

8. ACTION ITEMS:

- G.** Resolution 52-2014,
A Resolution Adopting
the Revised Community
Restoration and
Preservation Guide to
Programs, dated
July 2014

Mayor Spellman read the title.

Community Planning and Development Administrator Linker, with Jessica Killian, Consilium Partners, explained the need for revisions to the City of Black Hawk Historic Restoration and Community Preservation Fund Guide to Programs to provide the best opportunities available for the City's residents to improve the habitability, rehabilitation, and sustainability of residential homes. The items recommended for change are highlighted in staff's report. Two questions were posed to Council before they made a decision on the resolution 1) could the materials list be increased to keep up with inflation, and 2) stain vs. painting on the exterior painting program.

Council members recalled a provision for inflationary increases when the current program passed. City Manager Lewis asked Council to consider moving the painting program under the general fund from the Historic Preservation fund. Council directed staff to return at the next meeting with recommendations for moving the exterior painting program.

Alderman Torres requested hard copies for review whenever there is a large volume of documentation on agenda items.

City Attorney Hoffmann recommended Council continue Resolution 52-2014 until the next meeting to review and approve the recommended changes at one time.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Moates to continue Resolution 52-2014, A Resolution

Adopting the Revised Community Restoration and Preservation Guide to Programs, dated July 2014.

MOTION PASSED There was no discussion and the motion **PASSED** unanimously.

**H. Approval of Change
Order for Demolition
of 380 Gregory Street
and 281 Church
Street**

Mayor Spellman read the title.

Public Works Director Isbester explained the change order would provide for the demolition of the structures at 380 Gregory Street and 281 Church Street.

Alderman Midcap asked if Public Works Director had reviewed the change order thoroughly and if he agreed with the exclusions. Public Works Director Isbester confirmed that he had.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the Change Order for Demolition of 380 Gregory Street and 281 Church Street.

MOTION PASSED There was no discussion and the motion **PASSED** unanimously.

9. CITY MANAGER REPORTS:

City Manager Lewis distributed to Council a list of City property recommended for auction.

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the City Manager request to arrange to have surplus City property sent to auction for disposal.

City Manager Lewis asked Council their opinion of the Boom Town fireworks. The Mayor and Council members all agreed that it was a spectacular show. Everyone appreciated closing the residential streets to the public and thoroughly enjoyed the dual finale.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to share with Council and stated there was no need for an Executive Session.

11. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 3:32 p.m.

Melissa Greiner
City Clerk

David D. Spellman
Mayor

**NEW MEDICAL
MARIJUANA LICENSE
(CONTINUED TO JULY 30, 2014)**

**COUNCIL BILL 14
ORDINANCE 2014-14
AN ORDINANCE APPROVING
AN INTERGOVERNMENTAL
AGREEMENT FOR
TEMPORARY STAFFING AND
OPERATION OF A STATE
WILDLAND FIRE ENGINE
BETWEEN THE CITY OF
BLACK HAWK AND THE
COLORADO DEPARTMENT OF
PUBLIC SAFETY, DIVISION OF
FIRE PREVENTION AND
CONTROL**

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: 14

ORDINANCE NUMBER: 2014-14

TITLE: AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR TEMPORARY STAFFING AND OPERATION OF A STATE WILDLAND FIRE ENGINE BETWEEN THE CITY OF BLACK HAWK AND THE COLORADO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF FIRE PREVENTION AND CONTROL

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. The City of Black Hawk hereby approves the Intergovernmental Agreement for Temporary Staffing and Operation of a State Wildland Fire Engine between the City of Black Hawk and the Colorado Department of Public Safety, Division of Fire Prevention and Control, as more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference, and authorizes the Mayor to execute the same on behalf of the City.

Section 2. Safety Clause. The Board of Aldermen hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Aldermen further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 23rd day of July, 2014.

David D. Spellman, Mayor

ATTEST:

Melissa Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: IGA for Staff on DFPC Fire Engines

RECOMMENDATION:

SUMMARY AND BACKGROUND OF SUBJECT MATTER: The Division of Fire Prevention and Control has made available the opportunity for cooperator staff to assist in staffing their wildland fire engines. This will provide our staff with an excellent training and experience opportunity. Deployment plan has been presented to City Manager to ensure no reduction in level of service.

FUNDING SOURCE: Staff time and any necessary backfill are funded through the source of the request for assistance.

WORKSHOP DATE:

ESTIMATED DATE OF PROJECT COMPLETION:

ORIGINATED BY: Don Taylor, Fire Chief

STAFF PERSON RESPONSIBLE: Don Taylor, Fire Chief

DOCUMENTS ATTACHED: Yes

RECORD: Yes No

CITY ATTORNEY REVIEW: Yes No N/A INITIALS _____

SUBMITTED BY:

REVIEWED BY:



Don Taylor, Fire Chief



Jack D. Lewis, City Manager

This Agreement template is for the temporary staffing of a state wildland fire engine by employees or volunteers of cooperating local jurisdictions (cooperators) for incident assignments.

INTERGOVERNMENTAL AGREEMENT
By and Between
COLORADO DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE PREVENTION AND CONTROL
And
CITY OF BLACK HAWK
Regarding
TEMPORARY STAFFING AND OPERATION OF
A STATE WILDLAND FIRE ENGINE

This Intergovernmental Agreement (AGREEMENT) is entered into between the Colorado Department of Public Safety, Division of Fire Prevention and Control ("DFPC") and the City of Black Hawk Fire Department (COOPERATOR) which are referred to collectively as the "Parties" and individually as a "Party".

PARTIES AND STATUTORY AUTHORITIES

The COOPERATOR is a political subdivision of the State of Colorado powers of a public or quasi-municipal corporation which are specifically authorized by, and in compliance with Colorado Revised Statutes, Titles 29, 30, 31, and 32, as applicable.

DFPC is a division of the Department of Public Safety, a principal department of the executive department of state government created pursuant to C.R.S. § 24-1-110 (1) (u) and § 24-33.5-103.

Statutory Authorities

C.R.S. § 13-21-113.7	Firefighter and Incident Management Team Immunity
C.R.S. Title 24, Article 10	Governmental Immunity
C.R.S. § 24-33.5-1201 (4)	Transfer of State Forest Service Authority to DFPC
C.R.S. § 24-33.5-1203	Duties of DFPC
C.R.S. § 24-33.5-1218	DFPC Cooperation with Governmental Units
C.R.S. § 24-33.5-1219	Wildland Fires - Duty of Sheriff to Report
C.R.S. Title 29, Article 22.5	Wildland Fire Planning
C.R.S. § 29-1-201 thru 203	Authority to Enter Into Intergovernmental Agreements
C.R.S. § 30-10-513 and 513.5	Duties of Sheriff Relating to Fires
C.R.S. § 30-11-124	Fire Planning Authority
C.R.S. Title 32, Article 1	Special District Provisions

RECITALS

WHEREAS, wildland fire protection responsibilities on non-federal lands in Colorado follow a hierarchy of local jurisdiction (fire protection districts) to the county sheriff to the State of Colorado with the DFPC being the lead state agency for wildland fire management, and

WHEREAS, it is the duty of the Sheriffs of the various counties of the State of Colorado to report as soon as practicable the occurrence of any fire in any forest in the state, either on private or public lands, to DFPC "or its authorized agent," and

WHEREAS, the chief of the fire department in each Colorado fire protection district is responsible for the management of wildland fires that occur within the district boundaries and that are within the capability of the fire protection district to control or extinguish, and

WHEREAS, when wildland fires exceed the capability of the fire department to control or extinguish, the fire chief may transfer responsibility for the fire to the county sheriff with the concurrence of the sheriff, and

WHEREAS, when wildland fires exceed the capability of the county sheriff to control or extinguish, DFPC may assist the sheriff in controlling or extinguishing such fires, and may assume command of such incidents with the concurrence of the sheriff, and

WHEREAS, the Director of DFPC shall determine, in consultation with local authorities and with the approval of the Governor, geographic areas of the state, including Wildland-Urban Interface areas, in which the state has a financial responsibility for managing forest and wildland fires, and

WHEREAS, DFPC is committed to cost-effective and innovative service delivery partnerships for Wildland Fire Suppression within Colorado, and

WHEREAS, it is the intent of the Parties that DFPC resources, including engines and firefighters, be available to assist in Fire Management activities on lands throughout Colorado and as needed as part of a resource mobilization for fires in other states, and

WHEREAS, the COOPERATOR is committed to provide cost-effective service to its citizens, is situated to provide mutual aid response, and currently has a wildland fire suppression program in place, and

WHEREAS, it is the intent of the Parties that COOPERATOR resources be available to assist in Fire Management activities on lands for which DFPC is responsible for protecting and as needed as part of a resource mobilization for fires in other states, and

WHEREAS, it is to the Parties' mutual advantage to coordinate efforts for the prevention, detection, and suppression of wildland fires, fuels management, prescribed fire, non-wildland fire emergencies (as authorized), and cooperative projects for resource protection in their areas of responsibility, and to limit duplication and improve efficiency and effectiveness, and

WHEREAS, the ability to utilize Cooperator staffing to provide a cost-effective means to meet the Parties' respective missions and be a benefit locally, regionally, statewide and nationally through the provision of additional Wildland Fire Resources, and

WHEREAS, the Parties wish to enter into this Agreement to jointly staff a state-owned wildland fire engine, as needed, for use locally, regionally, state wide, and nationally to reduce the impact of wildland fires, and

IN CONSIDERATION OF mutual and unilateral covenants, obligations, promises and warranties, the Parties agree as follows:

AGREEMENT

1. Term of Agreement. The term of this Agreement shall commence upon execution by the Parties and shall terminate on December 31 of the year in which it is executed. However, the term of this Agreement shall be extended automatically for consecutive one-year terms, unless either party provides thirty (30) days written notice to the other Party of its intent not to extend the term of this Agreement.

2. Scope of Duties

2.1 Each Party enters into this Agreement understanding that firefighting and emergency response functions are inherently dangerous and, while risk management techniques will be employed, it may not be possible to foresee every situation that could cause injury, illness, or death.

2.2 Each Party understands that wildland firefighting and emergency response functions may require the placement of personnel in remote locations for extended periods of time with limited access to creature comforts, communications, or normal living conditions.

2.3 Each Party understands that incident assignments may last up to 14 days, exclusive of travel; may not allow personnel to return home at the end of a shift; may require personnel to camp on the fire site, generally at a designated fire camp; and that daily work shifts may last fourteen to sixteen (14 – 16) hours with limited breaks.

3. Employees Able to Operate

3.1 Each Party agrees that its employees may ride, drive, operate, and work on, in, and around the other Party's vehicles, apparatus, equipment, stations, and facilities, pursuant to need, training, and applicable laws. This mutual Agreement provides staffing of a fire engine, tender, crew, command, module or other resource as an emergency response incident resource for assisting in the stabilization of emergency incidents such as wildland fires, structure fires, emergency medical, rescue, and natural disasters.

3.2 Each Party agrees to abide by the Incident Command System (ICS) as outlined in the National Incident Management System (NIMS). ICS shall be the guide as to command and control of resources and personnel assigned to an incident. Each Party agrees to utilize ICS instead of agency position, job description or home unit rank while working jointly to staff an incident resource.

3.3 For the purpose of this Agreement "employee" shall mean any person, paid or volunteer, who is formally hired by either party. This Agreement does not extend to, nor include, third party contractors working for either agency designated on this Agreement.

4. Financial

4.1 Each Party shall be responsible for the cost of its respective employees, vehicles, facilities, and equipment, including damage or loss.

4.2 For reimbursable incidents, each Party has the right to seek reimbursement for the utilization of its personnel, vehicle, equipment, and facility by following standard DFPC reimbursement guidelines.

4.3 Neither Party shall encumber the funds of the other Party for any purpose at any time without separate written authorization and legal authority.

5. Insurance and Liability

5.1 Each Party shall be responsible for the acts or omissions of its own employees, subject to the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq. (“CGIA”) and C.R.S. § 13-21-113.7, as applicable.

5.2 Each Party shall be responsible at all times for worker’s compensation insurance coverage of its employees acting within the provisions of this Agreement, including accidents, injuries and diseases which occur while acting under the direction or at the request of the other Party. Each Party shall maintain liability insurance coverage for its real and personal property, as required by law. Neither Party shall be responsible for the other Party’s liabilities, fiduciary responsibilities, or workers compensation, unless expressly authorized by a separate written Agreement executed by the Parties.

6. Accident and Incident Reporting and Investigation. All Parties to this Agreement shall be notified as soon as practical of any accidents or incidents related to this Agreement and shall jointly initiate an investigation of the accident or incident, as needed.

7. Training and Qualifications. During the term of this Agreement, the Parties mutually agree to provide to each other’s employees any training necessary for successfully performing the duties and responsibilities, as assigned pursuant to this Agreement. The Parties mutually agree that all employees assigned to a wildland fire shall meet or exceed the current National Wildfire Coordinating Group’s (NWCG) qualification standards for the position they occupy.

9. Amendments. This Agreement may not be amended except in a writing setting forth such amendment and executed by the Parties.

10. Severability. If any provision of this Agreement should be declared unenforceable, then the remainder of this Agreement shall continue to be binding upon the parties.

11. Relationship of Parties. The Parties enter into this Agreement as separate and independent governmental entities and each shall maintain such status throughout the term of this Agreement. Nothing contained in this Agreement and no performance under this Agreement shall alter or modify the status of a Party’s directors, officers, volunteers, agents, or employees for any purpose, including but not limited to workers’ compensation, employee benefits or entitlements, pension, levels or types of training, internal discipline, certification, rank procedures, methods, or categories, or for any other conditions or requirements of employment.

12. Governing Law. This agreement is entered into in Colorado and shall be governed by the laws of the State of Colorado.

13. Headings. The headings used in this Agreement are for the convenience of the Parties only. As such, these headings shall not have any legal effect whatsoever or, in any other way alter or modify the meaning or interpretation of this Agreement.

14. Authority. By signing this Agreement, representatives of the Parties acknowledge that they are duly authorized to execute this Agreement on behalf of their respective Party.

15. Execution in Counterparts or by Facsimile or Electronic Means. This Agreement may be executed in counterparts or with signatures obtained via facsimile transmission or electronic PDF, each of which shall have full force and effect upon execution by all Parties to this Agreement.

COLORADO DEPARTMENT OF PUBLIC SAFETY
DIVISION OF FIRE PREVENTION AND CONTROL

APPROVAL:

By: 
Paul L. Cooke, Director
Division of Fire Prevention and Control

APPROVAL AS TO FORM:

By: _____
Ingrid Carlson Barrier
Assistant Attorney General
Office of the Attorney General

Date: July 17, 2014

COOPERATOR

APPROVAL:

By: _____

APPROVAL AS TO FORM:

By: _____

Date: June 18, 2014

COOPERATOR CONTACT INFORMATION

Name: Don Taylor, Fire Chief
Address: 196 Clear Creek Street, PO Box 68
City, State, Zip: Black Hawk, CO 80422
Phone: 303-582-0426
Email: dtaylor@cityofblackhawk.org

RESOLUTION 53-2014
A RESOLUTION
CONDITIONALLY
APPROVING A
CERTIFICATE OF
APPROPRIATENESS FOR
A COMPREHENSIVE SIGN
PLAN FOR THE LODGE
CASINO

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

Resolution No. 53-2014

TITLE: A RESOLUTION CONDITIONALLY APPROVING A CERTIFICATE OF APPROPRIATENESS FOR A COMPREHENSIVE SIGN PLAN FOR THE LODGE CASINO

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The City Council hereby determines to approve the Certificate of Appropriateness for the Comprehensive Sign Plan for the Lodge Casino upon the satisfaction of the following condition:

A. Proper building, electrical, and sign permits shall be applied for and approved prior to the installation of any new sign.

RESOLVED AND PASSED this 23rd day of July, 2014.

David D. Spellman, Mayor

ATTEST:

Melissa Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

CITY COUNCIL MEETING:

July 23, 2014

SUBJECT: Certificate of Appropriateness Approval for a Comprehensive Sign Plan – The Lodge Casino (P-14-15)

On June 3, 2014, the City of Black Hawk received an application for a Certificate of Appropriateness for a Comprehensive Sign Plan (CSP) from The Lodge Casino on behalf of Jacobs Entertainment. Attached is the staff report explaining the CSP and a review against sign code regulations (Chapter 15 of the Code). Please refer to the staff report for a summary of the proposed CSP.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Sections 15-13 (Sign Code) of the Municipal Code regulate the need for Comprehensive Sign Plans (CSP). Section 16-368 of the Black Hawk Municipal Code regulates the Certificate of Appropriateness procedures. This application requests approval of a CSP with 535.46 square feet of sign area with 12 signs. The application materials for the Lodge Casino have been reviewed by staff for compliance with the Municipal Code. This review is addressed in the attached staff report.

RECOMMENDATION:

Baseline Staff recommends City Council consider a **MOTION TO APPROVE WITH A CONDITION** a Certificate of Appropriateness for a Comprehensive Sign Plan as submitted and included with this staff report. The conditions are as follows:

1. Proper Building, Electrical, and Sign Permits shall be applied for and approved prior to the installation of any new sign.

RESOLUTION DATE:

July 23, 2014

ORIGINATED BY:

The Lodge Casino

STAFF PERSON RESPONSIBLE:

Vincent Harris, Baseline Corporation
Staff Report, Notice, and applicant's application

DOCUMENTS ATTACHED:

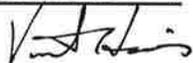
Yes No N/A

CITY ATTORNEY REVIEW:

INITIALS _____

SUBMITTED BY:

REVIEWED BY:



07-11-14

07/17/2014

Vincent Harris, Baseline Corporation

Jack D. Lewis, City Manager

Staff Report



STAFF REPORT: Certificate of Appropriateness Approval - Comprehensive Sign Plan for the Lodge Casino (P-14-15)

For: City Council
Project: The Lodge Casino Comprehensive Sign Plan
Property Address: 240 Main Street
Applicants: The Lodge Casino on behalf of Jacobs Entertainment
Zoning: GOLD District
Prepared by: Cory Miller, Baseline Corporation
Approved by: Vincent Harris, Baseline Corporation
Reviewed by: Cynthia Linker, CP&D



BACKGROUND:

On June 3, 2014, the City of Black Hawk received an application for a Certificate of Appropriateness for a Comprehensive Sign Plan (CSP) from The Lodge Casino on behalf of Jacobs Entertainment. The intent of this submittal is to create a plan that will include existing signs and allow installation of new signs. Attached to this staff report is a copy of the CSP document that catalogues all signs. In conformance with section 15-41 of the City of Black Hawk Municipal Code, the Lodge Casino is permitted 1,048 sq. ft. of sign area without a CSP and 733.6 additional sq. ft. (with the 70% additional allowance) for a total of 1,781.60 sq. ft. These regulations are outlined in section 15-61 (Chapter 15 of the Municipal Code).

The Lodge Casino proposes 12 signs of varying sizes to total approximately 535.46 sq. ft. Among the proposed 12 signs is one (1) Electronic Message Center sign that will be utilized to advertise the casino promotions and activities. The sign will be placed on the northeast corner of the main building facade above the ground level floor (see Images 1 and 2). In addition, several smaller window signs are proposed with this CSP. All proposed window signs conform to the current regulations and will not exceed the 25% maximum coverage for total window area as indicated in Section 15-43(a)(8).

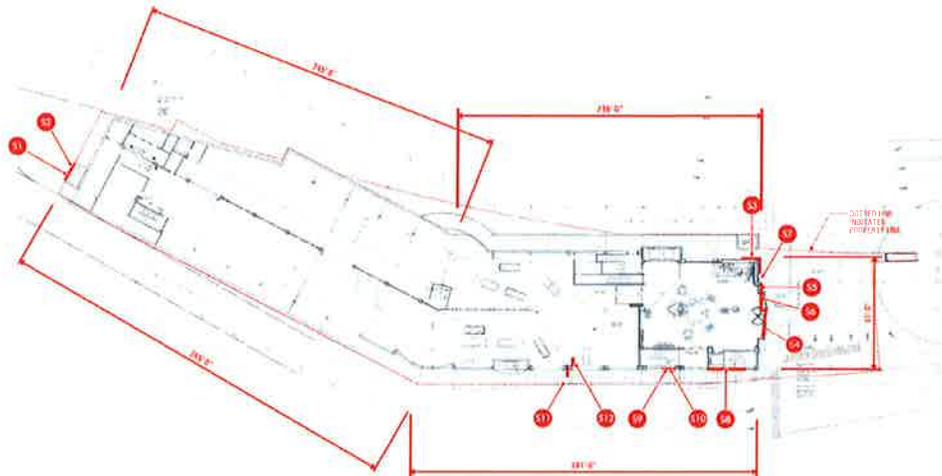


Image 1: Sign Location Map

REF.	EXISTING SIGNS	COPY	SIZE	QTY	TYPE	ILLUMINATION	ELEVATION	SQFT
S1		THE LODGE LOGO	6'-9 3/4" (HEIGHT) X 15'-7 3/8" (WIDTH)	1	WALL SIGN	DIRECT ILLUMINATION	NORTH ELEVATION	106.44ft ²
S2		NO ONE UNDER 21 ALLOWED ON PREMISES	3' 3/8" (HEIGHT) X 1'-4" (WIDTH)	2	INFORMATION SIGN	NON ILLUMINATED	NORTH ELEVATION	0.75 ft ²
S3		THE LODGE LOGO & ELECTRONIC MESSAGE CENTER	WEST 5'11" x 3'6" x 1'0" (W) 3'1" x 5'5" x 4'3" (D) 3'0" (H) 2'3" (L) x 6'0" (W)	1	WALL SIGN	DIRECT ILLUMINATION	WEST & SOUTH ELEVATION	172.4ft ²
S4		THE LODGE LOGO WITH DECORATIVE HALO ILLUMINATED TREES	3'-7" (HEIGHT) X 49'-0" (WIDTH)	1	WALL SIGN	DIRECT ILLUMINATION	SOUTH ELEVATION	175.58 ft ²
S5		ENTRANCE	6'4" (HEIGHT) X 4'-3 1/8" (WIDTH)	1	AWNING SIGN	NON ILLUMINATED	SOUTH ELEVATION	2.4 ft ²
S6		NO ONE UNDER 21 ALLOWED ON PREMISES & SPANISH TRANSLATION	11' 3/8" (HEIGHT) X 1'-4" (WIDTH)	1	INFORMATION SIGN	NON ILLUMINATED	SOUTH ELEVATION	1.26ft ²
S7		BONNIE BRAE ICE CREAM	2' 3 1/2" (HEIGHT) X 2'-5 1/2" (WIDTH)	1	HANGING WINDOW SIGN	DIRECT ILLUMINATION	SOUTH ELEVATION	5.63ft ²
S8		Your 1st Choice for Fun! (image: The Lodge Casino image)	"Fun!" 18" (H) x 19 3/4" (W) 18" (H) x 19 3/4" (W) 11 3/4" (D) x 25 1/2" (W)	10	WINDOW DECALS	NON ILLUMINATED	MAIN STREET ELEVATION	24.1ft ²
S9		THE LODGE LOGO & TREES	15'4" (HEIGHT) X 18'4" (WIDTH)	2	WINDOW DECALS	NON ILLUMINATED	MAIN STREET ELEVATION	3.96 ft ²
S10		NO ONE UNDER 21 ALLOWED ON PREMISES & SPANISH TRANSLATION	11' 3/8" (HEIGHT) X 1'-4" (WIDTH)	2	INFORMATION SIGN	NON ILLUMINATED	MAIN STREET ELEVATION	2.52ft ²
S11		THE LODGE LOGO VALET	6'-1" (HEIGHT) X 4'-1 3/4" (WIDTH)	1	BLADE SIGN	DIRECT ILLUMINATION	MAIN STREET ELEVATION	25.22ft ²
S12		THE LODGE LOGO & VALET PARKING	3'-8" (HEIGHT) X 4'-2" (WIDTH)	1	DIRECTIONAL SIGN	DIRECT ILLUMINATION	MAIN STREET ELEVATION	15.2 ft ²
TOTAL SQUARE FOOTAGE OF COMPREHENSIVE SIGN PLAN								535.46ft ²
TOTAL ALLOWED SQUARE FOOTAGE (1045' x 1.7) (608US)								1781.60ft ²

YESCO
Signs & Graphics
1125 S. Main Street, Suite 101
Black Hawk, CO 81008
Phone: (719) 754-1111
Fax: (719) 754-1112
www.yesco.com

THE LODGE CASINO
240 MAIN ST.
BLACK HAWK, CO
81008
REGISTRATION
SIGNED COPY
05.28.2014

Image 2: Proposed Sign Details

The proposed Comprehensive Sign Plan has been reviewed by staff for compliance with Chapter 15 (Sign Code – Sign Regulations) of the Black Hawk Municipal Code.

APPLICABLE CITY OF BLACK HAWK REGULATIONS:

Sections 15-13 (Sign Code) and 16-366 (Zoning Code) of the Municipal Code regulate the need for Comprehensive Sign Plans (CSP). This staff report relates the need for City Council to review and take action on the proposed Comprehensive Sign Plan. The Black Hawk Municipal Code requires a public hearing necessitating a notice in the paper and posting of the property. Both the notification and posting have been completed.

The CSP is provided by the City of Black Hawk Municipal Code to offer more flexibility with the number, size, proportion and balance of signs. The City of Black Hawk Municipal Code permits a total allowable square footage of signage to be calculated at one square foot per linear foot of building frontage. The CSP allows for a total signage area calculated at 135% of the total allowed sign area. An additional 35% of sign area is permitted for those CSP's that propose utilization of Electronic Message Centers (EMC). The total sign area proposed may be a maximum of one-hundred and seventy percent (170%) of the permitted sign area allowed on the subject property, if all requirements are met. Excerpts from the Black Hawk Code as they relate to the regulation of Comprehensive Sign Plans are included below. Those regulations that are particular to this submittal have been provided along with staff comments.

**The City of Black Hawk
Municipal Code
Chapter 15 – Sign Code
Article IV – Sign Regulations**

Sec. 15-13. Comprehensive Sign Plans. *The Comprehensive Sign Plan is the device and process employed by the City to ensure an appropriate balance between building architecture, signage and neighborhood aesthetics. This Section assumes that strict compliance with preceding sections of this Chapter provides effective signage for smaller properties and developments and meets community goals for appearance and safety. However, as developments grow in size, opportunities for more effective signage increases. Larger sites offer opportunities for alternative regulation of the number, size, proportion and balance of signs according to alternative standards consistent with the types of establishments, state of the art technology and their approved architecture character.*

Sec. 15-13(b) Applicability.

(1) Any building located in a nonresidential district wanting to have additional sign area than allowed in a Standard Sign Plan and wanting the ability to utilize special event banners and signs for any special event as defined in the Black Hawk Municipal Code. The regulations governing a Certificate of Appropriateness can be found in Section 16-368 (City Council historic review process) of the Black Hawk Municipal Code.

(2) Comprehensive Sign Plans are not permitted within Residential Districts as defined by this Chapter.

Sec. 15-13 (c) Application filing. *Applications for Comprehensive Sign Plans shall be submitted to the Planning Department.*

Staff Comment: The applicant has properly submitted an application for a Certificate of Appropriateness for a Comprehensive Sign Plan in conformance with the above regulations.

Sec. 15-13 (d) Submittal requirements.

(1) Applicants must submit a detailed Comprehensive Sign Plan with attached written stipulations for review and approval. Such stipulations shall consider all appropriate concerns including, but not limited to, the following items: location, relationship of signs to adjacent properties, size, height, color, lighting, technology options, orientation, construction materials and typography.

(2) Comprehensive Sign Plans shall include:

a. All signs, their location in site plan format, and color renderings of the proposed signage. Where sign lighting will have a significant impact on the visual interpretation of the sign, color renderings should be submitted to show the effects of the proposed signs and lighting.

b. Dimensions of each proposed sign listed in a chart summarizing the total area of each and all proposed signs together with the total allowed sign area for the property. The height above grade shall be indicated for blade signs and freestanding signs.

c. A statement as to the calculation of the allowed sign area based on the appropriate building frontage length for the building.

d. The site plan shall include the property lines of the subject site in order to determine that all signage is contained on the property.

Sec. 15-13 (e) Submittal requirements. In case of projecting or blade signs that utilize the airspace above public right-of-way, a license agreement will be generated by the City of Black Hawk for the applicant to review and it shall be reviewed for approval by City Council.

Staff Comment: All regulations have been fulfilled. The applicants propose one blade sign however it is located within the Lodge Casino's property boundary.

Sec. 15-13(f) No minimum or maximum standards are established for the Comprehensive Sign Plan, except as follows:

(1) The total sign area proposed may not exceed one hundred and thirty-five percent (135%) of the permitted sign area allowed on the subject property as calculated and regulated in Section 15-61. An additional thirty-five percent (35%) of sign area may be granted to a Comprehensive Sign Plan if the application includes the use of electronic message signs (EMS). Therefore, the total sign area proposed may be a maximum of one-hundred and seventy percent (170%) of the permitted sign area allowed on the subject property, if all requirements are met.

(2) Permanent window signage shall meet the requirements as set forth in Section 15-43(8).

(3) Temporary Banner Sign and Special Event Signs:

a. Temporary Banner Sign: One temporary vinyl style banner sign is allowed only if included in an approved Comprehensive Sign Plan. A temporary banner sign shall not count toward the maximum sign area permitted for a given business and shall adhere to the following regulations:

1. There shall not be more than one (1) Temporary Banner Sign attached to the building;
- and
2. Such sign shall be placed in the approved designated display location on the building and shall be constructed out of high quality material; and
 3. Such sign shall be allowed to be made of flexible plastic, cardboard, vinyl, fabric or similar non-rigid water-proof material; and
 4. Such sign shall be attached in an inconspicuous manner without zip ties, ropes or other similar visible material; and
 5. Such sign shall be adhered to the building with grommets and be attached with nuts, bolts or other similar non-visible fasteners; and
 6. Such sign shall not exceed thirty-two (32) square feet in size; and

7. Placement of such sign shall be allowed for thirty (30) consecutive days, six (6) times in a calendar year as specified by the business owner and proper notification to the Planning Department for such days.

b. *Special Event Signs: Special Event Signs are allowed only if included in an approved Comprehensive Sign Plan Signs that are related to approved special events as defined in this Chapter 15 and Article X of Chapter 6 (Section 6-332) shall adhere to these regulations and are also subject to approval of a sign permit from the Planning Department and approval by staff, subject to and adhere to the following:*

Standards:

- 1. Special Event Signs are allowed with the permitted special event provided that the sign area shall be limited to a total of seventy-five (75) square feet and a maximum of three (3) such signs. Such signs must be on private property and securely attached to the wall of a permitted building or permitted structure on the site in a manner that does not allow the sign to wave or flap in any way; and*
- 2. Special Event Signs and any other approved special event associated items shall be located within one-hundred (100) feet of the permitted special event area on the property which must be shown on the Comprehensive Sign Plan and sign permit for the special event.*
- 3. Method of attachment shall be shown in detail in the Comprehensive Sign Plan and no strings, rope or similar attachment item shall be visible from 50 feet or more from such attachment location ; and*
- 4. Special Event Signs shall not be placed above the roof line of any building or structure: and.*
- 5. Special Event signs shall not be counted toward the allowed sign area for a property or business.*

Staff Comment: The property abuts public right-of-way on three sides: Main Street, State Highway 119, and Richman Street. In total, the building façade on the subject property abuts 1,048 linear feet of public right-of-way. Based on the above regulation, the Lodge Casino is permitted a total of 1,781.60 sq. ft. of sign area. The proposed CSP proposes approximately 535.46 sq. ft. of sign area. The plan promotes a total sign area that is well within that permit per Chapter 15 of the Black Hawk Municipal Code.

Sec. 15-13(g) The Comprehensive Sign Plan shall be reviewed in terms of its impact on surrounding land uses and its compatibility with the purposes of this Chapter and with other City planning and zoning programs and regulations.

Sec. 15-13(i) Council review and approval. Within sixty (60) days of receipt of a complete application, the Council shall act to approve, approve with conditions or deny the application. The comprehensive sign plan shall be approved if:

- (1) Implementation of the comprehensive sign plan will provide signage more compatible with the surrounding development and designed with a high quality appearance; and*

Staff Comment: The proposed signs are compatible with the other business signs that surround the property in the heart of Black Hawk’s gaming district. There are new window signs proposed (S8 on Sign Plan) in accordance with the new allowance to have not more than 25% coverage over the window glass. The applicant is proposing white lettering for the window sign area.

(2) Implementation of the comprehensive sign plan will result in architecture and graphics of a scale appropriate for the surrounding neighborhood and development area; and

Staff Comment: The proposed signs are compatible with surrounding properties in terms of size and scale. The signs do not over-encumber the façade of the subject building and complements the existing architecture.

(3) Implementation of the comprehensive sign plan will provide signage consistent with the architecture and site plan characteristics of the proposed or existing project; and

Staff Comment: All signs are consistent in both size and form with the architecture and site characteristics.

(4) Implementation of the comprehensive sign plan will be materially beneficial in achieving the goals and objectives of the City's standards that relate to community design and aesthetics; and

Staff Comment: The proposed signs meet the objectives of the City’s standards and match existing approved aesthetics.

(5) Implementation of the comprehensive sign plan will be materially beneficial in achieving the goals and objectives cited in the purpose of the Sign Code; and

Staff Comment: The proposed sign plan meets the purpose of the comprehensive sign plan program.

Sec. 15-13(j) Modifications: Once authorized by the Council, a Comprehensive Sign Plan may be modified through the following procedure:

(1) Regardless of size, any building with a Comprehensive Sign Plan will require an approval, either by City Council or Administrative, to make changes to the said plan.

a. City Council approval is required for changes to a Comprehensive Sign Plan for major modifications (changes to greater than 10% of the initial approved Comprehensive Sign Plan sign area) as long as the total sign area allowed is not exceeded.

b. Administrative approval is required for changes to signs including minor modifications (changes to 10% or less of the initial approved Comprehensive Sign Plan sign area).

Staff Comment: The proposed Comprehensive Sign Plan is required per the recent update of Chapter 15 of the Black Hawk Municipal Code; all new Comprehensive Sign Plans must be reviewed and acted upon by the Black Hawk Board of Aldermen.

STAFF COMMENTS:

Staff from Baseline Corporation has reviewed and evaluated the prepared Comprehensive Sign Plan provided for the Lodge Casino. Staff finds the document to be in compliance with the regulations established in Sec. 15-13(f), which states that the total sign area used may not exceed one hundred and thirty-five (135%) of the permitted sign area. An additional thirty-five percent (35%) of sign area may be granted to a Comprehensive Sign Plan if the application includes the use of electronic message signs (EMS). Therefore, the total sign area proposed may be a maximum of one-hundred and seventy percent (170%) of the permitted sign area allowed on the subject property, if all requirements are met. The CSP document includes approximately 535.46 total square feet of sign area. The total permitted sign area for the Lodge Casino, based on building street frontage, is 1,781.60 sq. ft.

Also, staff has identified one blade sign along the south elevation (sign S11), visible from Main Street. Staff affirms that the sign is located within the property's boundaries therefore a license agreement will not be required. Window signs proposed are also in conformance with allowed standards.

The applicant has chosen not to include any proposed *Banner or Special Event signage* with this proposed Comprehensive Sign Plan (CSP). If they choose to have such type of signs in the future they will need to amend this CSP, if approved, to allow this type of sign on the property and/or the building.

In summary, Staff recommends that the proposed **Comprehensive Sign Plan** for the Lodge Casino be approved and a Certificate of Appropriateness be granted, subject to the following condition:

1. Proper Building, Electrical, and Sign Permits shall be applied for and approved prior to the installation of any new sign.

FINDINGS:

Within sixty (60) days of receipt of a complete application, the City Council may approve, conditionally approve, or deny the application for Comprehensive Sign Plan. Sections 15-13 (a) Purpose and (b) Applicability provide the ability of the property owner to submit the application. Following are findings that can be referred to relate to the criteria in Section 15-13 (i):

- (1) Implementation of the Comprehensive Sign Plan will provide signage that is compatible with the surrounding development and designed with a high quality appearance; and
- (2) Implementation of the Comprehensive Sign Plan will result in architecture and graphics of a scale appropriate for the surrounding neighborhood and development area; and
- (3) Implementation of the Comprehensive Sign Plan will provide signage consistent with the architecture and site plan characteristics of the proposed or existing project; and
- (4) Implementation of the Comprehensive Sign Plan will be materially beneficial in achieving the goals and objectives of the City's standards that relate to community design and aesthetics; and
- (5) Implementation of the Comprehensive Sign Plan will be materially beneficial in achieving the goals and objectives cited in the purpose of the Sign Code.

RECOMMENDATION:

Baseline Staff recommends City Council consider a **MOTION TO APPROVE WITH A CONDITION** a Certificate of Appropriateness for a Comprehensive Sign Plan as submitted and included with this staff report. The conditions are as follows:

1. Proper Building, Electrical, and Sign Permits shall be applied for and approved prior to the installation of any new sign.

Attachments:

- Land Development Application Form
- Comprehensive Sign Plan document

Applicants Submittal



BLACK HAWK

City of Black Hawk
Community Planning and Development
211 Church Street
P.O. Box 68
Black Hawk, CO 80422
Ph: 303-582-0615 Fax: 303-582-2239



DATE 5/17/14
APPLICANT NAME: The Lodge Casino
APPLICANT ADDRESS: 240 Main St Black Hawk CO 80422
APPLICANT MAILING ADDRESS: P.O Box 50 Black Hawk Co 80422
APPLICANT CONTACT NUMBER: 303-582-6391
EMAIL ADDRESS: jgarcia@bhwk.com
PROPERTY OWNER NAME: Jacobs Entertainment
PROPERTY OWNER ADDRESS: 17301 W. Colfax Ave Golden Co 80401
PROPERTY OWNER MAILING ADDRESS: P.O. Box 50 Black Hawk Co 80422
PROPERTY OWNER CONTACT NUMBER: 303-582-6391
EMAIL ADDRESS: _____
PROJECT NAME: The Lodge Casino
PROJECT ADDRESS: 240 Main St Black Hawk Co 80422
PROJECT DESCRIPTION: CSP update -

IS PROPERTY WITHIN CITY LIMITS: YES NO
PRESENT ZONING: Gaming CURRENT USE: Gaming
NAME OF EXISTING PLANNED UNIT DEVELOPMENT (IF APPLICABLE): N/A
NAME OF EXISTING SUBDIVISION PLAT (IF APPLICABLE): N/A
GILPIN COUNTY ASSESSOR'S I.D. NO.(S): N/A
EXISTING PROPERTY SIZE: N/A ACRES/SQ.FEET
(PLEASE ATTACH A COPY OF SURVEY/PLAT.)
EXISTING BUILDING SIZE: N/A SQ. FT. AND/OR NUMBER OF EXISTING RESIDENTIAL UNITS: N/A

ACTION REQUESTED (COMPLETED BY CITY STAFF):
A list of required submittal items will be provided to the applicant at the conclusion of the Pre-Planning Process. A list of potential documents that may be required is attached.

- ANNEXATION OF _____ ACRES OF LAND AND _____ ACRES OF RIGHT-OF-WAY
- ZONING/REZONING: FROM: _____ TO: _____
- PLANNED UNIT DEVELOPMENT (AMENDMENT)
- FINAL PLAT: _____ EXISTING LOTS _____ PROPOSED LOTS
- MINOR PLAT
- SPECIAL USE PERMIT
- VACATION OF EASEMENT: _____ RIGHT-OF-WAY: _____
- VARIANCE
- SITE DEVELOPMENT PLAN

- CERTIFICATE OF APPROPRIATENESS
- TEMPORARY USE PERMIT
- HISTORIC PRESERVATION FUND GRANT
- FEMA ELEVATION CERTIFICATE
- FLOOD PLAIN DEVELOPMENT PERMIT
- MOTOR VEHICLE/RECREATION VEHICLE STORAGE PERMIT
- COMPREHENSIVE SIGNAGE PLAN/SIGN PERMIT
- BOARD OF APPEALS

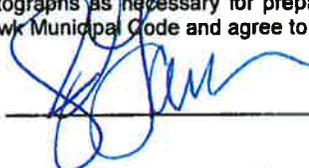
PLEASE READ THE FOLLOWING

FOR INFORMATIONAL PURPOSES, SECTION 16-370 OF THE BLACK HAWK MUNICIPAL CODE ESTABLISHES THE REQUIREMENT FOR APPLICANTS TO PAY FEES TO COVER THE COSTS THE CITY MAY INCUR BY HAVING THE CITY APPROVED CONSULTANTS EVALUATE AND PROCESS APPLICATIONS. IF YOU HAVE ANY QUESTIONS RELATED TO THIS, PLEASE CONTACT US FOR CLARIFICATION.

CERTIFICATION:

I hereby certify that to the best of my knowledge and believe, all information supplied with this application is true and accurate and that consent of the property owner listed above, without which the requested action cannot lawfully be accomplished, has been granted. Permission is also hereby granted to the City of Black Hawk staff to physically enter upon and inspect the subject property and take photographs as necessary for preparation of the case. In addition, I have read and understand Section 16-370 of the Black Hawk Municipal Code and agree to the payment of any fees to the processing of this application.

SIGNATURE OF APPLICANT: _____



DATE: _____

5/19/2014

Staff Review Only. Do not write below this line.

All Submittal attachments included? Yes No

Public Hearing Required? Yes No

Administrative Approval: Yes No

Date: July 23, 2014

Date: _____

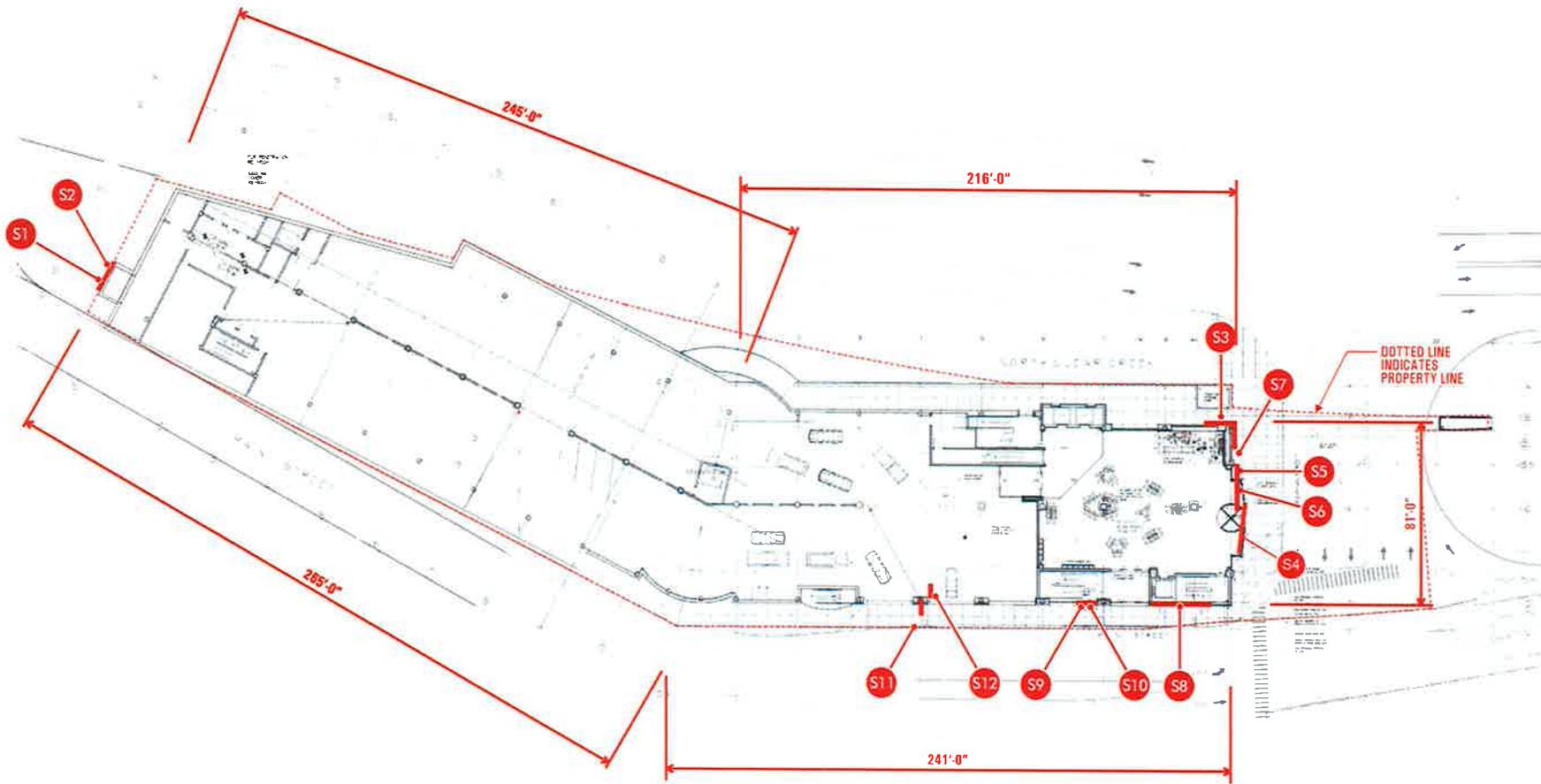
REVIEW:

- City Surveyor – CCS Consulting
- Baseline Corporation
- Colorado Code Consultants
- Community Planning and Development
- Public Works

THE
LODGE
CASINO
BLACKHAWK, COLORADO

COMPREHENSIVE SIGN PLAN
07/08/2014

Only the signs depicted within this approved Comprehensive Sign Plan are allowed.
No additional signs can be added on this property without an approval from authorized
City of Black Hawk Representative or City Council, depending on the process to permit
additional signs.



ARCHITECTURAL SITE PLAN N.T.S.

YESCO
Denver Region

Denver
11228 E. 14th Avenue, Suite 200
Denver, CO 80231
303.515.4233

Colorado Springs
5111 Elm Street
Colorado Springs, CO 80918
719.595.0101

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www.yesco.com

CLIENT:
THE LODGE CASINO

ADDRESS:
240 MAIN ST.

CITY / STATE / ZIP:
BLACKHAWK, CO

ACCOUNT EXECUTIVE:
ROD EATON

DESIGNER:
BRIAN CRIPPIN

ORIGINAL DATE:
05.08.2014

CUSTOMER APPROVAL:

Client Signature / Date

Landlord Signature / Date

ELECTRICIAN NOTE:

NOTE: UNLESS SPECIFIED WITHIN ELECTRICAL SCHEDULE OR FINAL ELECTRICAL CONNECTION CHANGES ARE NOT INCLUDED. ALIQUOTATED DISCOUNTS WILL BE MINUS FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

IF YOU ARE NOT ON PLUMBING CONTACT YOUR PLUMBING SHOP

VOLTS	AMPS

REVISIONS:

NO.	DATE	BY	DESCRIPTION
1	05/22/14	BC	AS SHOWN
2	05/22/14	BC	AS SHOWN
3	05/22/14	BC	AS SHOWN
4	05/22/14	BC	AS SHOWN
5	05/22/14	BC	AS SHOWN
6	05/22/14	BC	AS SHOWN
7	05/22/14	BC	AS SHOWN
8	05/22/14	BC	AS SHOWN
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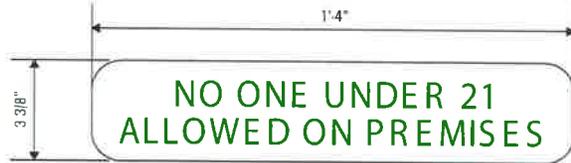
DATE: 05/22/14

PROJECT NUMBER: 703018 R4

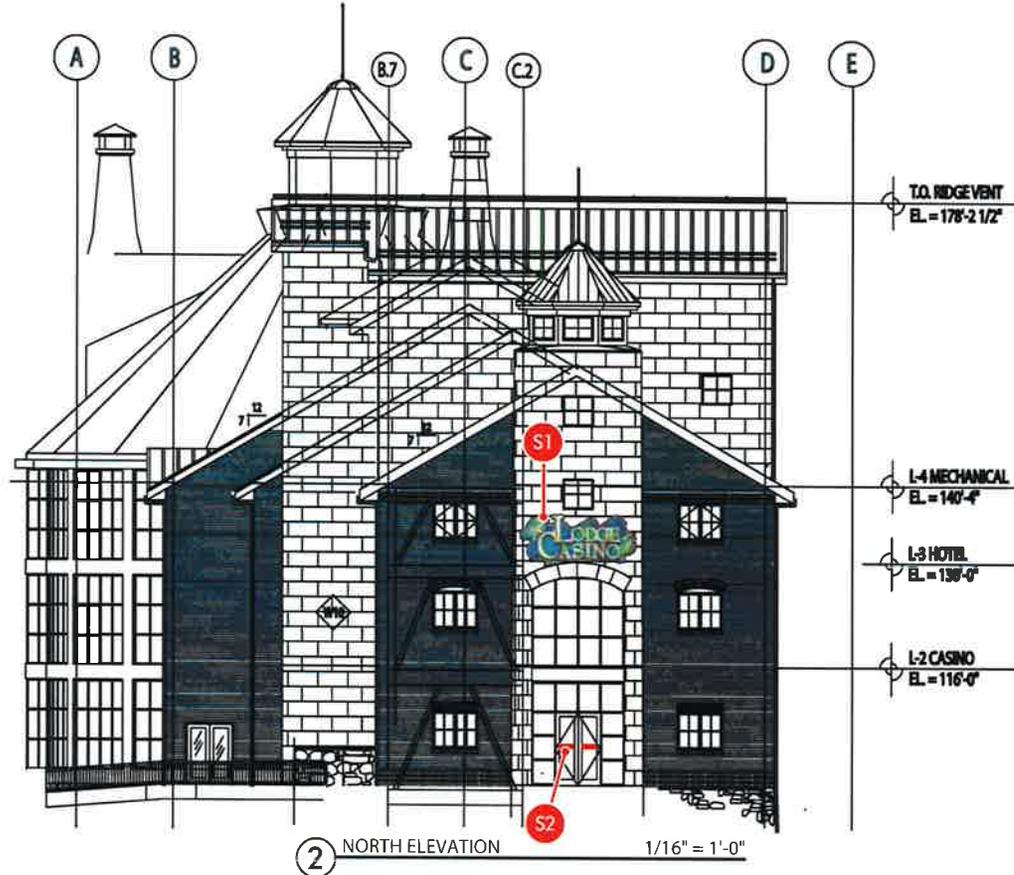
PAGE: 2 **OF:** 7



S1 INTERNALLY ILLUMINATED WALL SIGN 3/8" = 1'-0"
106.44ft²



S2 INFORMATION PLACARDS SCALE: 3" = 1'-0"
QUANTITY: 2 (0.375ft² EACH / 0.75ft² TOTAL)



YESCO.
Denver Region

Denver
1222 E. 13th Avenue, Suite 200
Denver, CO 80218
303.733.9233

Colorado Springs
2513 East Denver
Colorado Springs, CO 80918
719.253.9103

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www.yesco.com

CLIENT:
THE LODGE CASINO

ADDRESS:
240 MAIN ST.

CITY / STATE / ZIP:
BLACKHAWK, CO

ACCOUNT EXECUTIVE:
ROD EATON

DESIGNER:
BRIAN CRIPPIN

ISSUANCE DATE:
05.08.2014

DESIGNER APPROVAL:

Client Signature / Date

Landscape Designer / Date

ELECTRICAL NOTE

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL PANELS OR PANEL ELECTRICAL CONNECTION CHANGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRING FOR 120V ONLY POWER UNLESS OTHERWISE NOTED.

VOLTS	AMPS
-	-
-	-
-	-
-	-

IN NOTE

YESCO IS A UL RECOGNIZED MANUFACTURER

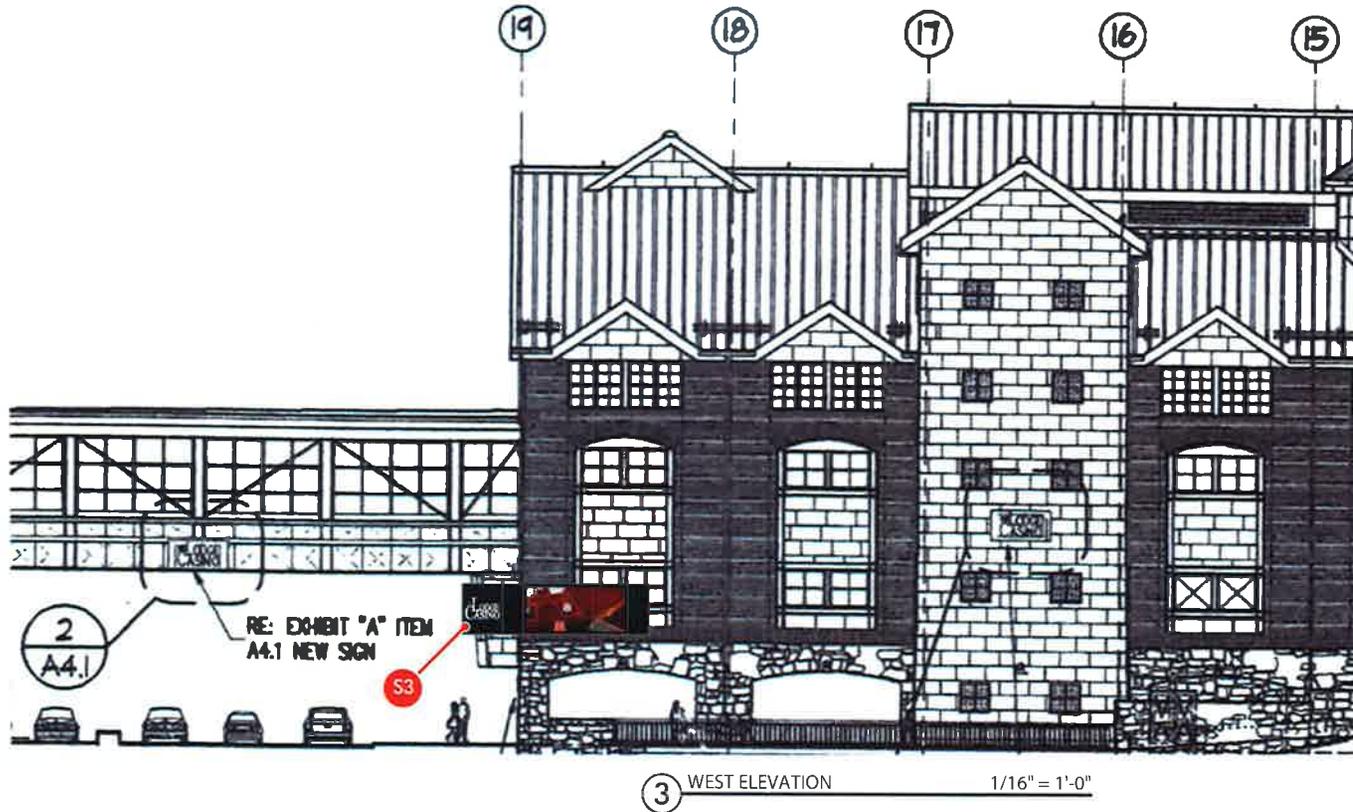
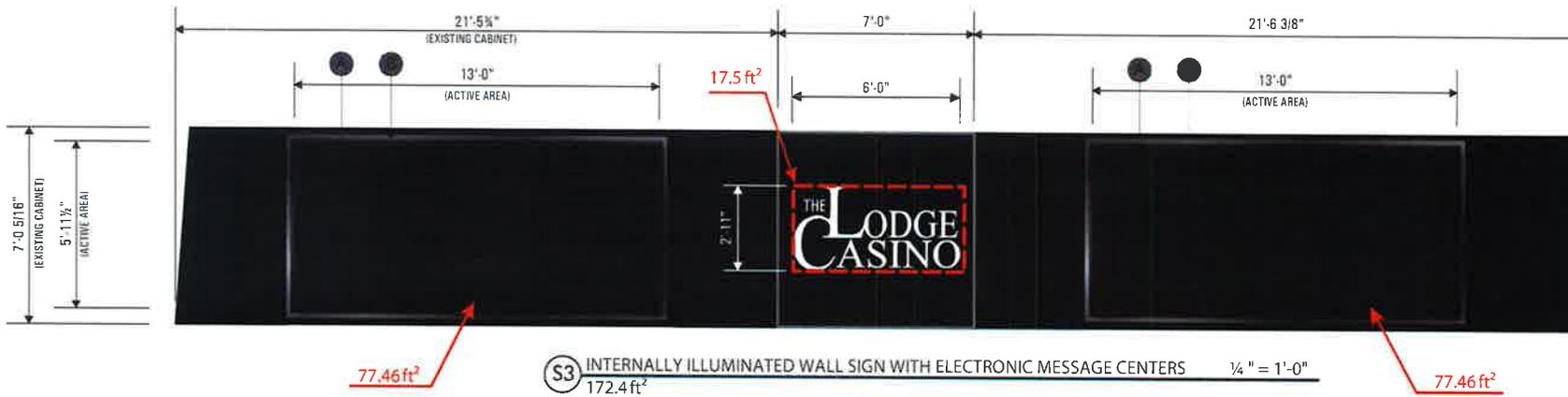
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND / OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER BRACING AND SUPPORT OF THE SIGN.

REVISIONS

DATE	REVISION	DESIGNED BY
05/08/14	NO CHANGE	BC
05/08/14	NO CHANGE	BC
05/15/14	NO CHANGE	BC
05/15/14	NO CHANGE	BC

DESIGN NUMBER:
703018 R4

PAGE: 3 **OF:** 7



YESCO.
 Denver Region

Denver
 11226 E. 37th Avenue, Suite 300
 Denver, CO 80231
 303.319.9633

Colorado Springs
 5511 East Ave
 Colorado Springs, CO 80915
 719.355.0103

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CLIENT:
 THE LODGE CASINO

ADDRESS:
 240 MAIN ST.

CITY / STATE / ZIP:
 BLACKHAWK, CO

ACCOUNT EXECUTIVE:
 ROD EATON

DESIGNER:
 BRIAN CRIPPIN

DRAWING DATE:
 05.08.2014

CUSTOMER APPROVAL

Client Signature / Date

Vendor Signature / Date

ELECTRICAL NOTE

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUMS OR FINAL ELECTRICAL CONNECTION CHANGES ARE NOT INCLUDED. ALTERNATED UPDATES WILL BE ISSUED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

IF YOU THERE IS NOT FOR PLUMBING SUBJECT TO TRADE AND TRADE ONLY

VOLTS	AMPS
-	-
-	-
-	-

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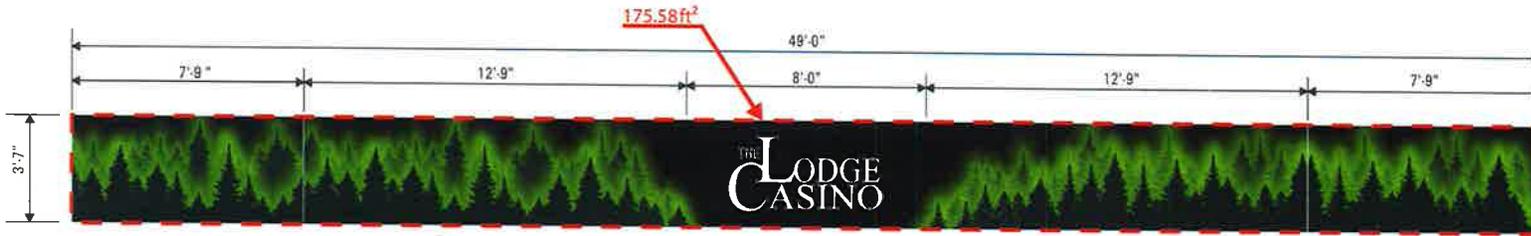
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REVISIONS

DATE	REVISION	BY/DATE
05/14/14	Issue for RFP	BC
05/22/14	as above	BC
05/23/14	as above	BC
05/26/14	as above	BC

DESIGN NUMBER:
 703018 R4

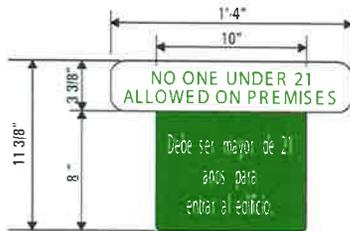
PAGE 4 OF 7



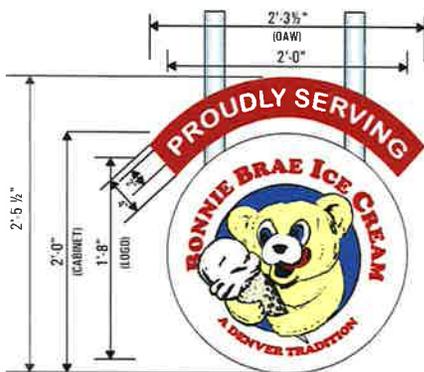
S4 INTERNALLY ILLUMINATED WALL SIGN WITH HALO ILLUMINATED TREES
12.8 ft² 1/4" = 1'-0"



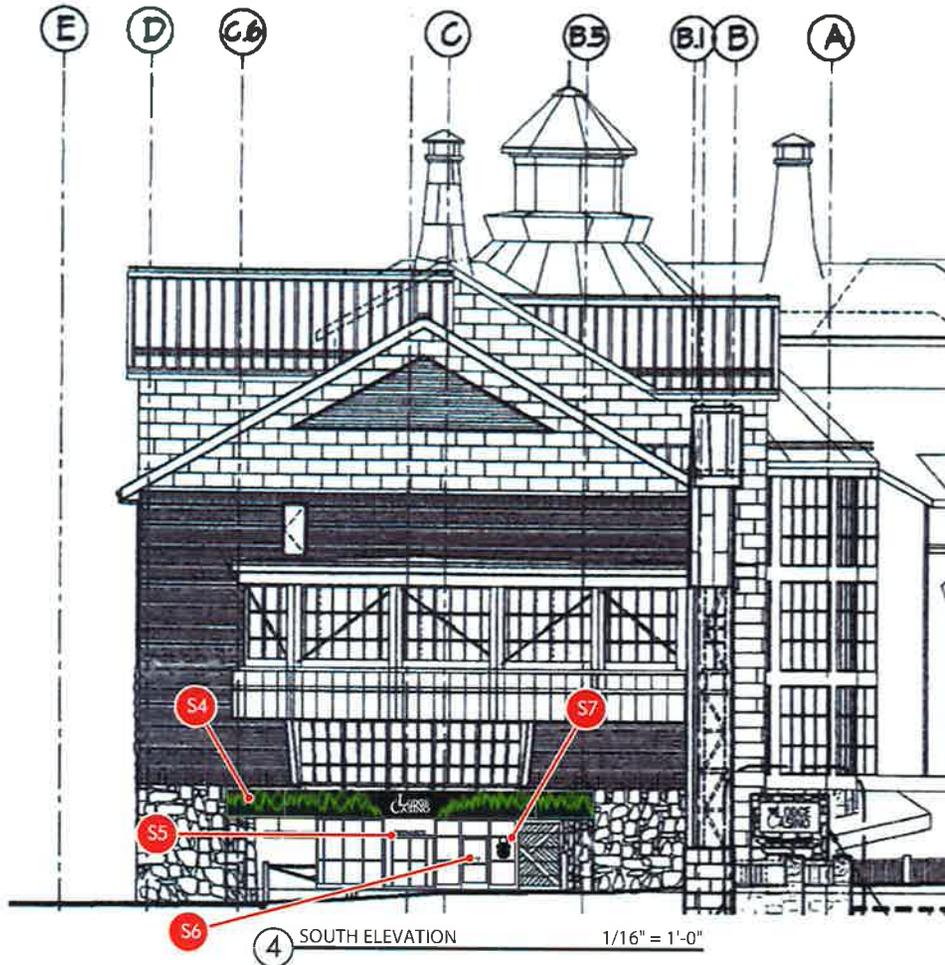
S5 AWNING COPY SCALE: 1" = 1'-0"
2.4 ft²



S6 INFORMATION PLACARD SCALE: 1/2" = 1'-0"
QUANTITY: 1 (0.93 ft²)



S7 INTERNALLY ILLUMINATED HANGING SIGN SCALE: 1" = 1'-0"
QUANTITY: 1 (2.4 ft²)



4 SOUTH ELEVATION 1/16" = 1'-0"

YESCO.
Denver Region

Denver
13220 E. 33rd Avenue, Suite 300
Denver, CO 80231
303.619.9833

Colorado Springs
6511 11th Street
Colorado Springs, CO 80918
719.535.0103

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CLIENT:
THE LODGE CASINO

ADDRESS:
240 MAIN ST.

CITY / STATE / ZIP:
BLACKHAWK, CO

ACCOUNT EXECUTIVE:
ROD EATON

DESIGNER:
BRIAN CRIPPIN

ORIGINAL DATE:
05.06.2014

CUSTOMER APPROVAL:
Client Signature / Date
Landscape Signature / Date

ELECTRICAL NOTE:
NOTES: UNLESS OTHERWISE NOTED, ELECTRICAL NOTES ON FINAL ELECTRICAL CONNECTION CHARTS ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

VOLTS: _____ **AMPS:** _____

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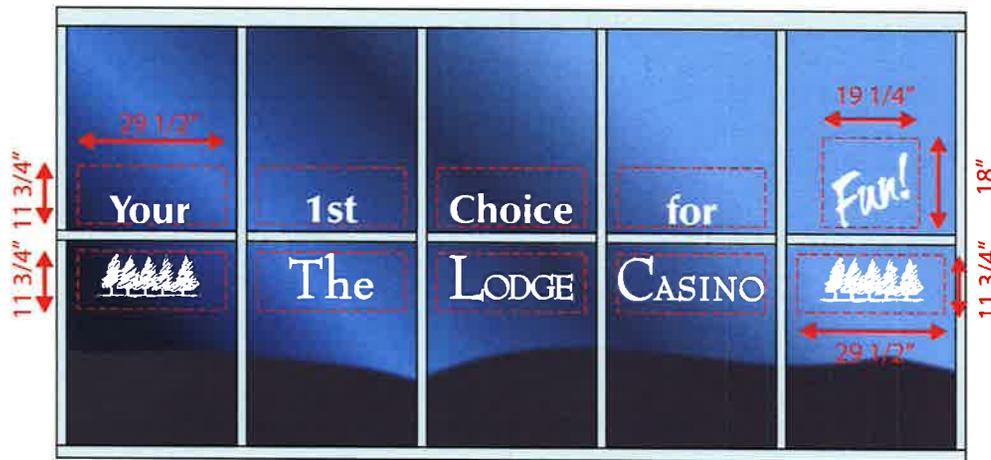
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REVISIONS:

DATE	REVISION	ISSUES
05/06/14	Issue 1	NO
05/06/14	Issue 2	NO
05/06/14	Issue 3	NO
05/06/14	Issue 4	NO
05/06/14	Issue 5	NO

PROJECT NUMBER:
703018 R4

PAGE: 5 **OF:** 7



S8 WINDOW GRAPHICS (25% OF WINDOWS) SCALE: 1/2"=1'-0"
 QUANTITY: 10 (2.41ft² EACH/ 24.10ft² TOTAL)

Reference page 7 for placement

Note: The above image is intended to reference white lettering on transparent glass.
 Only the white lettering and the dimensions provided are part of this plan-sheet.

YESCO.
 Denver Region

Denver
 11220 E. 12th Avenue, Suite 200
 Denver, CO 80220
 303.519.8349

Colorado Springs
 6511 East Road
 Colorado Springs, CO 80918
 719.335.0103

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YESCO LLC
 18th Avenue
 www.yesco.com

CLIENT:
 THE LODGE CASINO

ADDRESS:
 240 MAIN ST.

CITY / STATE / ZIP:
 BLACKHAWK, CO

AGENCY CONTACT:
 ROD EATON

DESIGNER:
 BRIAN CRIPPIN

ORIGINAL DATE:
 05.08.2014

CUSTOMER APPROVAL:

Client Signature / Date

Landlord Signature / Date

ELECTRICAL NOTE

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RINGS OR PANEL ELECTRICAL CONNECTION CHANGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRING FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

IF WE TAKE A NOT FOR PLANNED WORKS FOR THE JOB

VOLTS	AMPS
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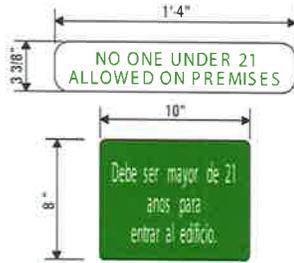
DATE	REVISION	DESIGNER
05/16/14	Initial Design	BC
07/23/14	Revised Design	BC
08/19/14	Final Design	BC
07/23/14	Revised Design	BC

DESIGN NUMBER:
 703018 R4

PAGE: 6 **OF:** 7



S9 WINDOW GRAPHICS NOT TO SCALE
 QUANTITY: 2 (1.98 ft² EACH / 3.96 ft² TOTAL)



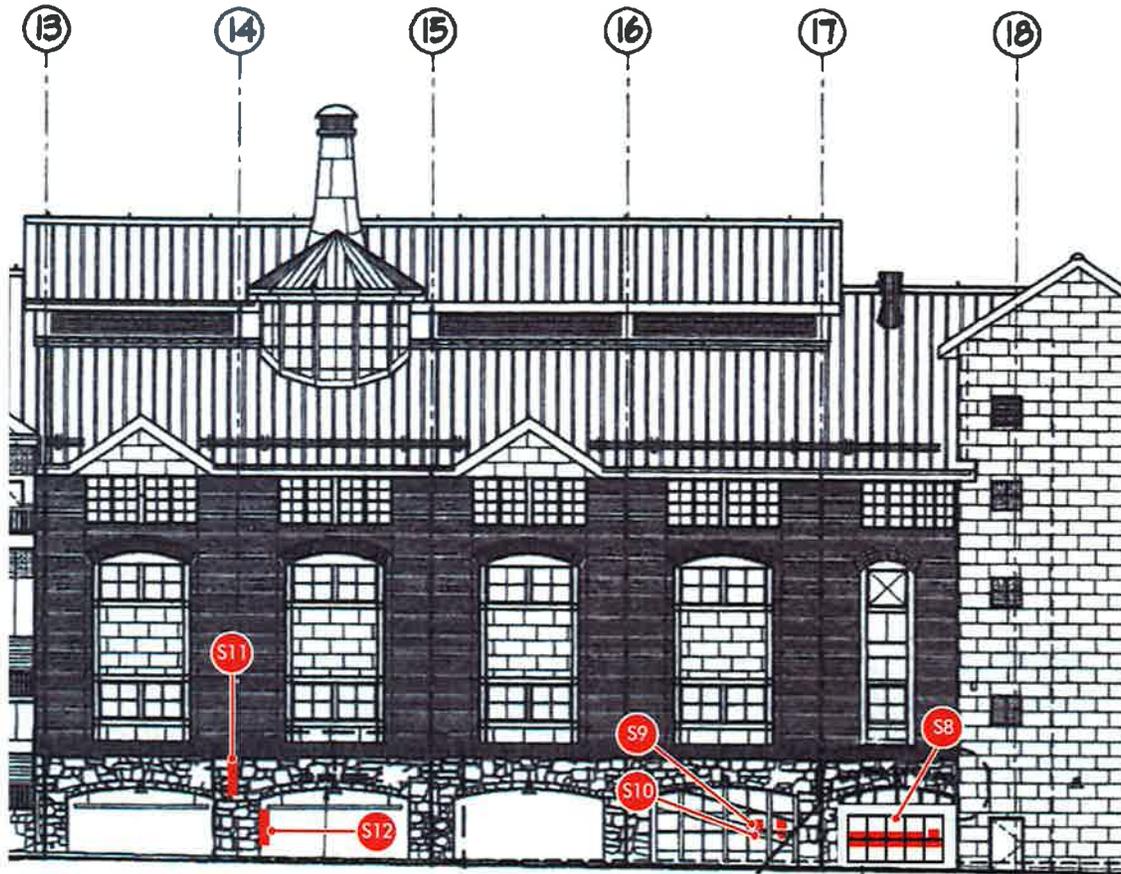
S10 INFORMATION PLACARD SCALE: 1 1/8" = 1'-0"
 QUANTITY: 2 SETS (1.26 ft² EACH / 2.52 ft² TOTAL)



S11 BLADE SIGN NOT TO SCALE
 QUANTITY: 1 (25.22 ft²)



S12 WINDOW GRAPHICS NOT TO SCALE
 QUANTITY: 1 (15.2 ft²)



S MAIN STREET ELEVATION 1/16" = 1'-0"

YESCO.
 Denver Region

Denver
 11020 E. Arapahoe Avenue, Suite 300
 Parker, CO 80138
 303.415.5234

Colorado Springs
 150 E. 10th Street
 Colorado Springs, CO 80915
 719.583.0103

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THE LODGE CASINO

ADDRESS:
240 MAIN ST.

CITY / STATE / ZIP:
BLACKHAWK, CO

ACCOUNT EXECUTIVE:
ROD EATON

DESIGNER:
BRIAN CRIPPIN

ORIGINAL DATE:
05.08.2014

CUSTOMER APPROVAL

Client Signature / Date

Vendor Signature / Date

ELECTRICAL NOTE

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL WORK ON FINAL ELECTRICAL CONNECTIONS CHANGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRING FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

PLEASE CONTACT US FOR WIRING DETAILS FOR YOUR SPECIFIC APPLICATION.

VOLTS	AMPS
-	-
-	-
-	-
-	-

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REVISION	DATE	REVISION	DESCRIPTION
1	05/08/14	1	INITIAL DESIGN
2	05/14/14	1	REVISED FOR PERMITS
3	06/10/14	1	REVISED FOR PERMITS
4	06/10/14	1	REVISED FOR PERMITS
5	06/10/14	1	REVISED FOR PERMITS

DESIGN NUMBER:
703018 R4

PAGE
7 OF
7

RESOLUTION 54-2014
A RESOLUTION
CONDITIONALLY
APPROVING A
CERTIFICATE OF
APPROPRIATENESS FOR
A COMPREHENSIVE SIGN
PLAN FOR THE
SARATOGA CASINO

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

Resolution No. 54-2014

TITLE: A RESOLUTION CONDITIONALLY APPROVING A CERTIFICATE OF APPROPRIATENESS FOR A COMPREHENSIVE SIGN PLAN FOR THE SARATOGA CASINO

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The City Council hereby determines to approve the Certificate of Appropriateness for the Comprehensive Sign Plan for the Saratoga Casino upon the satisfaction of the following conditions:

A. Proper building, electrical, and sign permits shall be applied for and approved prior to the installation of any new sign;

B. Projecting signs will comply with the regulations pertaining to height limitations and placement as stated in the City Code and according to the existing license agreement between Saratoga Casino and the City of Black Hawk; and

C. The Applicant shall place a note on page 11 stating: *To prevent a continuous covering of the window facing Main Street and Gregory Street intersection by the proposed banner, the banner, banner frame and backing will be removed when the banner is not in use.*

RESOLVED AND PASSED this 23rd day of July, 2014.

David D. Spellman, Mayor

ATTEST:

Melissa Greiner, City Clerk

CITY OF BLACK HAWK

REQUEST FOR COUNCIL ACTION

CITY COUNCIL MEETING:

July 23, 2014

SUBJECT: Certificate of Appropriateness Approval for a Comprehensive Sign Plan for Saratoga Casino

On May 30, 2014, the City of Black Hawk received an application for a Certificate of Appropriateness for a Comprehensive Sign Plan (CSP) from YESCO sign company on behalf of the Saratoga Casino. Please refer to the attached staff report for a summary of the proposed CSP.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Section 15-13 (Sign Code) of the Municipal Code regulates the need for Comprehensive Sign Plans (CSP). Section 16-368 of the Black Hawk Municipal Code regulates the Certificate of Appropriateness procedures. This application requests approval of a CSP with 495.89 square feet of sign area with 20 signs. The CSP proposes 2 Electronic Message Centers, projecting signs, window signs and a banner sign.

This CSP will permit the use of a banner sign for 30 consecutive days 6 time periods per year, or total of 180 days. A permanent location and sign frame has been identified on the casino building as required by the newly approved Sign Code. The location of the banner sign is not optimal since it covers a portion of a window and detracts from the architectural appeal of the building. Staff recommends that when the banner is not in use that the banner frame and backing need to be removed. A condition to this need is included.

RECOMMENDATION:

Baseline Staff recommends City Council consider a **MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS** a Certificate of Appropriateness for a Comprehensive Sign Plan as submitted and included with this staff report.

Staff recommends that the proposed **Comprehensive Sign Plan** for the Saratoga Casino be approved and a Certificate of Appropriateness be granted, subject to following conditions:

1. Proper Building, Electrical, and Sign Permits shall be applied for and approved prior to the installation of any new sign.
2. Projecting signs will comply with the regulations pertaining to height limitations and placement as stated in the City Code and according to the existing license agreement between Saratoga Casino and the City of Black Hawk.
3. The applicant shall place a note on page 11 stating: *To prevent a continuous covering of the window facing Main Street and Gregory Street intersection by the proposed banner; the banner, banner frame and backing will be removed when the banner is not in use.*

RESOLUTION DATE:

ORIGINATED BY:

STAFF PERSON RESPONSIBLE:

DOCUMENTS ATTACHED:

CITY ATTORNEY REVIEW:

SUBMITTED BY:



7-11-14

Vincent Harris, Baseline Corporation

July 23, 2014

YESCO o/b/o Saratoga Casino

Vincent Harris, Baseline Corporation

Staff Report, Notice, and application

Yes No N/A

INITIALS _____

REVIEWED BY:



07/17/2014

Jack D. Lewis, City Manager

Staff Report



STAFF REPORT: Certificate of Appropriateness Approval for a Comprehensive Sign Plan for Saratoga Casino (P-14-11)

For: City Council
Project: Saratoga Casino Comprehensive Sign Plan
Property Address: 101 Main Street
Applicants: Rodney Eaton, YESCO Sign Company o/b/o Saratoga
Zoning: GOLD District
Prepared by: Zeljko Spiric, Baseline Corporation
Approved by: Vincent Harris, Baseline Corporation
Reviewed by: Cynthia Linker, CP&D



BACKGROUND:

On May 30, 2014, the City of Black Hawk received an application for a Certificate of Appropriateness for a Comprehensive Sign Plan (CSP) from YESCO sign company on behalf of the Saratoga Casino. The intent of this submittal is to update the existing Saratoga Casino CSP that will allow the use of a banner sign. Attached to this staff report is a copy of the CSP document that catalogues all signs. The Casino is permitted 535 sq. ft. of sign area without a CSP and 909.50 sq. ft. (with the 70% additional allowance) with a CSP per the existing sign code (Chapter 15 of the Municipal Code).

In total, Saratoga Casino proposes 20 signs of varying sizes with a total sign area approximately 495.89 sq. ft. Among the proposed 20 signs are two (2) Electronic Message Center (EMC) signs that will be utilized to advertise the casino promotions and activities. In addition to the EMC signs, the CSP identifies a projecting sign and a banner. Two projecting signs, identified as S5 and S8 on the proposed CSP, extend into the public right-of-way. A license agreement exists to allow these projecting signs to extend into the public right-of-way. The banner sign, per the City of Black Hawk Sign Code, will not be counted toward the total sign area of the proposed CSP. The location of the banner sign is suboptimal and its placement affects architectural features (covers a portion of the arched window) of the Casino façade. Baseline staff has proposed conditions to resolve the effect of the banner sign on the architectural aesthetics of the Casino building when the banner sign is not in use.

In addition, several window signs are proposed. All window signs conform to the current regulation that allows not more than 25% of any window pane to be covered by a sign.

The signs will be placed at various spots on the building (see Images 1 and 2).

Excerpts from the proposed CSP, indicating the proposed signs and their locations, have been included below.

Proposed Sign Locations



Image 1: Sign Location Map

Proposed Signs

REF.	SIGNS	QTY.	ILLUMINATION	ELEVATION	SQ/FT
S1		1	INTERNALLY ILLUMINATED	EAST	12.33 ft²
S2		2	INTERNALLY ILLUMINATED	EAST	11.04 ft²(x2)
S3		1	INTERNALLY ILLUMINATED	NORTH	64.31 ft²
S4		1	INTERNALLY ILLUMINATED	EAST	104.16 ft²
S5		1	INTERNALLY ILLUMINATED	NORTH	12.33 ft²
S6		1	INTERNALLY ILLUMINATED	NORTH	42.00 ft²
S7		1	INTERNALLY ILLUMINATED	EAST	57.23 ft²
S8		1	INTERNALLY ILLUMINATED	EAST	13.75 ft²
S9		1	NON ILLUMINATED	EAST	7.50 ft²
S10		1	NON ILLUMINATED	EAST	6.00 ft²
S11	NOT PART OF THIS CSP DUE TO BEING LOCATED BEYOND 20 FT. OF PUBLIC RIGHT OF WAY				
S12		1	NON ILLUMINATED	EAST	25.00 ft²
S13	NOT PART OF THIS CSP DUE TO BEING LOCATED BEYOND 20 FT. OF PUBLIC RIGHT OF WAY				
S14	NOT PART OF THIS CSP DUE TO BEING LOCATED BEYOND 20 FT. OF PUBLIC RIGHT OF WAY				
S15		1	NON ILLUMINATED	EAST	4.33 ft²
S16		1	NON ILLUMINATED	NORTH	NOT COUNTED AGAINST ALLOWABLE SQUARE FOOTAGE
S17		4	NON ILLUMINATED	VARIOUS	(1.33 sq ft) 5.32 ft²
S18		2	NON ILLUMINATED	VARIOUS	(3.0 sq ft) 6.0 ft²
S19		1	INTERNALLY ILLUMINATED	NORTHEAST	51.33 ft²
S20		1	INTERNALLY ILLUMINATED	NORTH	62.22 ft²
TOTAL SQUARE FOOTAGE OF COMPREHENSIVE SIGN PLAN:					495.09 ft²
LINEAR FOOTAGE: 535x1.7 BONUS FOR TOTAL SQUARE FOOTAGE ALLOWANCE:					309.5 ft'

Image 2: Proposed Sign Details

The proposed Comprehensive Sign Plan has been reviewed by staff for compliance with Chapter 15 (Sign Code – Sign Regulations) of the Black Hawk Municipal Code.

APPLICABLE CITY OF BLACK HAWK REGULATIONS:

Section 15-13 (Sign Code) of the Municipal Code regulates the need for Comprehensive Sign Plans (CSP). This staff report relates the need for City Council to review and take action on the proposed Comprehensive Sign Plan. The Black Hawk Municipal Code requires a public hearing necessitating a notice in the paper and posting of the property. Both the notification and posting have been completed.

(1) Applicants must submit a detailed Comprehensive Sign Plan with attached written stipulations for review and approval. Such stipulations shall consider all appropriate concerns including, but not limited to, the following items: location, relationship of signs to adjacent properties, size, height, color, lighting, technology options, orientation, construction materials and typography.

(2) Comprehensive Sign Plans shall include:

- a. All signs, their location in site plan format, and color renderings of the proposed signage. Where sign lighting will have a significant impact on the visual interpretation of the sign, color renderings should be submitted to show the effects of the proposed signs and lighting.
- b. Dimensions of each proposed sign listed in a chart summarizing the total area of each and all proposed signs together with the total allowed sign area for the property. The height above grade shall be indicated for blade signs and freestanding signs.
- c. A statement as to the calculation of the allowed sign area based on the appropriate building frontage length for the building.
- d. The site plan shall include the property lines of the subject site in order to determine that all signage is contained on the property.

Sec. 15-13 (e) Submittal requirements. In case of projecting or blade signs that utilize the airspace above public right-of-way, a license agreement will be generated by the City of Black Hawk for the applicant to review and it shall be reviewed for approval by City Council.

Staff Comment: All regulations have been fulfilled.

Sec. 15-13(f) No minimum or maximum standards are established for the Comprehensive Sign Plan, except as follows:

- (1) The total sign area proposed may not exceed one hundred and thirty-five percent (135%) of the permitted sign area allowed on the subject property as calculated and regulated in Section 15-61. An additional thirty-five percent (35%) of sign area may be granted to a Comprehensive Sign Plan if the application includes the use of electronic message signs (EMS). Therefore, the total sign area proposed may be a maximum of one-hundred and seventy percent (170%) of the permitted sign area allowed on the subject property, if all requirements are met.
- (2) Permanent window signage shall meet the requirements as set forth in Section 15-43(8).
- (3) Temporary Banner Sign and Special Event Signs:
 - a. Temporary Banner Sign: One temporary vinyl style banner sign is allowed only if included in an approved Comprehensive Sign Plan. A temporary banner sign shall not count toward the maximum sign area permitted for a given business and shall adhere to the following regulations:

1. *There shall not be more than one (1) Temporary Banner Sign attached to the building; and*
2. *Such sign shall be placed in the approved designated display location on the building and shall be constructed out of high quality material; and*
3. *Such sign shall be allowed to be made of flexible plastic, cardboard, vinyl, fabric or similar non-rigid water-proof material; and*
4. *Such sign shall be attached in an inconspicuous manner without zip ties, ropes or other similar visible material; and*
5. *Such sign shall be adhered to the building with grommets and be attached with nuts, bolts or other similar non-visible fasteners; and*
6. *Such sign shall not exceed thirty-two (32) square feet in size; and*
7. *Placement of such sign shall be allowed for thirty (30) consecutive days, six (6) times in a calendar year as specified by the business owner and proper notification to the Planning Department for such days.*

b. Special Event Signs: Special Event Signs are allowed only if included in an approved Comprehensive Sign Plan Signs that are related to approved special events as defined in this Chapter 15 and Article X of Chapter 6 (Section 6-332) shall adhere to these regulations and are also subject to approval of a sign permit from the Planning Department and approval by staff, subject to and adhere to the following:

Standards:

1. *Special Event Signs are allowed with the permitted special event provided that the sign area shall be limited to a total of seventy-five (75) square feet and a maximum of three (3) such signs. Such signs must be on private property and securely attached to the wall of a permitted building or permitted structure on the site in a manner that does not allow the sign to wave or flap in any way; and*
2. *Special Event Signs and any other approved special event associated items shall be located within one-hundred (100) feet of the permitted special event area on the property which must be shown on the Comprehensive Sign Plan and sign permit for the special event.*
3. *Method of attachment shall be shown in detail in the Comprehensive Sign Plan and no strings, rope or similar attachment item shall be visible from 50 feet or more from such attachment location ; and*
3. *Special Event Signs shall not be placed above the roof line of any building or structure; and.*
4. *Special Event signs shall not be counted toward the allowed sign area for a property or business.*

Staff Comment: The property abuts public right-of-way on three sides: Main Street, Gregory Street and Bobtail Road. In total, the building façade on the subject property abuts 535 linear feet of public right-of-way. Based on the above regulations, Saratoga Casino is permitted a total of 909.50 sq. ft. of sign area. The proposed CSP proposes 495.89 sq. ft. of sign area.

Sec. 15-13(g) The Comprehensive Sign Plan shall be reviewed in terms of its impact on surrounding land uses and its compatibility with the purposes of this Chapter and with other City planning and zoning programs and regulations.

Sec. 15-13(i) Council review and approval. Within sixty (60) days of receipt of a complete application, the Council shall act to approve, approve with conditions or deny the application. The comprehensive sign plan shall be approved if:

- (1) Implementation of the comprehensive sign plan will provide signage more compatible with the surrounding development and designed with a high quality appearance; and*

Staff Comment: The proposed signs are compatible with the other business signs that surround the property in the heart of Black Hawk's gaming district.

- (2) Implementation of the comprehensive sign plan will result in architecture and graphics of a scale appropriate for the surrounding neighborhood and development area; and*

Staff Comment: The proposed signs are compatible with surrounding properties in terms of size and scale. Majority of the signs do not over-encumber the façade of the subject building and complement the existing architecture. However, it is important to note that staff has identified that the banner sign location is not optimal. The banner sign covers a portion of a window facing the intersection of Main Street and Gregory Street. The sign placement lessens the architectural appeal of this portion of the building and begins to cover the window façade. Baseline staff has recommended a condition of approval that suggests the Casino to fully remove the banner frame and backing when the banner is not in use in this area.

- (3) Implementation of the comprehensive sign plan will provide signage consistent with the architecture and site plan characteristics of the proposed or existing project; and*

Staff Comment: Both existing and new signs are consistent in both size and form with the architecture and site characteristics, except the above mentioned banner sign.

- (4) Implementation of the comprehensive sign plan will be materially beneficial in achieving the goals and objectives of the City's standards that relate to community design and aesthetics; and*

Staff Comment: The proposed signs meet the objectives of the City's standards.

- (5) Implementation of the comprehensive sign plan will be materially beneficial in achieving the goals and objectives cited in the purpose of the Sign Code; and*

Staff Comment: The proposed sign plan meets the purpose of the comprehensive sign plan program.

Sec. 15-13(j) Modifications: Once authorized by the Council, a Comprehensive Sign Plan may be modified through the following procedure:

(1) Regardless of size, any building with a Comprehensive Sign Plan will require an approval, either by City Council or Administrative, to make changes to the said plan.

a. City Council approval is required for changes to a Comprehensive Sign Plan for major modifications (changes to greater than 10% of the initial approved Comprehensive Sign Plan sign area) as long as the total sign area allowed is not exceeded.

b. Administrative approval is required for changes to signs including minor modifications (changes to 10% or less of the initial approved Comprehensive Sign Plan sign area).

Staff Comment: A previous Comprehensive Sign Plan existed for Saratoga Casino. In light of the recent Sign Code changes, the applicant has decided to update their CSP.

STAFF COMMENTS:

Staff from Baseline Corporation has reviewed and evaluated the prepared Comprehensive Sign Plan provided for the Saratoga Casino and finds the document to be in compliance with the regulations established in Sec. 15-13(f), which states that the total sign area used may not exceed one hundred and thirty-five (135%) of the permitted sign area. An additional thirty-five percent (35%) of sign area may be granted to a Comprehensive Sign Plan if the application includes the use of electronic message signs (EMS). Therefore, the total sign area proposed may be a maximum of one-hundred and seventy percent (170%) of the permitted sign area allowed on the subject property, if all requirements are met. The CSP document includes approximately 495.89 total square feet of sign area. The total permitted sign area for the Saratoga Casino, based on building street frontage, is 909.50 sq. ft.

The proposed CSP shows two signs that project into the public right-of-way. A license agreement exists to allow these projecting signs to extend into the public right-of-way.

In addition, several window signs are proposed. All window signs conform to the current regulation that allows not more than 25% of any window to pane to be covered by a sign.

The applicant has chosen to include a banner sign with this proposed Comprehensive Sign Plan (CSP). This CSP will permit the use of the banner sign 30 consecutive days for 6 time periods per year, or a total of 180 days. A permanent location and sign frame have been identified on the Casino as required by the Sign Code. The location of the banner sign is not optimal since it covers a portion of a window and may be detracting from the architectural appeal of the building. Staff recommends that when the banner is not in use that the banner frame and backing need to be removed. The removal of the backing and frame will prevent the arch portion of the window from being continuously covered up. A condition to this is included.

Staff recommends that the proposed **Comprehensive Sign Plan** for the Saratoga Casino be approved and a Certificate of Appropriateness be granted, subject to following conditions:

1. Proper Building, Electrical, and Sign Permits shall be applied for and approved prior to the installation of any new sign.
2. Projecting signs will comply with the regulations pertaining to height limitations and placement as stated in the City Code and according to the existing license agreement between Saratoga Casino and the City of Black Hawk.

3. The applicant shall place a note on page 11 stating: *To prevent a continuous covering of the window facing Main Street and Gregory Street intersection by the proposed banner; the banner, banner frame and backing will be removed when the banner is not in use.*

FINDINGS:

Within sixty (60) days of receipt of a complete application, the City Council may approve, conditionally approve, or deny the application for Comprehensive Sign Plan. Sections 15-13 (a) Purpose and (b) Applicability provide the ability of the property owner to submit the application. Following are findings that can be referred to relate to the criteria in Section 15-13 (i):

- (1) Implementation of the Comprehensive Sign Plan will provide signage that is compatible with the surrounding development and designed with a high quality appearance; and
- (2) Implementation of the Comprehensive Sign Plan will result in architecture and graphics of a scale appropriate for the surrounding neighborhood and development area; and
- (3) Implementation of the Comprehensive Sign Plan will provide signage consistent with the architecture and site plan characteristics of the proposed or existing project; and
- (4) Implementation of the Comprehensive Sign Plan will be materially beneficial in achieving the goals and objectives of the City's standards that relate to community design and aesthetics; and
- (5) Implementation of the Comprehensive Sign Plan will be materially beneficial in achieving the goals and objectives cited in the purpose of the Sign Code.

RECOMMENDATION:

Baseline Staff recommends City Council consider a **MOTION TO APPROVE WITH THE FOLLOWING CONDITIONS** a Certificate of Appropriateness for a Comprehensive Sign Plan as submitted and included with this staff report.

Staff recommends that the proposed **Comprehensive Sign Plan** for the Saratoga Casino be approved and a Certificate of Appropriateness be granted, subject to following conditions:

1. Proper Building, Electrical, and Sign Permits shall be applied for and approved prior to the installation of any new sign.
2. Projecting signs will comply with the regulations pertaining to height limitations and placement as stated in the City Code and according to the existing license agreement between Saratoga Casino and the City of Black Hawk.
3. The applicant shall place a note on page 11 stating: *To prevent a continuous covering of the window facing Main Street and Gregory Street intersection by the proposed banner; the banner, banner frame and backing will be removed when the banner is not in use.*

Attachments:

- Land Development Application Form
- Comprehensive Sign Plan document



BLACK HAWK

City of Black Hawk

Community Planning and Development
271 Gregory Street
P.O. Box 68
Black Hawk, CO 80422
Ph: 303-582-0615 Fax: 303-582-2239

LAND USE
PRE-PLANNING
APPLICATION

DATE: 5/28/14
APPLICANT NAME: YESCO
APPLICANT ADDRESS: 11220 E. 53rd Ave Unit #300 Denver CO 80239
APPLICANT MAILING ADDRESS: Same
APPLICANT CONTACT NUMBER: 720-458-7135
EMAIL ADDRESS: reaton@yesco.com
PROPERTY OWNER NAME: Saratoga Casino (Kings, Queens and Jacks)
PROPERTY OWNER ADDRESS: 101 Main St BlackHawk Co 80422
PROPERTY OWNER MAILING ADDRESS: P.O. Box 427, Black Hawk, CO 80422
PROPERTY OWNER CONTACT NUMBER: 303-582-6100
EMAIL ADDRESS: agentile@saratogacasinobh.com
PROJECT NAME: Saratoga Casino
PROJECT ADDRESS: Same
PROJECT DESCRIPTION: CSP Update for the City

IS PROPERTY WITHIN CITY LIMITS: YES [X] NO []
PRESENT ZONING: Gaming CURRENT USE: Gaming
NAME OF EXISTING PLANNED UNIT DEVELOPMENT (IF APPLICABLE): N/A
NAME OF EXISTING SUBDIVISION PLAT (IF APPLICABLE): N/A
GILPIN COUNTY ASSESSOR'S I.D. NO.(S): N/A
EXISTING PROPERTY SIZE: 65,983 sq. ft. ACRES/SQ.FEET
(PLEASE ATTACH A COPY OF SURVEY/PLAT.)
EXISTING BUILDING SIZE: N/A SQ. FT. AND/OR NUMBER OF EXISTING RESIDENTIAL UNITS: N/A

ACTION REQUESTED (COMPLETED BY CITY STAFF):

A list of required submittal items will be provided to the applicant at the conclusion of the Pre-Planning Process. A list of potential documents that may be required is attached.

- ANNEXATION OF ACRES OF LAND AND ACRES OF RIGHT-OF-WAY
ZONING/REZONING: FROM: TO:
PLANNED UNIT DEVELOPMENT (AMENDMENT)
FINAL PLAT: EXISTING LOTS PROPOSED LOTS
MINOR PLAT
SPECIAL USE PERMIT
VACATION OF EASEMENT: RIGHT-OF-WAY:
VARIANCE
SITE DEVELOPMENT PLAN

- CERTIFICATE OF APPROPRIATENESS
- TEMPORARY USE PERMIT
- HISTORIC PRESERVATION FUND GRANT
- FEMA ELEVATION CERTIFICATE
- FLOOD PLAIN DEVELOPMENT PERMIT
- MOTOR VEHICLE/RECREATION VEHICLE STORAGE PERMIT
- COMPREHENSIVE SIGNAGE PLAN/SIGN PERMIT
- BOARD OF APPEALS

PLEASE READ THE FOLLOWING

FOR INFORMATIONAL PURPOSES, SECTION 16-370 OF THE BLACK HAWK MUNICIPAL CODE ESTABLISHES THE REQUIREMENT FOR APPLICANTS TO PAY FEES TO COVER THE COSTS THE CITY MAY INCUR BY HAVING THE CITY APPROVED CONSULTANTS EVALUATE AND PROCESS APPLICATIONS. IF YOU HAVE ANY QUESTIONS RELATED TO THIS, PLEASE CONTACT US FOR CLARIFICATION.

CERTIFICATION:

I hereby certify that to the best of my knowledge and believe, all information supplied with this application is true and accurate and that consent of the property owner listed above, without which the requested action cannot lawfully be accomplished, has been granted. Permission is also hereby granted to the City of Black Hawk staff to physically enter upon and inspect the subject property and take photographs as necessary for preparation of the case. In addition, I have read and understand Section 16-370 of the Black Hawk Municipal Code and agree to the payment of any fees to the processing of this application.

SIGNATURE OF APPLICANT:

[Handwritten Signature]

DATE:

5/29/14

Staff Review Only. Do not write below this line.

All Submittal attachments included? Yes No

Public Hearing Required? Yes No

Administrative Approval: Yes No

Date: *7-23-14*

Date: _____

REVIEW:

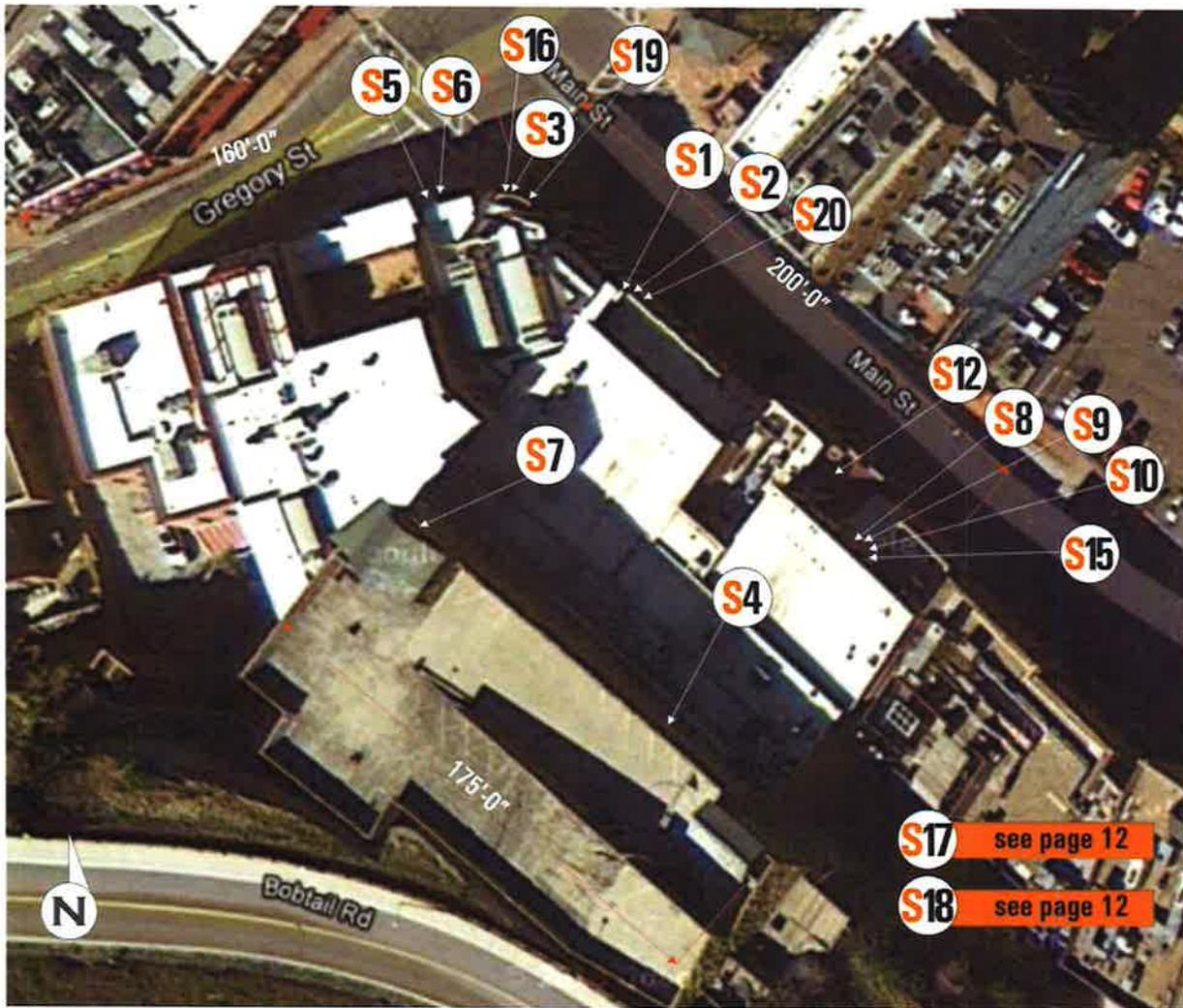
- City Surveyor
- Baseline
- Colorado Code
- Planning Dept. – Date
- Public Works – Date



Only the signs graphically depicted within this approved Comprehensive Sign Plan are allowed. No additional signs can be added on this property without an approval from authorized City of Black Hawk Representative or City Council, depending on the process to permit additional signs.

101 Main Street, Black Hawk, Colorado

SIGN PROGRAM
7/2/2014



REF.	SIGNS	QTY.	ILLUMINATION	ELEVATION	SO/FT
S1		1	INTERNALLY ILLUMINATED	EAST	12.33 ft²
S2		2	INTERNALLY ILLUMINATED	EAST	11.04 ft²(x2)
S3		1	INTERNALLY ILLUMINATED	NORTH	64.31 ft²
S4		1	INTERNALLY ILLUMINATED	EAST	104.16 ft²
S5		1	INTERNALLY ILLUMINATED	NORTH	12.33 ft²
S6		1	INTERNALLY ILLUMINATED	NORTH	42.00 ft²
S7		1	INTERNALLY ILLUMINATED	EAST	57.23 ft²
S8		1	INTERNALLY ILLUMINATED	EAST	13.75 ft²
S9		1	NON ILLUMINATED	EAST	7.50 ft²
S10		1	NON ILLUMINATED	EAST	6.00 ft²
S11	NOT PART OF THIS CSP DUE TO BEING LOCATED BEYOND 20 FT. OF PUBLIC RIGHT OF WAY				
S12		1	NON ILLUMINATED	EAST	25.00 ft²
S13	NOT PART OF THIS CSP DUE TO BEING LOCATED BEYOND 20 FT. OF PUBLIC RIGHT OF WAY				
S14	NOT PART OF THIS CSP DUE TO BEING LOCATED BEYOND 20 FT. OF PUBLIC RIGHT OF WAY				
S15		1	NON ILLUMINATED	EAST	4.33 ft²
S16		1	NON ILLUMINATED	NORTH	NOT COURTESY AGAINST ALLOWABLE SQUARE FOOTAGE
S17		4	NON ILLUMINATED	VARIOUS	(1.33 ea.) 5.32 ft²
S18		2	NON ILLUMINATED	VARIOUS	(3.0 ea.) 6.0 ft²
S19		1	INTERNALLY ILLUMINATED	NORTHEAST	51.33 ft²
S20		1	INTERNALLY ILLUMINATED	NORTH	62.22 ft²
TOTAL SQUARE FOOTAGE OF COMPREHENSIVE SIGN PLAN:					495.89 ft²
LINEAR FOOTAGE: 535x1.7 BONUS FOR TOTAL SQUARE FOOTAGE ALLOWANCE:					909.5 ft²



S1 DOUBLE FACE INTERNALLY ILLUMINATED CABINET SCALE: 3/4" - 1'-0"
 QUANTITY: 1 MANUFACTURE & INSTALL



SIDE VIEW



S2 SINGLE FACE INTERNALLY ILLUMINATED CABINET SCALE: 3/4" - 1'-0"
 QUANTITY: 2 MANUFACTURE & INSTALL



SIDE VIEW



SIGN SPECS		
A	CABINET	MATERIAL ALUMINUM W/ ROUT-OUT FACES
	LIGHTING	WHITE LED
	PAIN	SHERWIN BLACK
FINISH	GLOSS	
	BACKUP	MATERIAL ACRYLIC
		BACKUP COLOR
VINYL	LAYER	1st SURFACE
	COLOR	3M #3630-84 TANGERINE
B	CABINET	MATERIAL ALUMINUM W/ PUSH-THRU
	LIGHTING	WHITE LED
	PAIN	SHERWIN BLACK
FINISH	GLOSS	
	C	PUSH THRU
BACKUP		#7328 WHITE ACRYLIC
VINYL	LAYER	1st SURFACE ON 3/4" CLEAR
	COLOR	3630-84 & WHITE DIFFUSER

SHOP DRAWING REQUIRED YES NO ENGINEERING DRAWING REQUIRED YES NO



Custom Electric Signs.

Denver Division 303-375-9933
 3770 Joliet Street 303-375-9111 fax
 Denver, CO 80239 www.yesco.com



Address:
 101 MAIN STREET
 BLACK HAWK, COLORADO
 Designer: *[Signature]*
 Sales: RODNEY EATON
 Scale: NOTED
 Versions:
 03.11.13 ORIGINAL DRAWING
 04.04.13 R1: remove S1 from scope - DG
 04.08.13 R2: add S1, remove "black hawk" - DG
 05.15.13 R3: glass black - DG

Landlord Approval:

Date:

Tenant Approval:

Date:

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

IF CHANGING TO WATTAGE, PLEASE REWORK POWER VOLTAGE HERE:

***	***	***	***
VOLTS		AMPS	

THIS DRAWING WAS CREATED TO ASSIST YOU IN VISUALIZING OUR PROPOSAL. THE ORIGINAL DRAWINGS HEREIN ARE THE PROPERTY OF YESCO. PERMISSION TO COPY OR REUSE THESE DRAWINGS CAN ONLY BE OBTAINED THROUGH A WRITTEN AGREEMENT WITH YESCO. SEE YOUR SALES REPRESENTATIVE OR CALL THE NEAREST OFFICE OF YESCO.



MOUNT TO EXISTING SUPPORT(S)

S3 INTERNALLY ILLUMINATED PAN CHANNEL LETTERSET
 QUANTITY: 1 MANUFACTURE & INSTALL

SCALE: 1/8" = 1'-0"



PLAN VIEW

SCALE: 1/8" = 1'-0"

SIGN SPECS	
A	PAN CHANNEL LIGHT TYPE LED
	LIGHT COLOR WHITE LED
FACE	TYPE ACRYLIC
	COLOR WHITE #7328
RETAINER	TYPE TRIM CAP
	SIZE 1"
	COLOR/PAIN BLACK
RETURN	DEPTH 5"
	PAINT PRE-PAINTED BLACK
B	ROUTED FACE TYPE ALUMINUM (MOUNTED ON DECK CABINET FRAME)
	THICKNESS .090"
	PAINT SHERWIN BLACK
	FINISH GLOSS
	BACKUP #7328 WHITE ACRYLIC
VINYL	LAYER 1st SURFACE
	COLOR #3630-84 TANGERINE
C	DECK CABINET MATERIAL ROUTED ALUMINUM ONLY ARCH TO LIGHT
	DEPTH 5"
	PAINT SHERWIN BLACK
	FINISH GLOSS
	LIGHTING WHITE LED
FACE	MATERIAL SEE "B"
SHOP CHARGES REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO ENGINEERING DRAWING REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
GENERAL NOTES:	
ESTIMATING	1 FACE-LIT PAN CHANNEL LETTERSET WITH INTERNALLY ILLUMINATED DECK CABINET
PRODUCTION	ONLY ORANGE ARCH TO ILLUMINATED IN DECK CABINET
ELECTRICAL HOOKUP BY:	NOT INCLUDED



Custom Electric Signs.

Denver Division 303-375-9933
 3770 Joliet Street 303-375-9111 (fax)
 Denver, CO 80239 www.yesco.com



Address:
 101 MAIN STREET
 BLACK HAWK, COLORADO

Designer: *J. Elias*

Sales: RODNEY EATON

Scale: NOTED

Versions:
 03.11.13 ORIGINAL DRAWING
 05.15.13 R1: add deck cabinet to letterset - DB

Landlord Approval:

Date:

Tenant Approval:

Date:

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUMS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

# OF CIRCUITS TO BE USED PLEASE INDICATE YOUR VOLTS HERE	
***	***
VOLTS	AMPS

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S4 INTERNALLY ILLUMINATED PAN CHANNEL LETTERSET
 QUANTITY: 1 MANUFACTURE & INSTALL

SCALE: 1/8" = 1'-0"



PLAN VIEW

SCALE: 1/8" = 1'-0"

SIGN SPECS	
A PAN CHANNEL	LIGHT TYPE: LED LIGHT COLOR: WHITE LED
FACE	TYPE: ACRYLIC COLOR: WHITE #7328
RETAINER	TYPE: TRIM CAP SIZE: 1" COLOR/PAIN: BLACK
RETURN	DEPTH: 5" PAINT: PRE-PAINTED BLACK
B ROUTED FACE	TYPE: ALUMINUM OVERSTYL ON DECK CABINET FRAME THICKNESS: .090" PAINT: SHERWIN BLACK FINISH: GLOSS BACKUP: #7328 WHITE ACRYLIC VINYL LAYER: 1st SURFACE COLOR: #3630-84 TANGERINE
C DECK CABINET	MATERIAL: ROUTED ALUMINUM ONLY ARCH TO LIGHT DEPTH: 5" PAINT: SHERWIN BLACK FINISH: GLOSS LIGHTING: WHITE LED FACE MATERIAL: SEE "B"
<input type="checkbox"/> SHOP DRAWING REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> ENGINEERING DRAWING REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
GENERAL NOTES:	
ESTIMATING	1 FACE-LIT PAN CHANNEL LETTERSET WITH INTERNALLY ILLUMINATED DECK CABINET
PRODUCTION	ONLY ORANGE ARCH TO ILLUMINATED IN DECK CABINET
ELECTRICAL HOOKUP BY:	NOT INCLUDED



Custom Electric Signs.

Denver Division 303-375-9933
 3770 Joliet Street 303-375-8111 Fax
 Denver, CO 80239 www.yesco.com



Address:
 101 MAIN STREET
 BLACK HAWK, COLORADO

Designer: *[Signature]*

Sales: RODNEY EATON

Scale: NOTED

Versions:
 05.15.13 ORIGINAL DRAWING *[Signature]*



Landlord Approval:

Date:

Tenant Approval:

Date:

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

VOLTS: _____ AMPS: _____

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SIDE VIEW

S5 DOUBLE FACE INTERNALLY ILLUMINATED CABINET SCALE: 3/4" = 1'-0"
 QUANTITY: 1 MANUFACTURE & INSTALL



SIDE VIEW

S6 SINGLE FACE INTERNALLY ILLUMINATED CABINET
 QUANTITY: 1 MANUFACTURE & INSTALL

SCALE: 1/2" = 1'-0"

SIGN SPECS		
A	CABINET	MATERIAL ALUMINUM W/ ROUT-OUT FACES
	LIGHTING	WHITE LED
	PAINT	SHERWIN BLACK
	FINISH	GLOSS
BACKUP	MATERIAL	ACRYLIC
	BACKUP COLOR	#7328 WHITE ACRYLIC
	LAYER	1st SURFACE
VINYL	COLOR	3M #3630-84 TANGERINE
B	CABINET	MATERIAL ALUMINUM W/ PUSH-THRU
	LIGHTING	WHITE LED
	PAINT	SHERWIN BLACK
	FINISH	GLOSS
C	PUSH THRU	TYPE 3/4" CLEAR ACRYLIC (5" EXPOSED)
	BACKUP	#7328 WHITE ACRYLIC
	LAYER	1st SURFACE ON 3/4" CLEAR
	COLOR	3630-84 & WHITE DIFFUSER
D	BRACKET	SUPPLIER CUSTOM BUILT
	MATERIAL	STEEL
	ARM TYPE	SQUARE TUBE
	ARM SIZE	4"x4"
	WALL PLATE SIZE	TBD
	PAINT	SHERWIN BLACK
	FINISH	GLOSS
ATTACHMENT	TBD	
SHOP DRAWING REQUIRED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO ENGINEERING DRAWING REQUIRED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		



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Denver Division 303-375-9933
 3770 Joliet Street 303-375-9111 ext 11
 Denver, CO 80239 www.yesco.com



Address:
 101 MAIN STREET
 BLACK HAWK, COLORADO

Designer: *[Signature]*

Sales: RODNEY EATON

Scale: NOTED

Version:
 03.11.13 ORIGINAL DRAWING
 04.04.13 R1: remove S6 - DG
 04.08.13 R2: add S6 - DG
 05.15.13 R3: glass black - DG

Landlord Approval:

Tenant Approval:

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

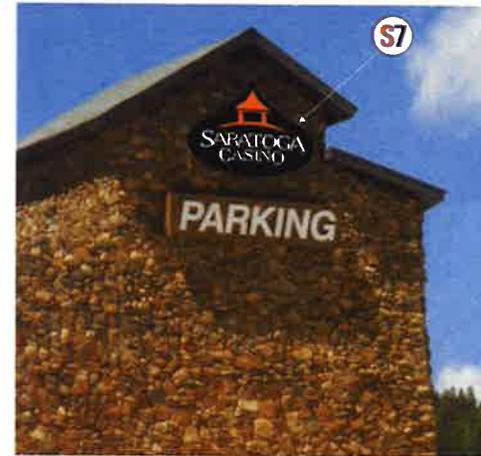
VOLTS: 120 240 277 480
 AMPS: 15 20 25 30 35 40

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SIDE VIEW

S7 SINGLE FACE INTERNALLY ILLUMINATED CABINET SCALE: 3/4" = 1'-0"
 QUANTITY: 1 MANUFACTURE & INSTALL



SIGN SPECS		
A CABINET	MATERIAL	ALUMINUM W/ ROUT OUT FACES
	LIGHTING	WHITE LED
	PAINT	SHERWIN BLACK
	FINISH	GLOSS
BACKUP	MATERIAL	ACRYLIC
	BACKUP COLOR	#7328 WHITE ACRYLIC
VINYL	LAYER	1st SURFACE
	COLOR	3M #3630-84 TANGERINE
SHOP DRAWING REQUIRED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO ENGINEERING DRAWINGS REQUIRED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

YESCO
 Custom Electric Signs

Denver Division 303-375-9933
 3770 Joliet Street 303-375-9111
 Denver, CO 80239 www.yesco.com



Address:
 101 MAIN STREET
 BLACK HAWK, COLORADO
 Designer: *[Signature]*
 Sales: RODNEY EATON
 Scale: NOTED

Version:
 03.11.13 ORIGINAL DRAWING
 04.04.13 R1 increase size of S7 remove SS - DG
 05.15.13 R2: glass black - DG

Landlord Approval:

Date:

Tenant Approval:

Date:

Work Order #: AAA

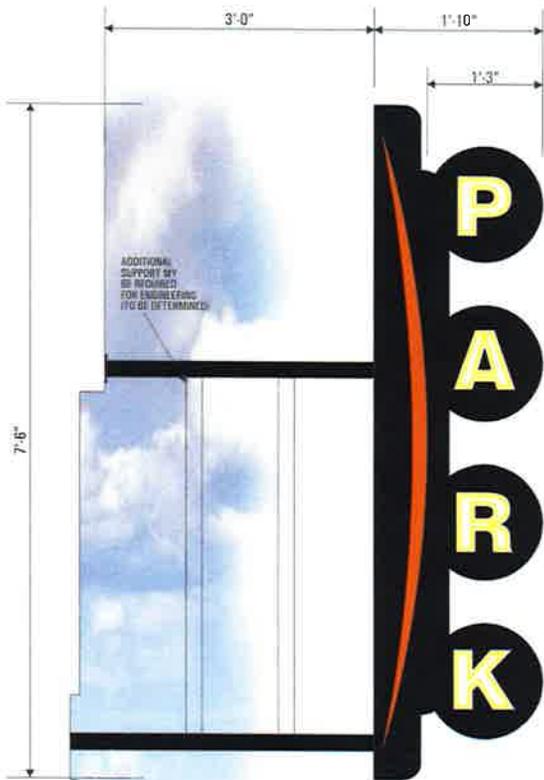
NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

IF CHECKING TO SET YOU PLEASE INDICATE YOUR VOLTAGE HERE:

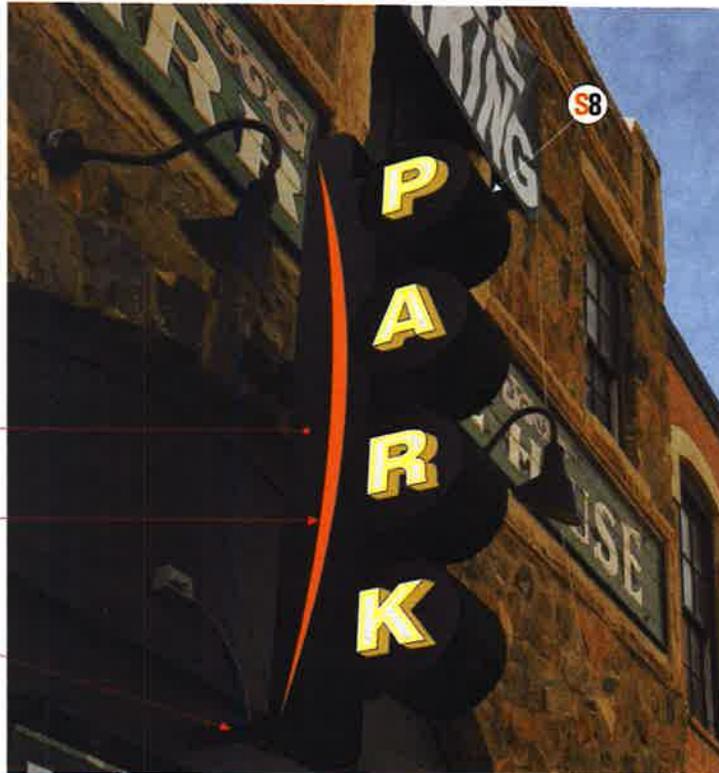
VOLTS: 120 240 277

AMPS: 15 20 30

THIS DRAWING WAS CREATED TO ASSIST YOU IN VISUALIZING OUR PROPOSAL. THE ORIGINAL DRAWINGS HEREIN ARE THE PROPERTY OF YESCO. PERMISSION TO COPY OR REUSE THESE DRAWINGS CAN ONLY BE OBTAINED THROUGH A WRITTEN AGREEMENT WITH YESCO. SEE YOUR SALES REPRESENTATIVE OR CALL THE NEAREST OFFICE OF YESCO.



- REPAIR/REPAINT ALL EXISTING CABINET/STRUCTURE SATIN BLACK
- NEW REFLECTIVE FILM
- NEW MOUNTING BRACKET TO EXTEND PROJECTION



S8 SINGLE FACE INTERNALLY ILLUMINATED CABINET SCALE: 3/4" = 1'-0"
 QUANTITY: 1 MANUFACTURE & INSTALL



Custom Electric Signs

Denver Division 303-375-9933
 3770 Joliet Street 303-375-9111 fax
 Denver, CO 80239 www.yesco.com



Address:
 101 MAIN STREET
 BLACK HAWK, COLORADO

Designer: *[Signature]*

Sales: RODNEY EATON

Scale: NOTED

Versions:
 03.11.13 ORIGINAL DRAWING
 04.04.13 R1: extend projection - DG

Landlord Approval:

Date:

Tenant Approval:

Date:

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

VOLTS			AMPS		
•••••	•••••	•••••	•••••	•••••	•••••

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S9 SINGLE FACE NON-ILLUMINATED FACE REPLACEMENT SCALE: 1" = 1'-0"
 QUANTITY: 1 MANUFACTURE & INSTALL



SIGN SPECS		
A FACE	TYPE	ALUMINUM
	THICKNESS	.090"
	PAINT	SHERWIN BLACK
	LAYER	1st SURFACE
VINYL	COLOR	SEE COLOR KEY
B FACE	TYPE	ALUMINUM
	THICKNESS	.040"
	PAINT	PRE-FINISH BLACK
	LAYER	1st SURFACE
VINYL	COLOR	SEE COLOR KEY
<input type="checkbox"/> SHOP DRAWING REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> INCREASED DRAWING REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

COLOR KEY	
1	VINYL 3M 7225-10
2	VINYL 3M 7225-14 BRIGHT ORANGE

NOTE: UNLESS OTHERWISE NOTED, THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS ON FINISHED DISPLAY. PLEASE REFER TO COLOR-CALLOUTS AND THEIR APPROPRIATE VENDOR SPECIFIED SAMPLES FOR APPROVED COLOR SPECIFICATIONS



Custom Electric Signs

Denver Division 303-375-9933
 3770 Joliet Street 303-375-9111 Fax
 Denver, CO 80239 www.yesco.com



Address:
 101 MAIN STREET
 BLACK HAWK, COLORADO

Designer: *J. J. J.*

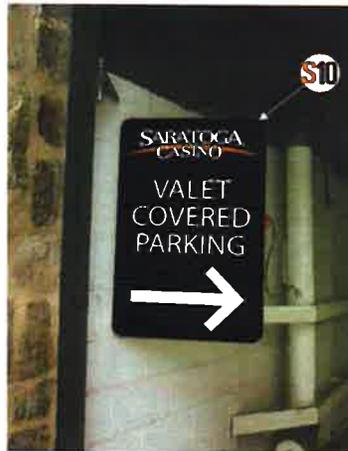
Sales: ROONEY EATON

Scale: NOTED

Versions:
 04.08.13 ORIGINAL DRAWING
 04.15.13 r1: changed as per client notes - DG
 05.15.13 r2: glass black - DG



S10 SINGLE FACE NON-ILLUMINATED FACE REPLACEMENT SCALE: 1" = 1'-0"
 QUANTITY: 1 MANUFACTURE & INSTALL



S11 SINGLE FACE NON-ILLUMINATED FACE REPLACEMENT SCALE: 1" = 1'-0"
 QUANTITY: 1 MANUFACTURE & INSTALL

NOTE: NOT PART OF THIS CSP DUE TO BEING LOCATED BEYOND 20 FT. OF PUBLIC RIGHT OF WAY



Landlord Approval:

Date:

Tenant Approval:

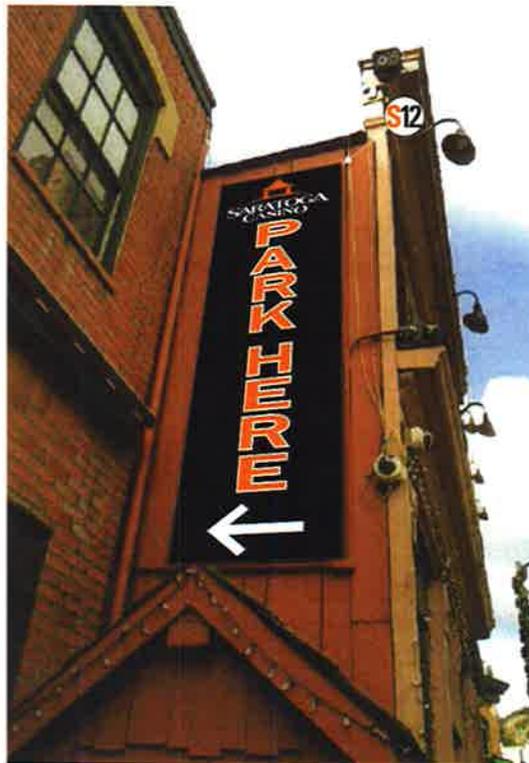
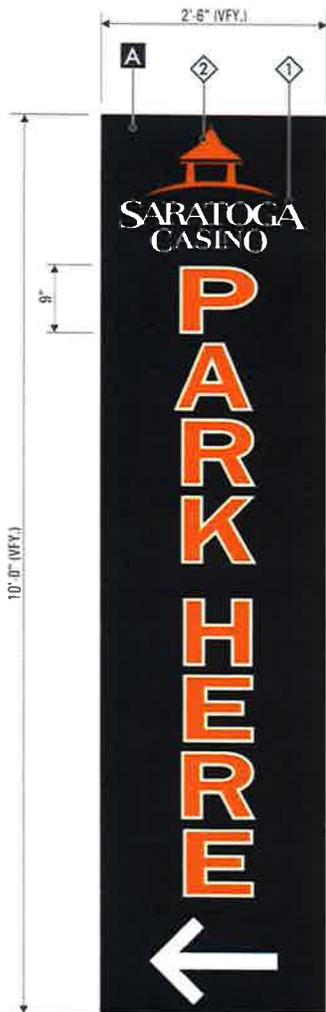
Date:

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

<input type="checkbox"/> THIS SIGN IS NOT TO BE USED UNLESS INDICATED BY THE FOLLOWING:	
VOLTS	AMPS
***	***

THIS DRAWING WAS CREATED TO ASSIST YOU IN VISUALIZING OUR PROPOSAL. THE ORIGINAL DRAWINGS HEREIN ARE THE PROPERTY OF YESCO. PERMISSION TO COPY OR REUSE THESE DRAWINGS CAN ONLY BE OBTAINED THROUGH A WRITTEN AGREEMENT WITH YESCO. SEE YOUR SALES REPRESENTATIVE OR CALL THE NEAREST OFFICE OF YESCO.



SIGN SPECS		
A FACE	TYPE	ALUMINUM
	THICKNESS	.063"
	PAINT	SHERWIN BLACK GLOSS
VINYL	LAYER	1st SURFACE
	COLOR	SEE COLOR KEY
SHOP DRAWING REQUIRED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO FINISHING DRAWING REQUIRED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		

COLOR KEY	
1	VINYL 3M 7725-10
2	VINYL 3M 7725-14 BRIGHT ORANGE

NOTE: UNLESS OTHERWISE NOTED, THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS ON FINISHED DISPLAY. PLEASE REFER TO COLOR CALLOUTS AND THEIR APPROPRIATE VENDOR (SPECOF) SAMPLES FOR APPROVED COLOR SPECIFICATIONS.



Custom Electric Signs.

Denver Division 303-375-9933
3770 Joliet Street 303-375-9111 (fax)
Denver, CO 80239 www.yesco.com



Address:
101 MAIN STREET
BLACK HAWK, COLORADO

Designer: *Travis*

Sales: ROONEY EATON

Scale: NOTED

Versions:
04.06.13 ORIGINAL DRAWING
04.15.13 v1: changed as per client notes - DG
04.15.13 v2: changed font - DG
04.17.13 v3: changed font - DG
05.15.13 v4: gloss black - DG

Landlord Approval:

Date:

Tenant Approval:

Date:

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

VOLTS		AMPS	
...

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S12 SINGLE FACE NON-ILLUMINATED FACE REPLACEMENT
QUANTITY: 1 MANUFACTURE & INSTALL

SCALE: 3/4" = 1'-0"



S13 SINGLE FACE INTERNALLY ILLUMINATED WALL SIGN
 QUANTITY: 1 MANUFACTURE & INSTALL

SCALE: 3/4" = 1'-0"

SIDE VIEW

NOTE: NOT PART OF THIS CSP DUE TO BEING LOCATED BEYOND 20 FT. OF PUBLIC RIGHT OF WAY



S14 SINGLE FACE NON-ILLUMINATED FACE REPLACEMENT
 QUANTITY: 1 MANUFACTURE & INSTALL

SCALE: 3/4" = 1'-0"

NOTE: NOT PART OF THIS CSP DUE TO BEING LOCATED BEYOND 20 FT. OF PUBLIC RIGHT OF WAY



SIGN SPECS		
A PANEL	TYPE	ALUMINUM
	THICKNESS	1/8"
	PAINT	SHERWIN BLACK
	FINISH	GLOSS
VINYL	LAYER	1st SURFACE
	COLOR	SEE COLOR KEY

COLOR KEY		
1	VINYL	3M 7225-10
2	VINYL	3M 7225-14 BRIGHT ORANGE
3	PAINT	SHERWIN BLACK

NOTE: UNLESS OTHERWISE NOTED, THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS ON FINISHED DISPLAY. PLEASE REFER TO COLOR CHARTS AND THEIR APPROPRIATE VENDOR SPECIFIED SAMPLES FOR APPROVED COLOR SPECIFICATIONS



S15 REFURBISH EXISTING CLEARANCE BAR
 QUANTITY: 1 MANUFACTURE & INSTALL

SCALE: 3/4" = 1'-0"



Address:
 101 MAIN STREET
 BLACK HAWK, COLORADO

Designer: *[Signature]*

Sales: RODNEY EATON

Scale: NOTED

Versions:

- 04.08.13 ORIGINAL DRAWING
- 04.15.13 r1: changed as per client notes - DG
- 04.16.13 r2: non-illuminated - DG
- 05.15.13 r3: gloss black - DG

Landlord Approval:

____ Date: _____

Tenant Approval:

____ Date: _____

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RIBS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

IF WALKING TO SIGN, DO NOT TOUCH SIGN OR WALKER HEAD.	
□ □ □ □	VOLTS
□ □ □ □	AMPS

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S16 SINGLE FACE NON ILLUMINATED BANNER SYSTEM
 QUANTITY: 1 MANUFACTURE & INSTALL
 SCALE: 3/4" = 1'-0"
 NOTE: EXTRUSION FRAME IS A 2-PART SYSTEM TO HOLD BANNER IN PLACE & ALLOW FOR CHANGEABILITY

SIGN SPECS		
A	FRAME	MATERIAL ALUMINUM JACKLAND FRAME SYSTEM
	SIZE	3" x 3 1/2"
	PAINT	SATIN ALUMINUM (UNFINISHED)
B	BANNER	COLOR WHITE
	HEMMED	NO
	GROMMETS	NO
	COLOR	DIGITAL PRINT
C	PANEL	TYPE ALUMINUM
	THICKNESS	.090"
	FINISH	MATTE GRAY
	MOUNTING	FLUSH MOUNT TO FASCIA VIA MECHANICAL FASTENERS

GENERAL NOTES:	
ESTIMATING	1 SINGLE FACE NON ILLUMINATED BANNER SYSTEM
PERMIT	32 SQ. FT.
ELECTRICAL	N/A
HOOKUP BY	

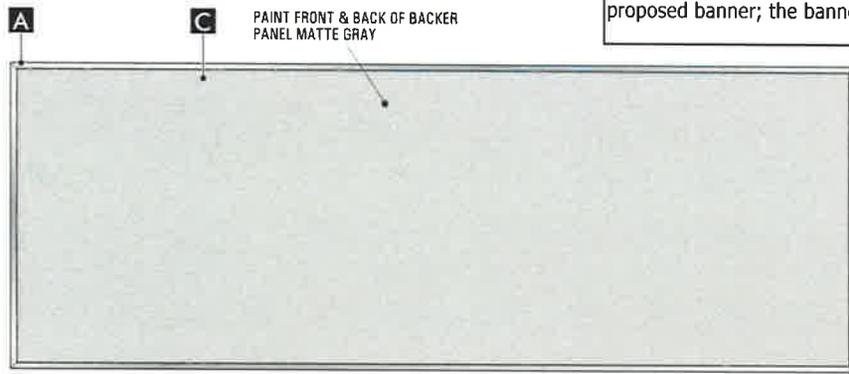
YESCO
 Custom Electric Signs
 Denver Division 303-375-9933
 3770 Joliet Street 303-375-9111 ext. 411
 Denver, CO 80239 www.yesco.com



Address:
 101 MAIN STREET
 BLACK HAWK, COLORADO
 Designer: *Travis*
 Sales: RODNEY EATON
 Scale: NOTED
 Versions:
 05.06.14 ORIGINAL DRAWING *RE*

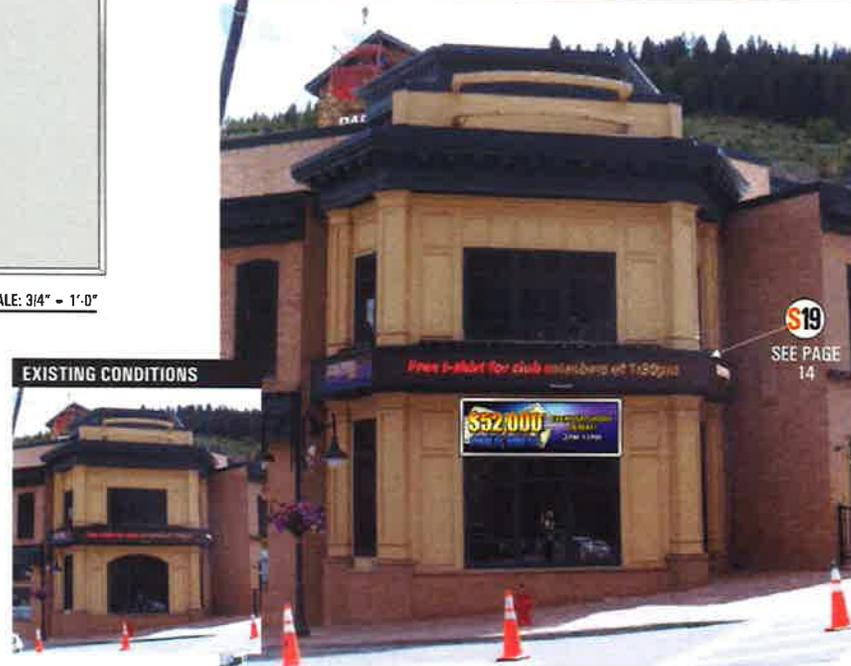
This Comprehensive Sign Plan will permit the use of the banner sign for 30 consecutive days for 6 time periods per, or a total of 180 days.

To prevent a continuous covering of the window facing Main Street and Gregory Street intersection by the proposed banner; the banner, banner frame and backing will be removed when the banner is not in use.



BACK VIEW SCALE: 3/4" = 1'-0"

ART SUPERIMPOSED ON PHOTO - SHOWN AT APPROXIMATE RELATIVE SCALE



Landlord Approval:
 _____ Date: _____
 Tenant Approval:
 _____ Date: _____
 Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

IF YOU PLEASE DO NOT USE PLEASE INDICATE YOUR VOLTAGE HERE:
 VOLTS _____ AMPS _____

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S17 WINDOW GRAPHICS
QUANTITY: 4 MANUFACTURE & INSTALL

SCALE: 3" = 1'-0"



S18 WINDOW GRAPHICS
QUANTITY: 2 MANUFACTURE & INSTALL

SCALE: 3" = 1'-0"



SIGN SPECS		
A	VINYL LAYER	1st SURFACE
	COLOR	SEE COLOR KEY
B	VINYL LAYER	1st SURFACE
	COLOR	DIGITAL PRINT AS SHOWN

COLOR KEY	
1	VINYL 3M 7725-10
2	VINYL 3M 7725-14 BRIGHT ORANGE

NOTE: UNLESS OTHERWISE NOTED, THE COLORS DEPICTED ON THIS RENDERING MAY NOT MATCH ACTUAL COLORS OR FINISHED DISPLAY. PLEASE REFER TO COLOR CALLOUTS AND THEIR APPROPRIATE VENDOR SPECIFIED SAMPLES FOR APPROVED COLOR SPECIFICATIONS.

GENERAL NOTES:	
ESTIMATING	EXTERIOR WINDOW GRAPHICS
ELECTRICAL	N/A
HOOK UP BY:	

NOTE: ACTUAL WINDOWS ARE NOT TINTED. WINDOWS ARE SHOWN DARKER GRAPHICALLY TO DISPLAY SIGNS

YESCO
Custom Electric Signs.

Denver Division 303-375-9833
3770 Joliet Street 303-375-9111 (Fax)
Denver, CO 80239 www.yesco.com



Address:
101 MAIN STREET
BLACK HAWK, COLORADO
Designer: *[Signature]*
Sales: RODNEY EATON
Scale: NOTED
Versions:
05.14.14 ORIGINAL DRAWING *[Signature]*

Landlord Approval:

By: _____ Date: _____

Tenant Approval:

By: _____ Date: _____

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

VOLTAGE IS NOT TO EXCEED INDICATED POWER SUPPLY RATING.			
000	000	000	000
VOLTS		AMPS	

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page 12



S19 EXISTING CORNER EMC
QUANTITY: 1

SCALE: N.T.S.



Custom Electric Signs.

Denver Division 303-375-9933
3770 Joliet Street 303-375-9111 Fax
Denver, CO 80239 www.yesco.com



Address:
101 MAIN STREET
BLACK HAWK, COLORADO

Designer: *[Signature]*

Sales: RODNEY EATON

Scale: NOTED

Versions:
05.28.14 ORIGINAL DRAWING *[Signature]*

Landlord Approval:

_____ Date: _____

Tenant Approval:

_____ Date: _____

Work Order #: AAA

NOTE: UNLESS OTHERWISE NOTED, ELECTRICAL RUNS OR FINAL ELECTRICAL HOOKUP CHARGES ARE NOT INCLUDED. ILLUMINATED DISPLAYS WILL BE WIRED FOR 120 VOLT POWER UNLESS OTHERWISE INDICATED.

VOLTS			AMPS		
***	***	***	***	***	***

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**CERTIFICATE OF
APPROPRIATENESS
FOR PROPOSED
EXTERIOR PAINTING
111 HILLSIDE STREET
(CONTINUED TO AUGUST 13, 2014)**

**CERTIFICATE OF
APPROPRIATENESS
FOR PROPOSED
EXTERIOR PAINTING
220 CHASE STREET
(CONTINUED TO AUGUST 13, 2014)**

**CERTIFICATE OF
APPROPRIATENESS
FOR PROPOSED
EXTERIOR PAINTING
111 MARCHANT STREET
(CONTINUED TO AUGUST 13, 2014)**

**CERTIFICATE OF
APPROPRIATENESS
FOR PROPOSED
EXTERIOR PAINTING
AND NEW GARAGE DOOR
261 CHURCH STREET
(CONTINUED TO AUGUST 13, 2014)**

RESOLUTION 52-2014
A RESOLUTION
ADOPTING THE REVISED
COMMUNITY
RESTORATION AND
PRESERVATION GUIDE
TO PROGRAMS, DATED
JULY 2014

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 52-2014

TITLE: A RESOLUTION ADOPTING THE REVISED COMMUNITY RESTORATION AND PRESERVATION GUIDE TO PROGRAMS, DATED JULY 2014

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The City of Black Hawk Community Restoration and Preservation Guide to Programs, as Revised dated July 2014, attached hereto as **Exhibit A** and incorporated herein by this reference, is hereby approved.

Section 2. The July 2014 City of Black Hawk Community Restoration and Preservation Guide to Programs, as Revised, shall apply to projects commencing after the effective date of this Resolution.

RESOLVED AND PASSED this 23rd day of July, 2014.

David D. Spellman, Mayor

ATTEST:

Melissa Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

CITY COUNCIL MEETING:

July 23, 2014

SUBJECT:

Approval and Adoption of the City of Black Hawk Historic Restoration and Community Preservation Fund Guide to Programs

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The City of Black Hawk strives to maintain the integrity of its Historic Landmark District by providing the best opportunities available for its residents to improve the habitability, rehabilitation and sustainability of the residential homes. This commitment initiated the necessity for more specific standards, resulting in the need to revise, update, and clarify the the City of Black Hawk Historic Restoration and Community Preservation Fund Guide to Programs. On March 12, 2014, the Board of Aldermen reviewed and adopted a new version of the Guide to Programs under Resolution No. 17-2014.

Since that time, additional changes to the program were initiated by City Council. The attached document has been updated by Consilium Partners and City staff. The intent of the proposed changes is to more accurately reflect the current status of the various programs available to the residents of Black Hawk and to clearly outline the process that needs to be followed in order for the residents to take advantage of the programs offered.

This renewed document continues to focus on the enhancements as directed by City Council, but specifically creates a better quality program overall by;

- Addresses “Policy” only, and relocates “Procedure” items to a referenced appendix
- Provides a Definitions page to clarify common terms
- Organizes document for succinctness and clarity
- Incorporates program changes based on current and/or intended application
- Refines the scope and intent of the Categories of Assistance
- Eliminates the “Exterior Maintenance Component” in its entirety
- Adds language giving City staff the authorization to update Exhibit C – Materials Allowance List on an annual basis to allow for any applicable industry-wide material cost adjustments.

RECOMMENDATION:

It is recommended the Board of Aldermen **APPROVE** the City of Black Hawk Historic Restoration and Community Preservation Guide to Programs, with any recommended revisions.

RESOLUTION DATE:

July 23, 2014

ORIGINATED BY:

Community Planning &
Development

STAFF PERSON RESPONSIBLE:

Cynthia Linker, CP&D

DOCUMENTS ATTACHED:

Draft Guide to Programs

CITY ATTORNEY REVIEW:

Yes No N/A

INITIALS C.L.L.

SUBMITTED BY:

Cynthia L. Linker

7/16/14

Cynthia L. Linker, CP&D

REVIEWED BY:

Jack D. Lewis

7/17/2014

Jack D. Lewis, City Manager



**CITY OF BLACK HAWK
HISTORIC RESTORATION AND COMMUNITY PRESERVATION FUND
GUIDE TO PROGRAMS**

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- Exhibit A Preservation Easement Agreement (Deed Restriction)**
- Exhibit B Rehabilitation Grant Agreement**
- Exhibit C Material Allowance List**
- Exhibit D Program Application/Certificate of Appropriateness Application**
- Exhibit E Home Program Outline**
- Exhibit F Referenced City of Black Hawk Resolutions**
- Exhibit G Funding Matrix**

1

Property Owner Initials _____ Date_____

Approved by Resolution ____-2014 on July 9, 2014
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Preservation Guide to Program\Guide to Programs - March to July Compare_REV2_072314.docx

PLEASE TAKE NOTE

THE GRANTS AWARDED UNDER THE GRANT PROGRAM SHALL BE CONSIDERED INCOME UNDER STATE AND FEDERAL INCOME TAX LAWS. MOREOVER, PARTICIPATION IN THE HISTORIC RESTORATION AND COMMUNITY PRESERVATION FUND PROGRAM MAY ALSO SUBJECT YOU TO INCOME TAX LIABILITY.

ANY GRANT THAT IS APPROVED BY THE CITY WILL BE REPORTED TO STATE AND FEDERAL TAXING AUTHORITIES IN THE MANNER PROVIDED BY APPLICABLE LAW. AS THE RECIPIENT OF A GRANT, YOU MAY BE REQUIRED TO PAY INCOME OR OTHER TAXES TO STATE AND FEDERAL AUTHORITIES AS A RESULT OF RECEIVING A GRANT UNDER THIS PROGRAM. AS PART OF THIS PROGRAM AND TO THE EXTENT PERMITTED BY LAW, THE CITY WILL REIMBURSE GRANT RECIPIENTS FOR ADDITIONAL STATE AND FEDERAL TAXES PAID BY RECIPIENTS THAT ARE DIRECTLY ATTRIBUTABLE TO THE DISBURSEMENT OF GRANT FUNDS. REGARDLESS OF THE CITY'S AGREEMENT TO REIMBURSE GRANT RECIPIENTS FOR THE INITIAL STATE AND FEDERAL TAX BURDEN OF A GRANT, THE OBLIGATION TO PAY ANY TAXES SHALL REMAIN THE RESPONSIBILITY OF THE GRANT RECIPIENT. PLEASE CONTACT YOUR TAX ADVISOR CONCERNING ANY POTENTIAL TAX LIABILITY THAT YOU MAY HAVE AS A RESULT OF RECEIVING ANY OF THE GRANTS DESCRIBED IN THIS PROGRAM.

MOREOVER, IF YOU ELECT TO APPLY TO PARTICIPATE IN THE HISTORIC PRESERVATION AND RESTORATION EASEMENT PROGRAM, YOU SHOULD ALSO CONTACT YOUR TAX ADVISOR CONCERNING ANY POTENTIAL TAX LIABILITY THAT YOU MAY HAVE AS A RESULT OF RECEIVING ANY OF THE BENEFITS DESCRIBED IN THE HISTORIC PRESERVATION AND RESTORATION EASEMENT PROGRAM.

NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, THE CITY SHALL HAVE NO RESPONSIBILITY OR LIABILITY CONCERNING ANY TAX LIABILITY OF A RECIPIENT OF GRANT FUNDS OF BENEFITS RECEIVED UNDER THE HISTORIC RESTORATION AND COMMUNITY PRESERVATION FUND PROGRAM.

2

Property Owner Initials _____ Date _____

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SECTION 1: PROGRAM OVERVIEW

a. BACKGROUND

The Constitution for the State of Colorado provides that a portion of the gaming tax revenues be returned to the City of Black Hawk, specifically for restoration and preservation of the City of Black Hawk. The City of Black Hawk established the Historic Restoration and Community Preservation Fund (Fund) to assist residential property owners within the City. The Black Hawk Historic Restoration and Community Preservation Fund Guide to Programs (the "Program") is intended to assist property owners in the rehabilitation and preservation of residential properties. This specifically includes the ability to keep the houses in the City that are defined as Qualified Properties (per Section 1.c) as functional, sustainable, and habitable. Property Owners, as set forth below, have two options for funding assistance in the rehabilitation and preservation of properties, which may be combined. The Historic Preservation Easement Program is further described and defined in Section 3 of this Guide to Programs document, and the Rehabilitation Grant Program is further described and defined in Section 4 of this Guide to Programs document.

b. PURPOSE

The City has established goals to preserve the City's architectural character with exterior improvements to buildings, while also assuring that the residences and any Qualified Properties are habitable. In order to attain these goals, the City seeks to preserve as many of the City's structures as possible in accordance with Colo. Rev. Stat. § 12-47.1-1202. The purpose of the fund, therefore, is to provide financial assistance that will promote the restoration and preservation of Black Hawk's Qualified Properties and to provide for the continuation and enhancement of a functional, sustainable, healthy and vibrant Black Hawk residential community.

This program is intended to enhance certain select areas of the City by providing Property Owners with the resources needed to rehabilitate and historically preserve Qualified Properties. The use of funds pursuant to the Program is only for the specific property address and work program recommended by the Historic Preservation Commission (HPC) and approved by the City Council, which is consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties, and complies with the City of Black Hawk Residential Design Guidelines.

c. DEFINITIONS

1. Bed and Breakfast: A residential dwelling unit that provides sleeping accommodations for hire, for thirty (30) days or less, on a day-to-day basis, with one (1) or more meals per day included, at which an owner, manager or lessee of the property resides on the premises. Such use shall not include residential dwelling units with two (2) or more rental rooms or facilities which include retail or commercial activities of any kind. Commercial properties without a resident owner are not eligible for this Program.
2. Board of Aldermen: An elected six-member panel authorized with decision-making powers for the governance of the City of Black Hawk.

3

Property Owner Initials _____ Date _____

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3. Boundary Line Agreement: A formal document signed by the affected Property Owners documenting and agreeing upon the location of all property boundaries.
4. Building Official: The City official charged with the responsibility of administering and enforcing the City's building codes.
5. Certificate of Appropriateness (COA): The official document issued by City Council approving an application or permit for the erection, moving, demolition, alteration or addition to, or the external construction or external restoration of a historic landmark. A COA, once issued, will expire under the same conditions as its associated building permit. A recommendation for approval must be provided by HPC.
6. City Council: The elected Board of Aldermen, plus the Mayor.
7. City of Black Hawk Residential Design Guidelines: Guidelines developed to help achieve the goal of preserving the City's character with exterior improvements to buildings. Please contact City staff for a copy of these Guidelines.
8. City Staff: An employee of the City of Black Hawk.
9. City Manager: The City Manager is the chief administrative officer for all departments of the City, is appointed by the City Council and shall have and exercise all the administrative powers vested in the City.
10. General Contractor: The contracting company selected to oversee and manage the construction work.
11. Construction Hard Costs: Costs related to labor, materials, and overhead.
12. Construction Soft Costs: Costs related to fees, permits, insurance, and other costs not directly related to the physical installation of the scope of work.
13. Contributing Structure: Any building, structure, or object included on the property which adds to the historical integrity or architectural qualities that make the historic district significant and is used for defining context and which retains a significant amount of its physical integrity and character-defining features.
14. Designated Historic Resource: A public or private building, home, replica, structure, object, property, park or site that has importance in the history, architecture, archeology or culture of the City, State or Nation, as designated by the Historic Preservation Commission and City Council.
15. Escrow Account: An account established by the Property Owner to fund any additional costs for the project which are not covered through the Historic Restoration and Community Preservation Fund. Costs must be pre-paid into the account prior to the start

4

Property Owner Initials _____ Date _____

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of construction.

16. Flood Plain: Also known as a flood zone. An area defined by FEMA according to varying levels of flood risk and type of flooding.
17. Guide to Programs: This policy and procedures document, related to the Historic Restoration and Community Preservation Fund.
18. Historic Preservation Commission (HPC): A five-member appointed panel charged with the review and recommendation of modifications to the historic components of the City of Black Hawk.
19. Historic Preservation Easement: A permanent easement recorded at the conclusion of the program from the Property Owner to the City of Black Hawk which relates to the historic improvements on the property and requires these be retained and maintained for the life of the structure.
20. Injunctive Relief: A court-ordered act or prohibition against an act or condition which has been requested, and sometimes granted, in a petition to the court for an injunction.
21. Liquidated Damages: Monetary compensation for a loss, detriment, or injury to a person or a person's rights or property, awarded by a court judgment or by a contract stipulation regarding breach of contract. The purpose is to establish a predetermined sum that must be paid if a party fails to perform as promised.
22. National Historic District Landmark: All properties within the Historic Residential District zoning designation are included within the National Historic District Landmark. The full boundaries of this Landmark District can be obtained from City staff.
23. National Historic Landmark Period of Significance: 1859 to 1918.
24. Noncontributing Building: A building, regardless of age, that has lost its integrity. These buildings do retain value as residential or commercial properties, but do not possess the significance and/or physical integrity necessary to be listed as contributing.
25. Outbuildings: Accessory structures to the original building which may or may not be included as part of the Qualified Property. Improvements to these structures will be at the discretion of the City.
26. Owners Representative: An entity designated by the Owner (City of Black Hawk and/or Property Owner) to act on their behalf in administering the contract documents, coordinating design professionals, overseeing construction progress, and reviewing paperwork required as part of the Program.
27. City of Black Hawk Historic Preservation Easement Program (Preservation Easement): A funding source from the City of Black Hawk which is administered via direct contract

5

Property Owner Initials _____ Date _____

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between the City and General Contractor. Work is completed via construction easements granted by the Property Owner. See Section 3 for additional information.

28. Program: The Black Hawk Historic Restoration and Community Preservation Fund.
29. Property Owner (Owner): Property owner per recorded City documents, or designated representative as provided with written permission via a signed and notarized "Affidavit of Permission" or "Power-of-Attorney" from the Property Owner.
30. Qualified Professional: An individual licensed or appropriately experienced in the discipline within which a recommendation is needed.
31. Qualified Properties: Properties within City limits which were constructed more than fifty (50) years prior to the date of the application and are designated as a national landmark or within a national historic landmark district. NOTE: Properties may have both historic and non-historic components; however, the intent of the Program is only for the historic portion of the structure.
32. Rehabilitation Grant Program (Rehab Grant): A funding source from the City of Black Hawk which is administered via direct contract between the Property Owner and General Contractor. See Section 4 for additional information.
33. Roadway Easement: An easement provided by the City of Black Hawk for road and utility work within the public right of way adjacent to the property. Also applicable when portions of the existing structure are located within the public right of way.
34. Secretary of the Interior Standards: The United States Secretary of the Interior's Standards for Treatment of Historic Properties.
35. Substantial Completion: The stage in the progress of the work when the work, or designated portion thereof, is sufficiently complete in accordance with the contract documents so that the owner can occupy or utilize the work for its intended use.
36. Temporary Construction Easement: A legal document providing the Grantee (City of Black Hawk) with full access to the property under consideration for the purpose of completing the scope of work. The easement is only valid for the duration of the construction period.
37. Temporary Use Permit: A permit issued by the City of Black Hawk to allow private property to be used for alternate uses (storage, staging, etc.) for a limited amount of time.
38. City Trade Contract Agreement: An agreement signed by the City of Black Hawk and the successful General Contractor detailing the contract terms for any construction work as part of the Preservation Easement Program.
39. Property Owner Trade Contract Agreement: An agreement signed by the Property Owner

6

Property Owner Initials _____ Date _____

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and the successful General Contractor detailing the contract terms and alternates for any construction work as part of the Rehabilitation Grant Program.

d. PROGRAM GOALS

The goal of the Historic Restoration and Community Preservation Fund Program is to promote the restoration and preservation of Qualified Properties through proper rehabilitation, which includes making Qualified Properties habitable and sustainable. The exterior of the structures must be maintained and preserved with materials that comply with the City of Black Hawk Residential Design Guidelines, and by methods consistent with those that will allow the structure to remain as a contributing structure in the historic district. Historically significant exterior and interior finishes are expected to remain on each property. Evaluation, approval and rehabilitation of homes will be reviewed on a case-by-case basis in accordance with the applicable standards, laws, and regulations approved by the City, including this Guide to Programs.

For further guidance regarding the long-term preservation, maintenance, and proposed improvements on a property, please consult with professional staff in the Community Planning and Development Department. Additional information concerning structural and architectural improvements can be found in the City of Black Hawk Residential Design Guidelines, which is consistent with the Secretary of the Interior’s Standards for Treatment of Historic Properties, also available from the Community Planning and Development Department.

e. GENERAL PROGRAM INFORMATION

The following considerations apply to all activities proposed and/or covered by the Program:

1. Projects will only be selected and authorized upon completion of an application in accordance with the requirements described in this Guide to Programs.
2. Careful consideration should be given in preparing the application. The quality of the application will be considered as indicative of the Property Owner’s ability to accomplish the proposed project. Careful consideration will also be given to a Property Owner’s past performance in prior projects including, but not limited to, the use of a grant and the accomplishment of a prior project. Additionally, the manner of upkeep and routine maintenance performed by the Property Owner at the property will be taken into account by the City Council.
3. The City Council shall have the authority in its sole discretion to deny any application submitted for a grant or easement project if, in their opinion, the Property Owner has neglected to adequately maintain their property allowing it to become in a state of disrepair.
4. Failure to sign and enter into the necessary legal agreements will disqualify Applicants from participation in the program. Agreements-An Addendum to Application agreeing to be bound by the program requirements must be signed within ~~30~~seven (7) days of the Orientation Meeting (see Appendix 1). All Grant Program Agreements will be signed

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prior to issuance of Notice to Proceed to the general contractor.

5. The City of Black Hawk expressly reserves the right to reject any or all applications, reduce the application amount, and request additional information to assist in the thorough review of any application. Failure of a Property Owner to comply with this Guide to Programs on a prior project, to properly use a grant for a prior project, to administer a prior project, and to accomplish a prior project may be a basis to reject or deny an application.
6. The award of any grant to a Qualified Property, regardless of funding type, shall only occur once per Category of Assistance. Additionally, only one request may be made within any one-year period, and is subject to the availability of grant funds, which are allocated by the City Council of the City of Black Hawk in the exercise of its sole discretion, and is further subject to the annual budget and appropriation of the Historic Restoration and Community Preservation Fund by the City Council of the City of Black Hawk. Once a grant has been awarded for a Full Site and Building Component, as further defined in Section 2 of this document, the interior is no longer eligible to receive additional grants under this particular component/Category of Assistance.
7. Once a Property Owner has submitted an application to the City of Black Hawk for any of the Categories of Assistance, the Property Owner's name and address will be placed (first-come, first served basis) on the list of potential recipients for such grant category. If such property is subsequently sold to a new owner, the new owner's name shall remain in the same priority if the new owner makes a request in writing within 45 days of the date of notification as set forth herein. The Community Planning and Development Department shall notify the new owner of the property of the opportunity to have the property stay on the list of upcoming grant or easement projects. The new Property Owner shall have 45 calendar days to respond to the City's request. If the new Property Owner does not notify the City of Black Hawk in writing within the 45 days after receiving the notification letter, the original application from the previous Property Owner will be deemed of no effect.

If a Property Owner owns multiple Qualified Properties, an application may be made for each individual property. Properties will be placed on the list of potential recipients in the order in which the applications are received. The order of properties to receive grant funds, if owned by the same Property Owner and in sequential order on the grant approval list, may be modified from the order of application. Non-sequential properties owned by the same Property Owner may not be modified from the order of application.

8. Applications can only be made by the Property Owner, as defined in this Section.
9. This program is not intended for, and should not be used as a substitute for, routine maintenance and care of a house, structure, or prior improvements to the home and/or property. Additionally, all improvements to a Qualified Property that are funded by this grant program need to be appropriately and consistently maintained by the Property Owner. All improvement(s) should be maintained in conformance with manufacturers'

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standards of normal care for such improvement. Furthermore, no Category of Assistance included in this program is to be utilized as a substitute for a Property Owner's property insurance policy.

10. In the event the City makes certain expenditures to benefit a property in reliance upon a signed application, including but not limited to the creation of any and all Construction Documents and fees for Owners Representative services, the Property Owner agrees to be bound by the terms and conditions contained in the Historic Restoration and Community Preservation Fund Guide to Programs and to complete the project set forth in the application. Property Owner further agrees that in the event he/she decides not to proceed with construction of the project, Property Owner shall be responsible for reimbursing the City for actual costs incurred by the City for items including but not limited to the creation of any and all Construction Documents, fees for Owners Representative services, and any other costs actually incurred.

11. All projects, whether via contract with the City or Property Owner, shall commence construction within twelve (12) months of the award of any grant funds for a project, and will have twelve (12) months to complete the work after the project has begun. The beginning of a project is the date of issuance of the building permit for the project. The end of the project is the expiration date (one (1) year after issuance of the building permit), and same date that all available and approved funds should be requested from the City, with appropriate and required receipts and documentation, on or before that day. Unless the City Council approves an extension of the expiration date, any funds remaining at the end of the project shall revert to the Historic Restoration and Community Preservation Fund for use on other projects. In the event the Contractor/Property Owner fails to obtain a building permit and commence construction of a project within twelve (12) months of the grant award, the grant funds shall revert to the Historic Restoration and Community Preservation Fund for use on other projects and the property/project will move off the list of upcoming projects for the Historic Restoration and Community Preservation Fund Program.

~~11.~~ 12. It is the responsibility of the Property Owner subject to any grant agreement being completed to keep the improvements paid for with the City-approved grant installed and on the property for a minimum of five (5) years. Changes to the grant-paid improvements shall not be allowed (both internal and external to the building and site) for the next five (5) years upon the completion date of the last disbursement of funds from the City for the Rehabilitation Grant.

f. GENERAL EVALUATION CRITERIA

1. The City's decision to approve an application will be based on the Criteria for Selection included in, but not limited to, Appendix 1 of this Guide to Programs for any proposed project and the support that the project provides to the advancement of the City's restoration and preservation goals. In addition to the discretionary Criteria, priority may be given to applications that will:

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- A. Substantially improve the visual appearance of neighborhoods, streetscape or an individually significant Qualified Property.
 - B. Demonstrate proper rehabilitation techniques based on preservation and restoration principles.
 - C. Demonstrate previous proper maintenance and upkeep of the property including all required payments to the City and/or other governmental agency.
 - D. Undertake critically needed improvements, restoration, and preservation of properties.
2. The listed general considerations include, but are not limited to the following, and will be taken into account in reviewing and evaluating all requests for assistance from the Program:
- A. The significance of the property involved.
 - B. The physical condition of the property.
 - C. The quality of maintenance and repairs made to the property.
 - D. The quality of the proposal and the completeness of the application.
 - E. The likelihood of satisfactory completion and previous proper maintenance of the property and its improvements.

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SECTION 2: CATEGORIES OF ASSISTANCE

a. CATEGORIES OF ASSISTANCE

The Historic Restoration and Community Preservation Fund Grant Program includes five (5) components of assistance, which may be combined into any one grant application and/or award.

- 1. Full Site and Building Component
- 2. Site Work Component
- ~~3. Exterior Maintenance Component~~
- ~~4.3~~ Emergency Component
- ~~5.4~~ Radon Mitigation Component

All work conducted through the grant program shall be completed in accordance with the standards and specifications listed in the appropriate component/section in the Appendix of the Guide to Programs.

b. DESCRIPTION OF COMPONENTS

1. Full Site and Building Component

The Full Site and Building Component is available to provide exterior and interior rehabilitation, stabilization and repair of Qualified Properties and may include multiple Categories of Assistance. Funding for a Full Site and Building Category of Assistance ~~may be required to~~ be achieved through a Preservation Easement and Rehabilitation Grant, ~~or entirely through a Rehabilitation Grant~~. Once funding has been awarded for a Full Site and Building Component, the interior is no longer eligible to receive additional funding under this component. Tree removal may be included as a part of the Full Site and Building Component if such removal is determined to be necessary by the City Council, after a recommendation by HPC. Any such approved tree removal shall be included in the scope of work. Please consult with City staff and the Owners Representative to fully understand how a specific request for this component will be processed.

2. Site Work Component

The Site Work Component is available for site stabilization and structural support, site drainage, and site remediation of Qualified Properties. Projects may include rock wall construction or other types of retaining structures to stabilize or support a site, or site drainage projects to allow for appropriate drainage to or from a site. It is the intent of the program to repair native rock walls as much as possible, rather than replace, per the City of Black Hawk Residential Design Guidelines. Tree removal may be included as part of the Site Work Component if such removal is determined to be necessary by the City Council, after a recommendation by HPC.

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Also included are site remediation projects to remove contaminated mine tailings, which have been identified as presenting a danger to public health and safety.

Additionally, the Site Work Component may include the addition of a fence to secure the perimeter of a particular property, and will typically include one gate in order to provide access to the property. If an additional gate and/or gates are required in order to provide for a functional perimeter fence system, the cost for these additional gate(s) may be covered by the Historic Restoration and Community Preservation Fund if deemed appropriate and approved by the City Council.

Site Work Component funding may be available to previous Program Grant recipients experiencing drainage related problems not previously addressed by a civil engineer in the previous rehabilitation process. Applications will be reviewed by the City Council on a case-by-case basis.

At least three (3) detailed bids will be required to be requested from qualified and financially sound General Contractors. General Contractors must be on the City Pre-Qualified Contractors list, or meet all pre-qualification requirements prior to execution of a contract. The City and/or the Owners Representative, appointed by the City, may assist the Property Owner with the procurement of three (3) detailed bids, in order to ensure that all bidders are qualified, financially sound and provide pricing for the same scope of work to be performed.

A Site Work Component grant may only be considered on a case-by-case basis by the City Council [via Certificate of Appropriateness](#) after a recommendation by HPC. In the event a Full Site and Building grant is awarded within three (3) years of the City Council awarding a Site Work grant, the Property Owner agrees to reimburse the City in full the total amount awarded on the Site Work Grant for construction hard costs only, prior to the award of the Full Site and Building grant.

The award of a Site Work Component grant may be contingent on the recommendation of a City-selected design professional for those scopes of work which would require engineering or design drawings and permits, such as retaining walls and rock wall improvements.

Please consult with City staff and the Owners Representative to fully understand how a specific request for this component will be processed.

~~3. Exterior Maintenance Component~~

~~The Exterior Maintenance Component is provided for Qualified Properties to allow painting and minor exterior repairs of siding, woodwork, gutter work, stairs, railings, porches, decks and trim boards due to exposure to the weather and elements. Portions of the building which are not considered part of the Qualified Property are not intended to be addressed with grant funds. City staff will determine what scopes of work are to be included within the approved application request, and may retain a design professional as needed.~~

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~~At least three (3) detailed bids will be required to be requested required from qualified and financially sound General Contractors. General Contractors must be on the City Pre-Qualified Contractors list, or meet all pre-qualification requirements prior to execution of a contract. The City and/or the Owners Representative appointed by the City may assist the Property Owner with the procurement of three (3) detailed bids, in order to ensure that all bidders are qualified, financially sound and provide pricing for the same scope of work to be performed.~~

~~An Exterior Maintenance Component Grant may only be considered on a case-by-case basis by the City Council after a recommendation by HPC. Appeals (from the Property Owner) of such decisions/requirements by the City shall be to the City Council for review and determination. Any proposed exterior painting on the home must be done with colors approved in accordance with Section 16-368 of the Municipal Code. Reimbursement may only be requested subject to funding availability, and only if the request complies with the standards for exterior paint.~~

~~In the event a Full Site and Building grant is awarded within three (3) years of the City Council awarding an Exterior Maintenance Component grant, the Property Owner agrees to reimburse the City in full the total amount awarded on the Exterior Maintenance Component grant for construction hard costs, prior to the award of the Full Site and Building grant. An Exterior Maintenance Component grant may only be awarded to a Qualified Property once every five (5) years. Preparation and painting must be in compliance with the standards/specifications included in Appendix 2 of the Guide to Programs. Please consult with City staff and Owners Representative to fully understand how a specific request for this component will be processed.~~

4.3. Emergency Component

The Emergency Component was created to provide relief for owners of a Qualified Property that experience an emergency defined as unexpected life safety or habitability issues that warrant the need for immediate attention for repair or replacement, and may also cause damage to other portions of the residence.

This component is not to be utilized as a substitute for routine maintenance tasks, or for issues that do not threaten the historic structure on the property. Replacement of forced air furnaces, water heaters and/or boilers may be considered if they are determined to be at least 10 years old. Please note that the intent of this component is only to completely replace items such as forced air furnaces, water heaters and/or boilers if it is determined by a qualified professional approved by City staff that a complete replacement will be more cost effective than replacement of individual system components, which is considered a routine maintenance task to be completed and paid for by the Property Owner. A determination by a qualified professional approved by City staff that the life safety or habitability issue referenced in the grant application is a result of a property owner's lack of routine maintenance and/or neglect of a specific building system component will be grounds to deny any requested Emergency Component grant. Items included in this component may include (but are not limited to): replacement of water

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heaters, boilers and furnaces, gas line and/or water pipe repair/replacement within the home, site utility repair/replacement, roof leak repair/replacement, and tree removal.

In addition, this component is not intended as a substitute for the Property Owner's homeowner insurance, and the City will request documentation indicating that an insurance claim was filed and subsequently denied prior to awarding a grant under this component. Back-up information and records will be requested before presenting a proposed Emergency Component grant to the City Council.

An Emergency Component grant will only be considered when the problem is truly an emergency as determined by the City Council upon review of the required documentation. A sum of funds approved by the City Council may be awarded as a reimbursement for items that have already been replaced or repaired, at the sole discretion of the City Council. Itemized receipts will be required with each invoice submitted. An Emergency Component grant will not be awarded for any item that has previously been the subject of an Emergency Component grant approval.

The Property Owner is responsible for providing the information as described above and the City shall be notified in writing of the emergency within 14 calendar days (upon discovery) of the date of the emergency. The grant application shall be submitted within 45 calendar days of the date of discovery of the emergency. The Property Owner is then required to sign a Rehabilitation Grant Agreement upon scope approval by the City Council.

The Property Owner is responsible to ensure that an application for any required permit(s) are submitted for all work associated with the project, and that no work or construction on the property takes place until there are approved permit(s) for the work issued by the City. The only exception to this is when repairs must be made immediately to address life safety. In this case, permits must be applied for within three (3) business days after commencement of such repairs.

An Emergency Component grant may only be considered on a case-by-case basis by the City Council of the City of Black Hawk.

If the application for an emergency grant is not received by Community Planning and Development from the Property Owner within the time specified herein, the application shall be denied.

Please consult with City staff and the Owners Representative in order to fully understand how a specific request for this component will be processed.

5-4. Radon Mitigation Component

The goal of the Radon Mitigation Component is to assist Property Owners with radon mitigation in their homes in order to promote the safety, health and wellbeing of all its residents as well as improve the livability of the historic homes within the City limits. If

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a Property Owner tests for radon and discovers that the levels in their home exceed the recommended 4 pCi/L level, the program will reimburse the Property Owner up to, but not exceeding, \$500 of the expenses associated with the installation of a radon mitigation system.

Please consult with City staff and the Owners Representative in order to fully understand how a specific request for this component will be processed.

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SECTION 3: HISTORIC PRESERVATION EASEMENT PROGRAM

a. GUIDELINES FOR THE CITY OF BLACK HAWK HISTORIC PRESERVATION EASEMENT PROGRAM

If a Property Owner chooses to participate in the City of Black Hawk Historic Preservation Easement Program (“Preservation Easement”), the following provisions and criteria shall apply:¹

1. The work must be consistent with the Secretary of the Interior’s Standards for Treatment of Historic Properties. A Certificate of Appropriateness is always required with all projects. The Property Owner shall work with the Architect and his/her design team, City staff, Owners Representative and/or other appropriate staff or consultants to assist in proposing that historically significant finishes and materials, and character defining features (exterior only) are to remain, or be addressed appropriately in accordance with the standards and guidelines.
2. A Qualified Property cannot receive more than one (1) grant in each category, or in this case, approval of an application within the Preservation Easement Program within any one-year period.
3. A Qualified Property must be located within a national historic landmark district, or within an area listed on the national register of historic places.
4. Structures must have been originally constructed more than fifty (50) years prior to the date of the application.
5. Applications shall not be accepted from a private individual that does not own the residential property that is to be restored or preserved. Applications shall only be accepted from a defined Property Owner.
6. Funding shall only be made to a defined Property Owner.
7. A Preservation Easement Program application shall not be made for more than one (1) year at a time.
8. A member of the City Council of the City of Black Hawk and members of HPC shall disclose any personal interest in the program before voting on the application.
9. For any Project that expends funds in excess of fifty thousand dollars (\$50,000.00), the

¹ An Applicant should be aware that the provisions of the Historic Preservation Easement Program, while in many respects is similar to the Rehabilitation Grant Program, does differ in many significant respects because of the fact any project under the Historic Preservation Easement Program will be a City of Black Hawk project. Please refer to the matrix provided by City staff for a delineation of the various differences between the two programs.

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Property Owner shall not sell the property within five (5) years of the date the Project's Date of Substantial Completion. If the Property Owner sells property within five (5) years of the date the Project's Date of Substantial Completion, the Property Owner agrees to pay the City the "increased value" of the property on a pro-rated basis as follows:

- A. The amount to be paid shall equal the amount of the "increased value" of the property less an amount equal to one-fifth (1/5) of the amount of the "increased value" of the property for each full year occurring between the date the Project is substantially complete and the date of the sale or transfer of the property.
- B. The "increased value" of the property shall be determined in the following manner:
 - i. At the beginning of the Project, before any work has begun, the home's "pre-Project value" shall be determined by a certified appraiser chosen by the City.
 - ii. The "increased value" shall be calculated by subtracting the "pre-Project value" from the price paid by the purchaser of the property subsequent to completion of the Project.

10. Property Owner shall grant to the City a Historic Preservation Easement, and agree to encumber the property with the Easement, and the Property Owner shall further grant to the City the associated Temporary Construction Easements on the property that is the subject of the Project. Please note the Historic Preservation Easement is transferrable to any new Property Owner in perpetuity.

~~11. The City of Black Hawk provides for reimbursement of a Property Owner's state and federal income tax liability in association with the receipt of a Preservation Easement, per Resolution 10 2010 (see Exhibit G). The City encumbers dollars in its accounting system to accommodate payment of the tax reimbursement. The Property Owner is responsible for completing the necessary paperwork for such payment and delivering to the City of Black Hawk Finance Department. A Property Owner shall be required to submit documentation for the tax payment reimbursement during the calendar year(s) following the receipt of the funds. If the reimbursement has not been requested within the time limits set forth herein, the encumbered funds will no longer be available to the Property Owner for state and federal tax payment reimbursement and such encumbered funds will be reallocated back into the City budget for other purposes. Property Owners may seek partial reimbursement for state income tax liability through the Colorado Historic Preservation Income Tax Credit, based on fund availability and subject to approval.~~

~~12-11.~~ Awards will be made to owners of property within the City of Black Hawk at the sole discretion of the Board of Aldermen, and subject to the annual budget and appropriation of the Historic Restoration and Community Preservation Fund by the Board of Aldermen of the City of Black Hawk.

b. CITY CONTROLS

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1. Property Owners with eligible property must submit a program application to the City (see-Exhibit D).

A. In addition to proving eligibility, the application provides information regarding the location of the property to be restored and the extent of restoration proposed.

B. The application shall state:

APPLICANT UNDERSTANDS AND AGREES THAT PRIOR TO ANY CONSTRUCTION, APPLICANT SHALL GRANT TO THE CITY A TEMPORARY CONSTRUCTION EASEMENT NECESSARY TO COMPLETE THE WORK, AND SHALL EXECUTE A DEED RESTRICTION IN FAVOR OF THE CITY IN THE FORMS ATTACHED HERETO AS EXHIBIT A.

2. Along with the approval of an application by the City, owners must enter into legal agreements with the City which describe the terms for participation in the Preservation Easement Program. Participation in the Preservation Easement Program requires a Preservation Easement Agreement. A copy of this document is included in Exhibit A. The Agreement indicates that:

a. The City and Property Owner will agree to the specific scope of the project as described in the construction drawings and project manual and schedule of the Project, and the City will send the Project out to bid to at least three (3) pre-qualified and financially sound General Contractors.

b. The City selects the General Contractor(s) (which means that the General Contractor for this portion of the project could be different from the Property Owner's Rehabilitation Grant Contractor selected by the Property Owner), uses a City-selected Owners Representative, negotiates the schedule, and pays the approved General Contractor(s) directly from the Program Funds. It is strongly recommended that the Property Owner use the same General Contractor for any Rehabilitation Grant work that is separately contracted.

3. Program Funds will be expended on the Project in exchange for Property Owner's execution of a Historic Preservation Easement in favor of the City. As noted previously, this Easement is transferrable to any new Property Owner in perpetuity.

4. Historic Preservation Easement Program provisions (signed prior to Project, but recorded subsequent to Project completion) are in pertinent part as follows [a complete form of the Easement is attached hereto as Exhibit A]:

A. The exterior shall not be significantly altered either visually or structurally. For purposes of the Historic Preservation Easement Program, the exterior of the Property to which the Easement applies shall include all exterior features, and the drywall phase including installation and finish to a paintable surface for exterior walls only, and shall also include the sub-floor.

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- B. No demolition of existing structure is allowed without consent of the City. However, dismantling and storage of existing structure for reassembly is allowed.
- C. No additional structural elements or architectural features may be added/built without the consent of the City.
- D. The structure must be maintained in a good state of repair and be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- E. The City maintains a right of entry to inspect the property's interior and exterior at any time during construction.
- F. Remedies for Property Owner's breach of the Easement:
 - i. Injunctive Relief
 - ii. Liquidated Damages
 - iii. City right of entry to make repairs at Property Owner's expense (lien)

~~Property Owners are encouraged to obtain independent tax advice regarding the income tax implications of the Historic Preservation Easement Program. The City shall not be responsible for the payment of any tax liability associated with the participation in the Historic Preservation Easement Program.~~

5. If a mortgage or line of credit is recorded on the property, the mortgage holder must complete a Subordination of Rights [a complete form of the Easement is attached hereto as Exhibit A] prior to any work being performed at the property. If the mortgage holder refuses to execute such document, the application for the Preservation Easement Program will be denied. ~~Please note, a Rehabilitation Grant may still be executed for the scope of work (see Section 4).~~

c. LEGAL REQUIREMENTS

Depending on the scope of work a Boundary Line Agreement, and possibly a Roadway Easement, will may be required. The City shall provide all data required (title commitments, surveys, etc.) to verify location of existing improvements on the property in an effort to ensure that any newly proposed improvements will be on the subject property as well. All applications are processed on case-by-case basis in regards to this issue.

d. GENERAL CONDITIONS OF ASSISTANCE

All projects that deal with the exterior of the house/structure must have a Certificate of Appropriateness (COA) recommended by the HPC and approved by the City Council. The COA application must be submitted concurrently; all architectural design and materials are to be evaluated by the HPC and City Council, and the review must include findings that the

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proposed design is consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties, as well as the City of Black Hawk Residential Design Guidelines.

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SECTION 4: REHABILITATION GRANT PROGRAM

A. ELIGIBILITY

In order to be a Qualified Property that is eligible for a grant under the Historic Restoration and Community Preservation Fund Grant Program (“Rehabilitation Grant”), the following requirements must be adhered to:²

1. The work must be part of a Qualified Property to be eligible. Contributing structures are automatically considered eligible. Any additions to historic buildings must be at least 50 years of age to be eligible.
2. The work must be consistent with the Secretary of the Interior’s Standards for Treatment of Historic Properties. A Certificate of Appropriateness for any exterior work is always required with all projects. The Property Owner shall work with the Architect and his/her design team, City staff and/or other appropriate staff or consultants to assist in proposing that historically significant finishes and materials and character defining features (interior and exterior) are to remain or are addressed appropriately in accordance with the standards and guidelines. It is strongly recommended the Property Owner retain an Owners Representative to represent their interests in the administration of this Rehabilitation Grant program.
3. A Property Owner cannot receive more than one (1) grant from each of the categories of assistance offered under the Program for the restoration or preservation for the same Qualified Property within any one-year period.
3. A Qualified Property must be located within a national historic landmark district or within an area listed on the national register of historic places.
4. Structures must have been originally constructed more than fifty (50) years prior to the date of the application.
5. Funding shall only be made to a defined Property Owner.
6. A Rehabilitation Grant shall not be made for more than one (1) year at a time.
7. A member of the City Council of the City of Black Hawk and members of HPC shall disclose any personal interest in the program before voting on the application.

² An Applicant should be aware that the provisions of the Rehabilitation Grant Program, while in many respects is similar to the Historic Preservation Easement Program, does differ in many significant respects because of the fact any project under the Rehabilitation Grant Program will be a private project by the Property Owner reimbursed by the City. Please refer to the matrix provided by City staff for a delineation of the various differences between the two programs.

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8. If the grant award is in excess of fifty thousand dollars (\$50,000.00) for any single Qualified Property and the Qualified Property is sold or transferred within five (5) years of the date the grant was awarded, the grant shall be repaid in an amount equal to the original award less one-sixtieth (1/60) of the amount of the grant for each full month occurring between the date the grant was awarded and the date of sale or transfer of the Qualified Property.
9. Commercially zoned Qualified Properties that are being maintained for a residential use may apply for a grant provided the Property Owner signs an additional agreement. This separate agreement requires the Property Owner to pay back, without interest, the grant amount used for the structure if and when the property is converted from residential to an income-producing commercial use. For the purposes of this program, an owner of a bed and breakfast use or a non-profit organization may qualify for a grant as long as the primary use of the property is residential.
10. Property Owners are specifically responsible for using the funds from the Grant to pay the General Contractor for all work done in accordance with the agreement the Property Owner must have with the General Contractor. Lack of payment from a Property Owner to the General Contractor, for work covered under the approved grant, will be grounds to withhold disbursement of any funds to the Property Owner for any additional work on the property or even other properties the owner may own until such time as evidence of payment to the General Contractor is provided. Also see Appendix 1 of this document regarding payments to the Property Owner and subsequent payment to the General Contractor.
11. At least three (3) detailed bids will be required to be requested from pre-qualified General Contractors. Bids must be obtained for all proposed construction work and submitted for review by the City prior to beginning any construction work unless otherwise authorized in writing by the City. The City and the Property Owner must both be in agreement with the selection of the General Contractor. The City strongly recommends that if the Property Owner is also a recipient of funds from the Historic Preservation Easement Program, that the same General Contractor be selected for the Rehabilitation Grant work as well.
12. The City of Black Hawk provides for reimbursement of a Property Owner's state and federal income tax liability in association with the receipt of a Rehabilitation Grant, per Resolution 10-2010 (see Exhibit F). The City encumbers dollars in its accounting system to accommodate payment of the tax reimbursement. The Property Owner is responsible for completing the necessary paperwork for such payment and delivering to the City of Black Hawk Finance Department. A Property Owner shall be required to submit documentation for the tax payment reimbursement during the calendar year(s) following the receipt of the grant funds. If the reimbursement has not been requested within the time limits set forth herein, the encumbered funds will no longer be available to the Property Owner for state and federal tax payment reimbursement and such encumbered funds will be reallocated back into the City budget for other purposes. Property Owners may seek partial reimbursement for state income tax liability through the Colorado

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Historic Preservation Income Tax Credit, based on fund availability and subject to approval.

Property Owners are encouraged to obtain independent tax advice regarding the income tax implications of the Rehabilitation Grant Program. The City shall not be responsible for the payment of any tax liability associated with the participation in the Rehabilitation Grant Program.

13. Awards will be made to owners of property within the City of Black Hawk at the sole discretion of the Board of Aldermen, and subject to the annual budget and appropriation of the Historic Restoration and Community Preservation Fund by the Board of Aldermen of the City of Black Hawk.

B. WORK ELIGIBLE TO BE COVERED BY THE REHABILITATION GRANT PROGRAM

Costs covered by the grant program include the stabilization, weatherization and exterior-~~and~~ /interior rehabilitation of Qualified Properties to the extent provided by this program. Architectural fees, Owners Representative fees, construction costs, and related expenses are also eligible. City building permit fees are waived for residential projects only per City of Black Hawk Municipal Code Chapter 18, Section 18-5.

Refer to Section 4.e of this Guide to Programs pertaining to General Conditions of Assistance for requirements regarding allowed materials to be used in this Grant Program. A Material Allowance List (~~see~~ Exhibit C) is used to determine a not to exceed cost for finish materials. City staff has the authorization to update Exhibit C on an annual basis to allow for any applicable industry-wide material cost adjustments.

C. WORK NOT ELIGIBLE TO BE COVERED BY THE REHABILITATION GRANT PROGRAM

1. Funds cannot be used to acquire properties or for the moving of structures. A structure that is to be moved can only become eligible for grant funding if the structure is a Qualified Property, and it is relocated within the City to a location that is eligible under the Program and placed on a permanent foundation with tap and sewer fees paid.
2. New buildings, new additions and rehabilitation of previous ineligible additions are not considered eligible if they are less than 50 years old.
3. Extensive landscaping work is not eligible, ~~other than restoration, repair.~~ However, all disturbed areas will be seeded with a "multi-color high altitude seed mix" from Arkansas Valley Seed, or installation of structural features such as retaining wallsequal. Erosion control mat and walkways or sidewalks. temporary irrigation provided until completion of project. Erosion control mat to be 70% straw and 30% coconut fiber between polypropylene netting.

4. Appliances such as, but not limited to, stoves, ovens, microwaves, dishwashers, refrigerators, washers, and dryers are not eligible items.
5. Hot tubs are not eligible.
6. Secondary (backup) heating sources are not eligible. Original fireplace restoration is acceptable. Air conditioning is not eligible.

D. LEGAL REQUIREMENTS

Along with the approval of an application by the City, owners must enter into legal agreements with the City which describe the terms for participation in the Rehabilitation Grant Program. Participation in the Rehabilitation Grant Program requires a Rehabilitation Grant Agreement. A copy of this document is included in Exhibit B. In addition to the basic Rehabilitation Grant Agreement, a commercial Property Owner will also be required to enter into another agreement regarding the conversion of the property from a residential use to an income-producing commercial use (per Section 4.a.7). Please consult with City staff for additional information regarding commercial conversion agreements.

~~A-Depending on the scope of work, a Boundary Line Agreement, and possibly a Roadway Easement, will may be required. The City shall provide all data required (title commitments, surveys, etc.) to verify location of existing improvements on the property in an effort to ensure that any newly proposed improvements will be on the subject property as well. All applications are processed on a case-by-case basis in regards to this issue.~~

E. GENERAL CONDITIONS OF ASSISTANCE ~~FOR THE REHABILITATION GRANT PROGRAM~~

1. The City of Black Hawk Residential Design Guidelines shall be consulted and utilized for all Historic Restoration and Community Preservation Fund Program projects.

~~2. For Rehabilitation Grant applications, the Property Owner shall commence construction within twelve (12) months of the award of any grant funds for a project, and will have twelve (12) months to complete the work after the project has begun. The beginning of a project is the date of issuance of the building permit for the project. The end of the project is the expiration date (one (1) year after issuance of the building permit), and same date that all available and approved funds should be requested from the City, with appropriate and required receipts and documentation, on or before that day. Unless the City Council approves an extension of the expiration date, any funds remaining at the end of the project shall revert to the Historic Restoration and Community Preservation Fund for use on other projects. In the event the Property Owner fails to obtain a building permit and commence construction of a project within twelve (12) months of the grant award, the grant funds shall revert to the Historic Restoration and Community Preservation Fund for use on other projects and the property/project will move off the list of upcoming projects for the Rehabilitation Grant Program.~~

Property Owner Initials _____ Date _____

3-2. Grant funds are paid on a “draw” basis. No advancement of payments will be paid to the Property Owner or General Contractor. Payments are made directly to the Property Owner when the City receives a General Contractor’s pay application with detailed and itemized invoices/schedule of values, and a signed request for payment form for the City Council approved work program. Property Owners shall not *disburse cash funds* to any Contractor for any work done. ***All transactions are expected to be promptly completed via the Property Owner by signing over the check*** from the City of Black Hawk to the General Contractor for the project as set forth herein in Appendix 1 regarding FBO (For the Benefit Of) payments. It is recommended the Property Owner obtain a receipt/waiver of lien from the General Contractor stating funds have been received with pay application paid in full. All work is subject to inspection and review by the City’s Building, Planning, and Public Works Departments for compliance with City standards and processes prior to submittal of any invoices to the City. The Property Owner is responsible for and must review, approve, and acknowledge seeing each invoice by placing a signature or initials on each invoice (pay application) submitted to the City with the paperwork for a request for payment. It is strongly recommended that the Property Owner retain an Owners Representative to assist with this process.

4-3. It is the responsibility of the Property Owner to bring the structure into conformance with City building and fire codes, even if the work exceeds the grant amount for any roof repair, exterior and interior finishing, electrical, plumbing, mechanical, and structural upgrades not included in the project as required by the building code and building official. All construction and work is subject to inspection by the City’s Building, Planning, and Public Works Departments for compliance with City standards and processes.

5-4. _____ The Property Owner, Architect and/or Engineer are to specify on the proposed construction drawings and project manual the specific materials to be used for the project. It is required that the materials to be used and paid for through the grant program are considered the ‘off the shelf’ products, and are not ‘special or custom order’ products that will significantly add to the construction costs of the grant project. At the same time, it is also not desired to purchase materials that would be of a cheap or inferior quality, so as to deteriorate soon and provide the need to again be replaced resulting in additional and sooner maintenance costs to the Property Owner. In order to assist in defining the level of each material/finish selection that is in alignment with the grant program requirements, a material allowance sheet is included in Exhibit C. City staff has the authorization to update Exhibit C on an annual basis to allow for any applicable industry-wide material cost adjustments. The Architect and/or Engineer, and Owners Representative if retained, will assist the Property Owner in making material selections that are anticipated to fall within these allowances. All interior Rehabilitation Grant projects will be designed within the material allowances. Should the Property Owner decide that an alternate material selection that exceeds the allowance is desired, that material selection shall be carried as an alternate in the proposed construction drawings and project manual so that during the General Contractor bid process, actual costs above the allowance amounts can be determined and the Property Owner can confirm that they wish to proceed with their premium selection. If the Property Owner desires to install upgraded or more expensive

Property Owner Initials _____ Date _____

materials, they may do so at their own cost if the historic character and integrity of the structure is maintained. Such differences shall also be noted on the approved construction plans and project manual and incorporated into the General Contractor contract documents. Please note that, in order to minimize confusion and misunderstandings, the Property Owner will be required to deposit funds sufficient to cover all premium selections into an Escrow Account at the beginning of the project to ensure those funds are available for payment throughout the project. Please see the Rehabilitation Grant Agreement (Exhibit B) for specifics on this account and how it will be managed.

- A. In general, elegant designs and expensive materials were not consistent with the historical and architectural character in the City. Designs and materials are to reflect the functional rustic western mill town (vernacular) architectural character of historic Black Hawk. Designs and materials should be appropriate and yet allow for comfortable, habitable, sustainable and viable residential homes. Alternate or like materials may be considered as part of a project, and must be specifically requested for approval by the City through the appropriate process (included on the construction drawings and project manual), and in advance of any purchase and installation by the Contractor. Sustainable alternate solutions, such as energy efficient windows and insulating materials, may be allowed if approved by the City Council as part of the Rehabilitation—Grantfunding approval process. Such alternate or like material/solution shall not detract from or change the historic character of the home, and shall not jeopardize the status of the historic classification of the subject home or the historic district itself.
- B. All projects that deal with the exterior of the house/structure must have a Certificate of Appropriateness (COA) recommended by the HPC and approved by the City Council. The COA application must be submitted concurrently; all architectural design and materials are to be evaluated by the HPC and City Council, and the review must include findings that the proposed design is consistent with the Secretary of the Interior’s Standards for Treatment of Historic Properties, as well as the City of Black Hawk Residential Design Guidelines.

6.5 Grant funds cannot be used to reimburse a Property Owner for previous work or materials for a project accomplished prior to the grant approval except as specifically noted within Category 4 – Emergency Component and Category 5 – Radon Mitigation Component. Additionally, grant funds cannot be used to reimburse a Property Owner who purchases materials and provides to the General Contractor. All materials and labor are provided by the General Contractor per the final scope of work and executed contract.

7.6 The City may recommend funding at a lower level than that requested by the Property Owner. In addition, the City may exercise its discretion while reviewing plans to require alternative materials due to cost, longevity, appropriateness of materials, and quality. Such decisions will be noted on the approved plans, and acknowledged by the Property Owner in advance of any building permits being issued for such work. Appeals (from the Property Owner) of such decisions/requirements by the City shall be to the City Council

Property Owner Initials _____ Date _____

for review and determination. Again, please keep in mind that the Certificate of Appropriateness must be approved by City Council in advance of any construction, as well as before materials are ordered.

8.7. The Property Owner and/or Contractor must contact the City Building, Public Works and Sanitation District departments to make inspections for the rehabilitation project, including water and utility improvements.

9.8. Neither a Property Owner nor a close relative of the Property Owner shall be permitted to be the General Contractor, subcontractor or material supplier.

10. Once a grant has been awarded for a Full Site and Building Component, the interior is no longer eligible to receive additional grants, except as reviewed on a case-by-case basis for any work potentially covered by Category 4 – Emergency Component. However, exterior maintenance/repairs that become necessary due to weather exposure, such as painting and items associated with painting preparation, may receive additional grant approvals for the limited purpose of maintenance, and/or repairs in accordance with Category 3 – Exterior Maintenance Component.

11. An approved grant shall only be able to be used for the historic portion of the house. The Property Owner must be responsible to pay for any improvements for the non-historic portion of the house through the establishment of an Escrow Account. The Property Owner shall work with the Owners Representative to create a scope of work, and request at least three (3) bids from the City of Black Hawk pre-qualified General Contractors list. Such selected General Contractor shall submit itemized invoices, and/or itemized receipts through the Property Owner and then to the City for payment of completed work.

~~12.13. It is the responsibility of the Property Owner subject to a Rehabilitation Grant being completed to keep the improvements paid for with the City approved grant installed and on the property for a minimum of five (5) years. Changes to the grant paid improvements shall not be allowed (both internal and external to the building and site) for the next five (5) years upon the completion date of the last disbursement of funds from the City for the Rehabilitation Grant.~~

12. The General Contractor must be insured and bonded during the entire project.

F. CONDITIONS OF AGREEMENT

The Property Owner shall agree to the following conditions:

1. The property shall be maintained in a manner that assures its preservation. Please consult with City staff for additional information regarding maintenance of building exterior systems (including paint, gutters, etc.).

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2. The Property Owner, Owners Representative and the General Contractor shall agree on a scope of work, and schedule of construction for the project. The scope of work and schedule must follow the approved plans and Guide to Programs procedures.
3. Architectural drawings, construction specifications and scope of work shall be reviewed by the Property Owner, Owners Representative, HPC and the City Council to assure that appropriate preservation procedures are followed. In some cases, construction documents prepared by licensed architects or engineers may be required. The Property Owner is responsible to ensure that an application for a building permit is submitted for all work associated with the approved project, and that no work or construction on the property takes place until there is an approved building permit for the work.
4. The City may hold a lien against the property for any improper work or to assure that the project is completed as approved. The lien will be released when the City Council approves the completed project.
5. A Rehabilitation Grant Agreement will be provided that sets forth the terms and conditions of participation in the program (Exhibit B).

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APPENDIX 1: REVIEW PROCEDURE AND CRITERIA FOR THE PROGRAM

a. REVIEW PROCEDURE

Applications and other program criteria are included as part of this Guide to Programs. Additional copies or further information can be obtained by calling Community Planning and Development at (303) 582-0615. Please read the Guide to Programs thoroughly before proceeding. All Applicants are ~~recommended~~required to follow these procedures. For the purposes of this section, the terms Applicant and Property Owner are used interchangeably.

1. Orientation Meeting.

The Applicant is required to meet with the City staff and Owners Representative to discuss their proposed project and potential eligibility. City staff and Owners Representative will introduce the general features of the program.

2. Applicant Submits Funding Documents.

The Applicant, with the assistance of City staff and the Owners Representative, prepares the respective agreements for the proposed grant (Exhibit D), as well as updates the original application and executes the Addendum to Application committing to the program.

The Property Owner must work with the ~~Architect and his/her design team,~~ Owners Representative, City staff, and other consultants to define the desired scope of work. Such information will be used to evaluate desired improvements and to establish the scope of work allowed to be included in the GrantProgram, and scope of work for which the Property Owner will be responsible to establish an escrow account.

3. Preliminary On-Site Strategy Meeting.

~~The Architect and his/her design team;~~The Owners Representative, City staff and other consultants will meet with the Property Owner at the site to review the potential project. A preliminary determination of eligibility will be made and a work program will be developed. ~~Preservation via the Home Program Outline. Historic preservation~~ issues also will be identified.

4. Staff Reviews the Application.

The Architect and his/her design team, Owners Representative, City staff and other consultants, will evaluate the project based on the submitted criteria and shall create a "Scope of Work" which includes a list of priority improvement recommendations and associated costs. This information will be provided to the Property Owner. During this review, the Architect and his/her design team, Owners Representative, City staff and other consultants will use its best efforts to identify any omissions or discrepancies in the application, as well as communicate this information to the Property Owner as soon as possible.

5. Staff Report.

A staff report is written on the funding request-scope of work. For exterior project requests, HPC will also review the application and make a recommendation to the City Council for the Scope of Work, as presented.

6. Application Review by HPC and Approval by City Council.

City Council will review the application submitted, and make a determination to approve, approve with conditions, or deny the request/application. Property Owners recommended for funding will be notified by telephone and mail as soon as a final decision is made by the City Council. Those Applicants not selected by the City Council will be notified in writing explaining the reason(s) for rejection, and offer advice for improving the application. Applicants not selected for program participation, at any level, may meet with the Owners Representative and City staff to discuss the factors which resulted in the rejection of the application. Applicants do not have the right to appeal. However, the Owners Representative and City staff may provide assistance in the future to assist with preparing future applications and guidance in respect to alternate methods of funding and rehabilitation.

7. Evaluation and Design Process.

Prior to beginning any work on the project, the property must be surveyed to establish the location of appropriate and specific property lines. Additionally, an appraisal if required will be ordered by the City of Black Hawk. The Architect and his/her design team, Owners Representative, City staff and other consultants, must also be provided access to the property and all structures to complete an analysis and investigation of the existing conditions of the home or appropriate structure. ~~Removal of portions of carpet, flooring, drywall and ceiling may be necessary to best analyze the hidden and unknown conditions.~~Interior demolition of the property will be required by the City in order to complete design. Authorization from the Property Owner must be provided to analyze and investigate to allow the project to move forward. Once a full analysis is completed, the Architect and his/her design team shall ~~create~~finalize the required plans to send out to bid for construction. Such plans will accommodate the existing conditions, needed improvements, and desired improvements from the Home Program Outline (See-Exhibit E). All proposed improvements shall be designed to be acceptable to the City of Black Hawk Residential Design Guidelines, Municipal Code, Historic Restoration and Community Preservation Fund Guide to Programs, and the Secretary of the Interior's Standards for Treatment of Historic Properties. At least three (3) bids are required to be requested from qualified and financially sound Contractors that are on the 'pre-qualified' list of Contractors allowed to work on such grants approved by the City of Black Hawk. Once the bids are received by the City, the application is reviewed and an amount 'not to exceed' is reviewed for approval by the City Council. For Rehabilitation Grant Program funding, a pre-qualified General Contractor is chosen by the Property Owner, and then the City Council reviews and approves such choice. For Preservation Easement Program funding, the City Council will select a General Contractor with the Property Owner's input. See Appendix 2 Section 2 for program requirements related to the Evaluation and Design process.

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A. Bid Process.

For Preservation Easement Program projects, the bid and associated costs are presented as the “Final Grant Project Proposal” to the Owners Representative and City staff for recommendation, and then to the City Council for a final decision. For Rehabilitation Grant Program projects, the “Final Grant Project Proposal” will be submitted to the Property Owner, Owners Representative and City staff; however, it still must be reviewed and approved by the City Council. It is VERY STRONGLY recommended that the Property Owner hire an experienced Owners Representative to manage the project on their behalf. ~~A recommendation from HPC will also be required for any exterior work.~~

B. Final Determination of Funding.

City Council makes a final determination on funding and may attach special requirements to the project.

C. Final Agreement with City.

Final agreements are executed as detailed in the respective program sections. It is VERY STRONGLY recommended that the Property Owner hire legal counsel to assist them in the agreement process with the City. In addition, legal counsel is also VERY STRONGLY recommended to assist the Property Owner with their agreement with the General Contractor, as applicable, for construction of all improvements on their property. Finally, the Property Owner shall be responsible for verifying that they have seen and agree with all plans for the project on their property by placing a signature of acknowledgement and approval on the appropriate documents and plans. It is recommended that the Property Owner hire an Owners Representative to assist with review and explanation of the project documents. Additionally, it is VERY STRONGLY recommended that the Property Owner consult with a qualified tax advisor on the financial impacts of participating in the program.

D. Construction Documents.

- i. Construction documents are created and submitted by the Architect and his/her design team for review and approval by the Property Owner, Owners Representative, and City staff.
- ii. General Contractor shall supply a list of all sub-contractors and corresponding City registration numbers for the grant project. The General Contractor and all ~~sub-contractors~~ subcontractors shall be registered with the City in accordance with the Black Hawk Municipal Code, Chapter 6, Article VII. Subcontractor information must be submitted at execution of the final construction contract. Information shall be updated per the terms of the Trade Contractor Agreement through the entire project until completion.
- iii. The General Contractor shall supply a project schedule from the beginning to end of the project. The schedule shall be updated per the terms of the Trade Contract Agreement throughout the entire project until completion.

iv. The approval of a ~~grant~~ application does not mean a building permit will automatically be issued. All permit fees are waived by the City for residential rehabilitation, as outlined in Chapter 18, Section 18-5 of the Black Hawk Municipal Code, however, the Property ~~Owner's~~ Owner/General Contractor is still required to apply for a no-charge building permit with plans approved by Community Planning and Development and secure appropriate inspections during the course of the work. Any other permits required with the project are also the responsibility of the Property Owner ~~and~~ General Contractor to apply for such in accordance with the City code.

E. Construction Work Commences.

The City's Owners Representative, Building Official, the City staff, and Architect will monitor the work. The work shall be performed according to the approved scope of work, Construction Documents, and Project Manual approved by the City and attached to the building permit issued by the City. Any Change Orders from the approved plans must be reviewed and approved prior to implementation, and in accordance with the process for proposed Change Orders per Appendix 2. Onsite construction progress meetings shall be held with the Property Owner, General Contractor, subcontractors, Architect, Owners Representative, and City staff in accordance with a schedule established and approved by all parties. This should be no less frequently than once every two weeks. The General Contractor(s) are responsible to have all required inspections called into the City for inspection.

F. Payments.

Property owners are required to submit a Check and Payment Request Form for each requested payment. With the initial Check and Payment Request Form the Property Owner will need to attach a completed W-9, if not previously provided. All payments for approved work shall be made by check from the City of Black Hawk payable to the Property Owner in an FBO (For the Benefit Of), format to include the company name of the General Contractor for the project. The Property Owner shall provide the City a copy of the contract for the project they have with the General Contractor, including the company name for the FBO check process. The City strongly encourages that the provided FBO check be promptly endorsed over to the General Contractor for payment by the Property Owner. By signing this Historic Restoration and Community Preservation Fund Guide to Programs, the Property Owner acknowledges and understands the process for payment to the General Contractor for the contracted work, and that they understand they are not to defraud the City or the General Contractor during any part of the process for the project. The Property Owner is responsible to ensure that all payment requests are done in a timely fashion throughout the life of the project.

G. Construction Completed.

Upon completion of the project, final inspections are made. Provided that the construction work has been found to be done in accordance with the approved Contract Documents, and has passed all inspections, a final building inspection will

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be issued by Community Planning and Development. Additionally, the Architect or Engineer will issue a Certificate of Substantial Completion. Final payment amounts due to the General Contractor will be released upon completion of the required public notices and final approval of the work.

b. SCHEDULE

Historic Restoration and Community Preservation Fund Program requests may be submitted at any time and will be considered throughout the year. Applications are considered and monies awarded on a first come, first served basis. Complete applications should be received in advance of the next HPC meeting for staff review, in accordance with the submittal schedule developed by Community Planning & Development. Please consult with City staff regarding exact deadlines for HPC review. Annual appropriations for this Program are limited. On occasion, the City will exhaust the available funds for the year. In that case, each application will be processed whenever the funds become available.

c. CRITERIA FOR SELECTION

The City of Black Hawk HPC shall review all Grant applications submitted to the City, except for the applications that fall under the Emergency Component and Radon Mitigation Component. However, final approval of any request is subject to approval by the City Council. The City Council and HPC shall include, utilize, consider, but not be limited to the following criteria while evaluating grant applications when making decisions and/or recommendations (this process is discretionary and any other criteria as deemed necessary and appropriate to evaluate, consider, analyze, and make motions during hearings may be used by the HPC as well as the City Council):

1. The project will contribute to and enhance the overall character of the City of Black Hawk.
2. The project aids in the preservation of existing properties. The project would repair damaged components, slow any deterioration in progress, and work to assure the continued presence of the structure.
3. The project produces visible results. Portions of the work will be on highly visible portions of the property. The property is visibly deteriorated and the proposed repairs would noticeably improve the structure's appearance, or the property has experienced inappropriate alterations that would be removed and a more compatible appearance would result.
4. The work is needed to stabilize the structure. (City Council decision only.)
5. The need for the work is urgent and possibly an emergency. Preservation of the structure is threatened and work should proceed quickly. (City Council decision only.)

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6. Quality of the application. The application is well presented with a detailed scope of work and copies of multiple itemized bids for construction, and demonstrates the ability of the Property Owner to satisfactorily complete the project. (City Council decision only.)

d. NEGATIVE FINDINGS

The City of Black Hawk HPC may recommend denial of an application because it does not meet the intent of the program and guidelines. The final decision made by the City Council shall include, utilize and consider, but not be limited to, the following criteria while evaluating grant applications in order to make decisions and/or recommendations (this process is discretionary and any other criteria as deemed necessary and appropriate to evaluate, consider, analyze, and make motions during hearings may be used by the HPC as well as the City Council, except that HPC shall only consider the third criteria set forth below):

1. Other outstanding debts to the City or unresolved issues associated with City regulations.
2. A demonstrated lack of routine maintenance of the property that indicates the Property Owner may not honor the agreement to maintain the property after rehabilitation, or has failed to maintain the property after previous rehabilitation through this Program.
3. The proposed work would not appropriately promote preservation of the historic character of the City.
4. The cost of the work is not commensurate with the projected benefit to be provided to the community.

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APPENDIX 2: PROJECT PROCESSES AND DOCUMENTATION REQUIREMENTS

This appendix is provided to be used as a resource for City staff, Owners Representative, Property Owners and General Contractors affiliated with the City of Black Hawk in regards to the requirements for proposing projects, proposing to work on projects, process requirements for work on projects, quality of workmanship, completion and inspection of all improvements.

A. PRE-QUALIFIED CONTRACTOR APPLICATION PROCESS

Contractors must submit an American Institute of Architects (AIA) document A305 for review and approval. Once a Contractor has submitted all required forms and documents, a short interview will be scheduled to meet and discuss the Contractor’s history and documents submitted. This process must include, from the Contractor, past project examples including bid breakdown, budgets, change order forms, and project schedules. References will also be required from the Contractor as noted within the A305 document. A determination will be made by City staff and the Owners Representative to approve or disapprove the Contractor to be put on the pre-qualified list.

A Qualifications Packet is requested which includes the following information:

1. An overview of general information about the company including:
 - a. Previous work experience related to any of the Categories of Assistance
 - b. Managerial ability
2. Quality control management/procedures
3. Previous construction experience in and/or near the City of Black Hawk
4. Staff resumes
5. Historic preservation/rehabilitation experience

B. SPECIFIC HISTORIC RESTORATION AND COMMUNITY PRESERVATION FUND GRANT PROGRAM CATEGORIES OF ASSISTANCE COMPONENTS INFORMATION

1. Full Site and Building Component.

Design & Construction Process for Full Site and Building Component:

- a. Owners HOME PROGRAM OUTLINE Form
The Property Owner, with the assistance of the Architect, Owners Representative, and City staff will complete the program form of needs and wants for the project and provide to the City (~~see~~-Exhibit E).
- b. Schematic Design Phase
The Property Owner works with the Architect and his/her design team, Owners Representative and City staff to prepare schematic plans from the information approved by the City Council in the HOME PROGRAM process, ~~and information~~

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~~gathered during the discovery phase.~~ These plans further define the project and will then be presented for approval by the Property Owner, Owners Representative and City staff. After approval of the schematic design, the scope of work will be presented to HPC (if applicable) and City Council.

c. Design Development Phase

The Property Owner further works with the Architect and his/her design team, Owners Representative and City staff to prepare more detailed plans within the scope of work (for the Grant and for the Owners responsibility), and present more detailed plans (including details, product selection, finishes) for approval by the Property Owner, Owners Representative and City staff.

d. Discovery Phase

The Property Owner is required to give permission to the Owners Representative and City staff for any necessary exploratory demolition to perform due diligence to investigate existing conditions of the structure, structural evaluation, survey of the property, conduct a soils report, and allow any additional investigative work needed to define the project. It is highly recommended that the property be vacated prior to any exploratory work. NOTE: The Property Owner will be responsible for any temporary housing expenses while the property is vacated. Repair of demolition work, if applicable, will be the responsibility of the Property Owner. Additionally, any investigation into the presence of a designated flood hazard zone at the property should occur. Appropriate steps to mitigate any flood issues will be required as part of the final design.

e. Construction Document Phase

The Architect prepares final construction drawings and specifications and the necessary bidding information from the Design Development drawings for approval by the Property Owner, Owners Representative and City staff. A recommendation for approval from HPC is required at this stage, and final approval is required from City Council.

f. Bid

The Owners Representative and City staff assists the Owner in obtaining formal written sealed bids from a list of Pre-qualified General Contractors. Bids will be opened in a public meeting with City staff and the Owners Representative.

1) **General Contractors will need to submit the following:**

- a) Bid breakdown (form to be provided by the Owners Representative on behalf of the City) with a list of sub-contractors
- b) Bid submittal to use CSI (Construction Specification Institute) format or other acceptable bid breakdown format as provided by the Owners Representative on behalf of the City.
- c) Project schedule.

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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2) **Owner requirements prior to starting construction:**

- a) Strongly suggest Property Owner hires an Owners Representative to track project and assist with documentation requirements on their behalf. Fees for the Owners Representative will be paid for by the City of Black Hawk; however, the Property Owner is responsible for any tax liability incurred as a result of these payments.
- b) Property Owner advised to hire legal counsel at their expense to ~~prepare~~review the contract between Property Owner and General Contractor.
- c) Review construction drawings and payment process with Owners Representative and City staff.
- d) Submittal of documents/forms related to Prospective General Contractors Certificate Regarding Employing or Contracting with Illegal Aliens.
- e) Property Owner is recommended to hire a qualified tax advisor to review the financial obligations of participation in the program.

g. Final Approval of Project by City Council

The project is presented to the City Council with a budget, project schedule and final plans. Prior to the City Council approval, all documentation must be reviewed by the City Manager and HPC who will present a recommendation for approval to the City Council. The project then can be ~~provided~~submitted to Community Planning and Development for a building permit.

h. Building Permitting and Construction

The final construction documents are to be ~~provided~~submitted to the City for a building permit.

1) **Construction phase requirements:**

- a) Prior to issuance of a building permit and Notice to Proceed document, the General Contractor will provide payment and performance bonds for the entire amount of the project.
- b) Property Owner ~~may~~will be required to relocate, and remove furnishings from structure to allow work in home. Property Owner must obtain temporary living accommodations at their own expense, and store belongings at their expense elsewhere, and out of the way of onsite work.
- c) General Contractor must keep site safe and clean at all times and have access to a bathroom or provide a portable toilet.
- d) Weekly or bi-weekly construction meetings and site visits that include the Property Owner and/or their Owners Representative, Architect, General Contractor and City staff.
- e) Review schedule adjustments.
- f) Change order review and submittals as encountered. Review of Monthly Pay Application request forms.
- g) Processing of payments to General Contractor, sign off by Property Owner

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Property Owner Initials _____ Date _____

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and City staff.

i. Change Orders

If the Property Owner, Architect or Contractor requests any changes to the scope of work, construction costs, or schedule, it will need to be reviewed for potential approval by the Owners Representative and City staff and/or the City Council (generally for out of scope and budget changes requested) for sign off prior to proceeding with the proposed change. Additionally, any significant changes to the exterior or site may also require HPC review.

Per City of Black Hawk Resolution 19-2013 and 3-2014 any proposed change orders to the approved construction drawings and project manual during construction must be reviewed and approved by the City Manager or his/her designee (for work that will not increase the City Council approved amount, including a contingency amount, of the Rehabilitation Grant) prior to beginning the work. The City Council shall review proposed change orders that exceed the City Council approved grant amount and they shall decide upon such request. Any deviation or change to the approved construction drawings and project manual that is authorized or performed by either the Property Owner or General Contractor is not reimbursable from the City grant dollars if such work is not approved by the City in advance.

j. Final Completion and Final Payment.

Prior to final payment, the following documentation needs to be provided:

- 1) General Contractor's Affidavit of Release of Liens
- 2) General Contractor's Affidavit of Payment of Debts and Claims
- 3) Final inspections by Building Official
- 4) Sign off by Architect/Engineer, Property Owner, and General Contractor (Certificate of Substantial Completion) as well as final acceptance by Owners Representative and City staff
- 5) As-Built drawings
- 6) General Contractor to provide to Property Owner a booklet of an Operations & Maintenance Manual (O&M Manual) of rough-in photographs, instruction manuals and warranties for the project. ~~(Operations & Maintenance Manual)~~

2. Site Work Component

Design & Construction Process for Site Work Component:

a. Owners HOME PROGRAM OUTLINE Form

Property Owner, with the assistance of the Architect, Owners Representative and City staff, to fill in program form of needs and wants for the site improvements and provide to the City.

b. Temporary Construction Easement

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Property Owner Initials _____ Date _____

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A Temporary Construction Easement must be executed between the Property Owner and City of Black Hawk to allow for City access to the property during the course of construction if Preservation Easement funding is utilized.

c. Discovery Phase

The Property Owner is required to give permission to the Owners Representative, ~~Architect~~ and City staff for any necessary demolition to perform due diligence to investigate existing conditions of the site and property, survey of the property, conduct a soils report and allow any additional investigative work needed to define the project. Additionally, any investigation into the presence of a designated flood hazard zone at the property should occur. Appropriate steps to mitigate any flood issues will be required as part of the final design.

d. Preliminary Design Plan Phase

The Property Owner works with the Owners Representative, City staff, ~~the Architect~~ and/or Engineer to prepare preliminary design plans from the information approved by the City Council, and information gathered during the Discovery Phase. These plans further define the project and will then be presented for approval by the Property Owner, Owners Representative and City staff. An approved scope of work must be presented to and approved by the City Council.

e. Final Design Plan Phase

The ~~Architect~~ Engineer or installer prepares final construction drawings and specifications and the necessary bidding information from the ~~Design Development drawings~~ preliminary design information for approval by the Property Owner, Owners Representative and City staff. A recommendation for approval from HPC is required at this stage, and final approval is required from City Council.

f. Bid

This is the stage in which the Owners Representative and City Staff assists the Property Owner in obtaining formal written sealed bids from a list of Pre-qualified General Contractors. Bids will be opened in a public meeting with the Owners Representative and City staff.

1) **General Contractors will need to submit the following:**

- a) Bid breakdown (form to be provided by the Owners Representative on behalf of the City) with a list of sub-contractors.
- b) Bid submittal to use CSI (Construction Specification Institute) format or other acceptable bid breakdown format as provided by the Owners Representative, on behalf of the City.
- c) Project schedule.

2) **Owner requirements prior to starting construction:**

- a) Strongly suggest Property Owner hires an Owners Representative to track

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Property Owner Initials _____ Date _____

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project and assist with documentation requirements on their behalf. Fees for the Owners Representative will be paid for by the City of Black Hawk; however, the Property Owner is responsible for any tax liability incurred as a result of these payments.

- b) Property Owner advised to hire legal counsel at their expense to prepare contract between Property Owner and General Contractor.
- c) Review construction drawings and payment process with Owners Representative and City staff.
- d) Submittal of documents/forms related to Prospective General Contractors Certificate Regarding Employing or Contracting with Illegal Aliens.
- e) Property Owner is recommended to hire a qualified tax advisor to review the financial obligations of participation in the program.

g. Final Approval of Project by City Council

The project is presented to the City Council with a budget, project schedule and final plans. Prior to the City Council approval, all documentation must be reviewed by the City Manager and HPC who will present a recommendation for approval to the City Council. The project then can be providedsubmitted to Community Planning and Development for a building permit.

h. Building Permitting and Construction

The final construction or engineering documents are to be providedsubmitted to the City for a building permit.

1) **Construction phase requirements:**

- a) Prior to issuance of a building permit and Notice to Proceed document, the General Contractor will provide payment and performance bonds for the entire amount of the project.
- b) Property Owner is required to remove any site furnishings from structure to allow adequate access to the work. Property Owner must store at their expense elsewhere, and out of the way of onsite work.
- c) General Contractor must keep site safe and clean at all times and have access to a bathroom or provide a portable toilet.
- d) Weekly or bi-weekly construction meetings and site visits that include the Property Owner and/or their Owners Representative, Architect, General Contractor and City staff.
- e) Review schedule adjustments.
- f) Change order review and submittals as encountered. Review of Monthly Pay Application request forms.
- g) Processing of payments to General Contractor, sign off by Property Owner and City staff.

i. Change Orders

If the Property Owner, Architect or General Contractor requests any changes to the

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scope of work, construction costs, or schedule, it will need to be reviewed for potential approval by the Owners Representative and City staff and/or the City Council (generally for out of scope and budget changes requested) for sign off prior to proceeding with the proposed change. Additionally, any significant changes to the exterior or site may also require HPC review.

Per City of Black Hawk Resolution 19-2013 and 3-2014 any proposed change orders to the approved construction drawings and project manual during construction must be reviewed and approved by the City Manager or his/her designee (for work that will not increase the City Council approved amount, including a contingency amount, of the Rehabilitation Grant) prior to beginning the work. The City Council shall review proposed change orders that exceed the City Council approved grant amount and they shall decide upon such request. Any deviation or change to the approved construction drawings and project manual that is authorized or performed by either the Property Owner or General Contractor is not reimbursable from the City grant dollars if such work is not approved by the City in advance.

j. Final Completion and Final Payment.

Prior to final payment, the following documentation needs to be provided:

- 1) General Contractor's Affidavit of Release of Liens
- 2) General Contractor's Affidavit of Payment of Debts and Claims
- 3) Final inspections by Building Official
- 4) Sign off by Architect/Engineer, Property Owner, and General Contractor (Certificate of Substantial Completion) as well as final acceptance by Owners Representative and City staff
- 5) As Built drawings

~~3. Exterior Maintenance Component.~~

~~This process is for the exterior maintenance grants approved by the City for Qualified Properties in the City.~~

~~a. Preparation of Exterior of House Before Painting.~~

~~If necessary, a hazardous materials investigation will be conducted by the City's consultants to determine what, if any, hazardous materials may be present onsite and the extents of any required abatement. Hazardous materials abatement must be completed prior to any additional work commencing. Prior to painting, all necessary sanding, chipping of existing peeling paint, washing of exterior, and replacement of weathered/worn materials must be completed. No chemical washing or high power blasting on siding is permitted. The Owners Representative designated to inspect the preparation work shall inspect the house to determine adequacy of the prep work once completed, and prior to any layers of paint being placed on the house.~~

~~b. Siding and Painting.~~

- ~~1) Lead Paint: The City will conduct lead clearance testing on all restoration and preservation grant projects prior to and upon completion of the job, if the original siding exists. Per the EPA Renovation, Repair and Painting Final Rule (40 CFR 745) all renovations conducted for compensation, MUST be performed by Certified Firms using Certified Renovators. The General Contractor and subcontractors will be required to follow the EPA Renovation, Repair and Painting rules and regulations.~~
- ~~2) Exterior siding: Siding to be painted with minimum of one coat of primer on all sides and two (2) coats for final color of a high quality paint (see approved list below), installed over a waterproof barrier (Tyvek or similar housewrap). Existing siding is recommended to be repaired if possible, with partial in kind replacement on an as needed basis only.~~
- ~~3) All painting and varnishing shall be a two (2) coat minimum job free of runs and skips. Cut edges neatly. Items to be painted or stained include, but are not limited to the following: exterior siding, soffits, metal work, decks, porches, wood fences, gutters, eaves, trim and all other surfaces to be painted. If sprayed, all surfaces must be back rolled.~~
- ~~4) Use only the best quality materials as approved by the City. The primer coat should visually differ in color from succeeding coats. Paint color as selected by Property Owner and approved by the City.~~
- ~~5) Flat paint finish is not acceptable. Consult with Owners Representative and City staff for acceptable sheen.~~
- ~~6) If applicable, all stain shall be two coats with a clear natural satin finish. Fill all nail heads with filler to match wood trim.~~
- ~~7) Sealants: Consult with Owners Representative and City staff for approved sealant products. Color to match siding or trim.
 - ~~a. Apply at window and door frames~~
 - ~~b. Bed metal thresholds in sealant~~
 - ~~c. Apply at flashing and jacks~~~~
- ~~8) Consult with Owners Representative and City staff for approved paint brands.~~

4.3. Emergency Component

The Emergency Component process is generally a discovery process to identify if a true emergency is evident according to the Historic Restoration and Community Preservation Fund Guide to Programs, and approved by the City Council. All requested scopes of work will be reviewed on a case-by-case basis. If approved, the appropriate City staff and Owners Representative will be directed to work with the Property Owner to identify needs, problems and solutions to apparent and non-apparent issues. Generally, City staff, the Owners Representative and City consultants evaluate a specific property with the direction from the City Council and will provide a report of initial findings with a recommendation for dealing with the potential emergency on the property. If a life safety situation exists and repairs have already been made, the Property Owner must acknowledge they have proceeded at-risk and funding reimbursement may not be approved. Additionally, a summary of original systems and maintenance records will be required to document to the City Council that the emergency arose from general use rather than deferred maintenance. Generally, the process outlined in either the *Full Site and Building Component* or *Site Work Component* sections in this Appendix will be applicable for an Emergency project. Please consult with City staff and Owners Representative to fully understand how a specific request for this component will be processed.

5.4. Radon Mitigation Component

Please consult with City staff and Owners Representative to fully understand how a specific request for this component will be processed.

I, _____, acknowledge that I have read and understand the Guide to Programs ~~knowledge that I have read and understood the Guide to Programs and agree to abide by the noted guidelines.~~

Signed: _____

Date: _____

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Property Owner Initials _____ Date _____

Review of Documents by Property Owner

The Property Owner has:

- (a) read this Agreement and the applicable documents associated with the “General Fund Guide to Programs.”
- (b) fully understands the terms and conditions of the grant as set forth therein, and
- (c) agrees to be bound by those terms and conditions.

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Property Owner

By: _____

Date: _____

Property Owner Initials _____ Date _____

EXHIBIT A
PRESERVATION EASEMENT AGREEMENT – (DEED RESTRICTION)

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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HISTORIC PRESERVATION EASEMENT

This **HISTORIC PRESERVATION EASEMENT AGREEMENT** (the "**Easement**") is entered into as of the _____ day of _____ 20____, by and between _____ whose property address is _____, Black Hawk, Colorado 80422 ("**Grantor**"), and the **CITY OF BLACK HAWK**, a Colorado home rule municipality, whose address is 201 Selak Street, P.O. Box 68, Black Hawk, Colorado, 80422 (the "**City**").

WITNESSETH

WHEREAS, Grantor owns certain real property (the "**Property**") and the improvements thereon (the "**Structure**") located at _____, in the City of Black Hawk, Gilpin County, Colorado, more particularly described in **Exhibit A** attached hereto and incorporated herein by this reference;

WHEREAS, the Structure has certain architectural, historic and/or cultural significance, which attributes are collectively described in **Exhibit B** attached hereto and incorporated herein by this reference, the Structure is located in a National Register historic district, and has been deemed by the United States Department of the Interior as contributing to the historic significance of the historic district;

WHEREAS, in exchange for the grant of this Easement, the City has agreed to expend a portion of its Restoration and Preservation Grant Funds to restore and/or preserve the Structure; and

WHEREAS, the grant of this Easement by Grantor to the City will assist in preserving and maintaining the Structure for the benefit of the general public.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and restrictions contained herein and for other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged, Grantor and the City hereby covenant and agree as follows:

1. **Grant of Easement.** In specific consideration for the expenditure of funds by the City on the preservation and restoration of the Property and the Structure (the "Project"), Grantor hereby grants to the City a perpetual easement to preserve the Structure as hereinafter described following completion of the Project as follows:

a. **Easement Area.** The Area of the Easement encompasses the exterior of the structure including but not limited to wall surfaces, railings, decorative woodwork, decorative metalwork, doors, windows, roofs, decorative elements, interior drywall and the sub-floor.

b. **Scope of Easement.** This Easement conveys to the City an interest in the Structure as hereinafter specifically provided, which includes the benefit of the following covenants, conditions and restrictions:

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Property Owner Initials _____ Date _____

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i. The exterior of the Structure, including interior drywall and the sub-floor, is not to be visually or structurally altered from the condition existing as of the Effective Date of this Easement without the City's Consent. Nothing shall be erected on the Property that impairs the visibility of the Structure from the street or grade level.

ii. The Structure shall not be demolished and no new structures or additions of any kind to the exterior of the Structure, including interior drywall and the sub-floor, may be constructed at the Property without the City's Consent, except as may be required by law.

iii. The Property and the Structure shall be maintained in a good and sound state of repair in accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties* as modified from time to time (the "Standards"), to prevent deterioration in its exterior appearance existing on the date hereof, as depicted in **Exhibit B**. Such maintenance and repair includes replacement, repair, and reconstruction by Grantor whenever reasonably necessary to preserve the Property and the Structure in substantially the same condition and state of repair as that existing on the date hereof.

iv. Grantor, at its expense, shall keep the Property and the Structure insured by a reputable insurance company licensed and in good standing in the state in which the Structure is located with a replacement cost insurance policy against loss or damage resulting from fire, windstorm, vandalism, explosion and such other hazards as typically required by prudent property owners in the same geographic area as the Property; and shall **carry and maintain comprehensive public liability insurance under a policy issued by an insurance company that names the City as an additional insured** party thereunder.

v. The Property shall not be subdivided or otherwise parcelized without the City's consent.

2. City Review Procedures. The City has the discretion when reviewing applications under Section 1, to give or withhold its consent, conditionally or unconditionally, but such consent shall not be unreasonably withheld, conditioned or delayed. "Consent" as used herein, means that the City shall have given or withheld its prior written consent to the requested action, or approval. The basis for the City's review of and Consent to proposed changes to the Project shall be the Standards.

3. Owner's Representative Payment. The City hereby agrees to reimburse Grantor for all Owner's Representative fees incurred on the project, provided that the Owner's Representative is a third party Owner's Representative consulting firm or individual hired to perform the Owner's Representative tasks and that such individual or firm is not the Grantor themselves, related to the Grantor, or an employer of someone related to the Grantor.

4. Right of Entry. Grantor agrees that representatives of the City may upon prior reasonable notice and at times reasonably acceptable to Grantor inspect the Property, including the Structure. Inspections will normally occur outside the Structure, except if the City determines interior access is reasonably necessary to establish compliance with this Easement.

5. Obligations of Grantor. Grantor shall pay before delinquency all real estate taxes, assessments, fees or charges properly levied upon the Property and shall furnish the City with evidence of payment upon request. Grantor shall keep the Property free of any liens or encumbrances for obligations incurred by Grantor, other than liens or encumbrances secured by the Project that are subordinate to this Easement. The City shall have no liability or responsibility of any kind related to the ownership, operation, insurance, or maintenance of the Property other than as specifically identified in this Easement.

6. Increased Value. For any Project that expends funds in excess of fifty thousand dollars (\$50,000), if Grantor sells the Property within five (5) years of the date the Project is completed, Grantor agrees to pay the City the "Increased Value" of the Property on a pro-rated basis as follows:

a. The "Increased Value" of the Property shall be determined in the following manner:

i. Before any work has begun on the Project, the Property's "Pre-Project Value" shall be determined by a certified appraiser chosen by the City.

ii. The Increased Value shall be calculated by subtracting the Pre-Project Value from the price paid by the purchaser of the Property subsequent to completion of the Project.

b. The amount to be paid to the City shall equal the amount of the Increased Value less an amount equal to one-fifth (1/5) of the amount of the Increased Value for each full year occurring between the date the Project is completed and the date of the sale of the Property.

7. Condemnation. Grantor shall notify the City of any condemnation proceeding with respect to the Property. The City has the option, but not the obligation, to participate in any action or settlement with respect to any condemnation and to claim the pro-rated portion of any Increased Value of any net proceeds calculated in accordance with the provisions of paragraph 5.

8. Remedies for Breach.

a. Upon a breach of any provision of this Easement, the City may pursue all available legal and equitable remedies, including injunction, to prevent or seek remedy for such violation. The prevailing party in any enforcement shall be entitled to reasonable attorney fees, costs and expenses. Grantor expressly agrees that if Grantor directly acts, or Grantor's officers, agents, representatives or employees directly act pursuant to Grantor's instructions, to cause a demolition or willful destruction of a material portion of the Property including the Structure, the City, in addition to any other

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equitable relief, is entitled to recover as liquidated damages the Increased Value of the Project prior to such demolition or destruction. Grantor agrees for itself and its successors and assigns that such liquidated damages are reasonable as of the Effective Date and

b. If the Property has substantially deteriorated as a result of a breach of subparagraph 1(b)(iii), then the City may send written notice to Grantor requesting that the Project be repaired to achieve a level of maintenance consistent with subparagraph 1(b)(iii). If, within ninety (90) days of receipt of such notice, Grantor fails to commence the implementation of repair actions reasonably satisfactory to the City, then the City or its agents may enter upon the Property and cause repairs to be made at Grantor's sole expense. Grantor's failure to reimburse the City for any actions taken by the City pursuant to this paragraph within 30 (thirty) days of Grantor's receipt of invoice(s) and supporting documentation for such actions shall constitute a lien on the Property accruing interest at the lesser of the maximum per annum rate permitted by law or 12% (twelve percent) per annum. Upon payment by Grantor of all amounts due to the City pursuant to this paragraph, including all interest accrued hereunder, the City shall deliver to Grantor a release of the lien.

9. Nature and Duration. The covenants, conditions and restrictions in this Easement run with the land constituting the Property in perpetuity and are binding upon Grantor and the successors and assigns of Grantor for the benefit of the City.

10. Indemnification. Grantor shall hold harmless, indemnify and defend the City and its officers, employees, agents and contractors, successors and assigns of each of them (collectively, "Indemnified Parties") from and against all liabilities, penalties, costs, damages, expenses, causes of action, claims, or judgments (collectively, "Claims") in any way related to: (1) any real property taxes and general or special assessments assessed and levied against the Project; or (2) this Easement, the conveyance or possession thereof or the exercise of any rights hereunder, excluding, however, any Claims based in whole or in part upon the gross negligence or willful misconduct of any Indemnified Party, provided that the Indemnified Party gives Grantor prompt notice of each such Claim, cooperates in the defense thereof, and Grantor shall have the sole right to defend and/or settle each such Claim.

11. Entire Agreement and Severability. This instrument and the attached Exhibits contain the entire agreement of the parties with respect to the Easement and supersede any prior agreements relating to the Easement. If any provision of this Easement is held unenforceable by a court of competent jurisdiction, the remainder of the Easement shall continue in full force and effect.

12. Subordination. Grantor represents and warrants to the best of its knowledge that the only mortgage or deed of trust encumbering the Project is the security instrument identified in **Exhibit C** attached hereto. Concurrently herewith, the holder of the security instrument hereto has agreed, by separate instrument (in the form of **Exhibit D** attached hereto) to be recorded immediately after this Easement, to subordinate its rights in the Project to this Easement to the extent necessary to permit the City to enforce the purpose of the Easement in perpetuity and to prevent any extinguishment of this Easement by the holder thereof. The

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Property Owner Initials _____ Date _____

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priority of any present or future security instrument with respect to any valid claim on the part of the holder thereof to the proceeds of any sale, condemnation proceedings or insurance, or to the leases, rents and profits of the Property or Structure shall not be affected by this Easement, and any liens created by the City's exercise of any of its rights under this Easement shall be junior to such present and future security instrument; provided that this Easement shall not be subordinated in any other respect whatsoever.

13. Notices. All notices given pursuant to this Easement shall be in writing and sent to the other party at the address set forth in the first paragraph hereof, by US Mail or overnight express courier. Either party may change its notice address by notice to the other party. Either party may, from time to time, specify one additional party to receive written notice in order for such notice to be binding.

14. Amendments. This Easement may be amended only by a written instrument signed by Grantor and the City.

WHEREFORE, the parties hereto have executed this Agreement on the day and year first above-written.

CITY OF BLACK HAWK

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann, City Attorney

EXHIBIT A
PRESERVATION EASEMENT AGREEMENT

DESCRIPTION OF REAL PROPERTY AND IMPROVEMENTS

Property is located at _____, legally described as _____
_____, City
of Black Hawk, based upon the City of Black Hawk survey map of Block _____, of the
Map of Black Hawk, surveyed by Albert Johnson City Surveyor, dated May and June 1866, City
of Black Hawk, County of Gilpin, State of Colorado.

(Attach Improvement Survey Plat)

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EXHIBIT B
PRESERVATION EASEMENT AGREEMENT

HISTORICAL SIGNIFICANCE OF THE SUBJECT PROPERTY
(Attach Surveys)

Based upon the 1991 Black Hawk – Central City Historic District Inventory and resurvey of 2011.

PROPERTY AND STRUCTURE MAINTENANCE
(Attach Table of Contents)

In accordance with *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

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EXHIBIT C
PRESERVATION EASEMENT AGREEMENT

SECURITY INSTRUMENT – (TITLE COMMITMENT)

Grantor represents and warrants to the best of its knowledge that the only mortgage or deed of trust encumbering the Project is the security instrument identified and attached hereto. A copy of the Title Commitment is attached.

OR

Grantor represents and warrants to the best of his/her knowledge that there is no mortgage or deed of trust encumbering the Project, therefore no security instrument is identified or attached hereto. A copy of the Title Commitment is attached.

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Property Owner Initials _____ Date _____

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EXHIBIT D
PRESERVATION EASEMENT AGREEMENT

PARTIAL SUBORDINATION OF RIGHTS

The holder of the security instrument hereto has agreed, by separate instrument (in the form of an executed Partial Subordination of Rights) to be recorded immediately after this Easement, to subordinate its rights in the Project to this Easement to the extent necessary to permit the city to enforce the purpose of the Easement in perpetuity and to prevent any extinguishment of this Easement by the holder thereof.

OR

Grantor represents and warrants to the best of his/her knowledge that there is no mortgage or deed of trust encumbering the Project, therefore no request for partial subordination of rights is required.

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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COVER LETTER - REQUEST FOR PARTIAL SUBORDINATION OF RIGHTS

Date: _____

Lender: _____

Re: Request for Partial Subordination of Rights
Property Address: _____

To Whom It May Concern:

I/We desire to enter into a Historic Preservation Covenant and Deed Restriction Agreement with the City of Black Hawk, Colorado for the expenditure of funds by the City on the historic preservation and restoration of **my/our** property on which you hold a Deed of Trust. Because the structure has certain architectural, historic and/or cultural significance, is located in a National Register historic district and has been deemed by the United States Department of the Interior as contributing to the historic significance of the historic district, it qualifies for the City of Black Hawk’s Historic Preservation Easement Program.

To participate in the program, the City of Black Hawk requires that you partially subordinate your rights in the property only to the extent necessary to permit the City to enforce the purpose of the Historic Preservation Covenant and Deed Restriction Agreement and to prevent its extinguishment. Any liens created by the City’s exercise of its rights under the Historic Preservation Covenant and Deed Restriction Agreement will be junior to any present and future security instrument on the property as long as the Historic Preservation Covenant and Deed Restriction Agreement is not subordinated in any other respect.

Enclosed you will find a Request for Partial Subordination of Rights and a copy of the Historic Preservation Covenant and Deed Restriction Agreement.

Sincerely,

Property Owner

Property Owner Initials _____ Date _____

REQUEST FOR PARTIAL SUBORDINATION OF RIGHTS

_____ **Date**
 _____ **Original Grantor (Borrower)**

 _____ **Original Beneficiary (Lender)**

 _____ **Date of Deed of Trust**
 _____ **Recording Date of Deed of Trust**
 _____ **County of Recording of Recorded Deed of Trust**
 _____ **Reception No. of Recorded Deed of Trust**
 _____ **Book and Page of Recorded Deed of Trust**
Book _____ **Page** _____

BORROWER:

STATE OF COLORADO _____)
 _____)ss.
COUNTY OF _____)

The foregoing instrument was subscribed, sworn to and acknowledged before me this _____ day of _____, 20____ by _____
 Borrower.

My commission expires: _____

(SEAL)

Notary

Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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PARTIAL SUBORDINATION OF RIGHTS

WHEREAS, Owner owns certain real property (the "Property") and improvements thereon (the "Structure") that are secured by the above-referenced Deed of Trust;

WHEREAS, the Structure has certain architectural, historic and/or cultural significance, is located in a National Register historic district and has been deemed by the United States Department of the Interior as contributing to the historic significance of the historic district; and

WHEREAS, Owner desires to enter into a Historic Preservation Covenant and Deed Restriction Agreement (the "Covenant") with the City of Black Hawk, Colorado (the "City"), for the expenditure of funds by the City on the preservation and restoration of the Property and the Structure (the "Project");

NOW THEREFORE, Lender hereby agrees to subordinate its rights in the Project to the Covenant to the extent necessary to permit the City to enforce the purpose of the Covenant in perpetuity, and to prevent any extinguishment of the Covenant by the holder thereof. The priority of any present or future security instrument with respect to any valid claim on the part of the holder thereof to the proceeds of any sale, condemnation proceedings, or insurance, or to the leases, rents and profits of the Property or Structure shall not be affected by the Covenant, and any liens created by the City's exercise of any of its rights under the Covenant shall be junior to such present and future security instrument; provided that the Covenant shall not be subordinated in any other respect whatsoever.

LENDER:

By: _____

Its: _____

Attest: _____

CITY OF _____, **STATE OF** _____

Please return signed original to:

Cynthia Linker, Community Planning and Development Administrator
City of Black Hawk, PO Box 68, Black Hawk, CO 80422 - 303-582-0615

Property Owner Initials _____ Date _____

EXHIBIT B
REHABILITATION GRANT AGREEMENT

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Property Owner Initials _____ Date _____

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**HISTORIC RESTORATION AND COMMUNITY PRESERVATION FUND
GRANT PROGRAM AGREEMENT**

THIS HISTORIC RESTORATION AND COMMUNITY PRESERVATION FUND GRANT PROGRAM AGREEMENT (the “**Agreement**”) is made as of the _____ day of _____, 20_____, (the “**Effective Date**”) by and between the **CITY OF BLACK HAWK**, a municipal corporation organized and existing under the laws of the State of Colorado (the “**City**”) and **(Insert Applicant)** (the “**Property Owner**”) whose property address is _____

_____.

RECITALS

- A. The City has made certain proceeds of the Historic Restoration and Community Preservation Fund, available for the purpose of rehabilitating historic properties in the City of Black Hawk, when owners agree to use the funds in accordance with agreed upon specifications (the “**Grant Program**”).
- B. The Property Owner, who is the owner of a structure located at **(Insert Property Address), Black Hawk, Colorado 80422**, (the “**Property**”) submitted an application under the Grant Program.

AGREEMENT

NOW, THEREFORE, in consideration of the above Recitals and the mutual covenants contained herein, the City and the Property Owner hereby agree as follows:

- 1. **Grant / Emergency Grant.**
 - 1.1 Award.** The City hereby agrees to reimburse Property Owner for work performed in compliance with this Agreement, an amount up to **\$(Insert Award Amount without**

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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Escrow Account funds (the “Award”) for the restoration and preservation of the Property.

1.2 Tax Payment. To the extent permitted by law, the City hereby agrees to reimburse Property Owner for personal state and federal income taxes owed by Property Owner that are directly attributable to funds disbursed under the Award (the “Tax Burden”). Property Owner shall provide evidence of the Tax Burden that is satisfactory to the City, in its sole discretion, prior to any payment of the Tax Burden by the City. In the event that Property Owner requests payment from the City prior to payment of his/her taxes, the City shall pay the Property Owner directly. In the event that Property Owner pays the Tax Burden him/herself and requests a reimbursement from the City, the City shall make such payment directly to the Property Owner.

1.3 Owner’s Representative Payment. The City hereby agrees to reimburse Property Owner for all Owner’s Representative fees incurred on the project, provided that the Owner’s Representative is a third party Owner’s Representative consulting firm or individual hired to perform the Owner’s Representative tasks and that such individual or firm is not the homeowner themselves, related to the homeowner, or an employer of someone related to the homeowner.

1.4 Escrow Payment. Property Owner agrees to provide payment to be held in an escrow account for all portions of the project that are above and beyond the Grant Program allowances. Property Owner deposits the Estimated Reimbursement Amount into a non-interest bearing escrow account payable to the City of Black Hawk upon execution of the Trade Contractor Agreement between the Contractor and Property Owner. If upon completion of the Restoration and Preservation project and final payment to all Contractors there are any remaining funds from the Estimated Reimbursement Amount, those funds shall be returned to the Property Owner. Property Owner is responsible for providing the City of Black Hawk invoices for work to be processed from escrow account. Each invoice shall contain sufficient detail regarding work that has been done, or will be performed, for each aspect of the Project. The invoice shall also relate directly to the escrow items outlined on the original proposal or bid provided to the Property Owner by the Contractor. When the invoice is considered complete and payable, the City of Black Hawk will write the

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Property Owner Initials _____ Date _____

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check for the invoice amount directly to the Property Owner within two (2) weeks of this determination. The Property Owner agrees to and is responsible for the disbursement of these funds by directly endorsing the check over to the Contractor in an FBO (For the Benefit Of) format to include the company name of the Contractor for the project. By depositing funds into a non-interest bearing City of Black Hawk escrow account, the Property Owner understands the process for payment to the Contractor for the contracted work, and agrees to not defraud the City of Black Hawk or the Contractor during any part of the escrow payment process. The accepted allowances included in this Agreement are:

- a. (Insert alternates, if any)

2. **Agreement, Acknowledgement and Representation by Property Owner.** The Property Owner hereby agrees with, and acknowledges and represents to the City that:

2.1 Review of Documents. The Property Owner (a) has read this Agreement and the applicable “Historic Restoration and Community Preservation Fund Guide to Programs,” (b) fully understands the terms and conditions of the grant as set forth therein, and (c) agrees to be bound by those terms and conditions.

2.2 Failure to Comply. Any failure by the Property Owner to comply with the terms and conditions of this Agreement shall terminate the Property Owner’s right to any Award payments.

2.3 No Liability. The City nor the Owner’s Representative shall be in no manner liable to the Property Owner for any monies expended by the Property Owner in connection with the Grant Program, whether or not the Property Owner is actually paid any funds from the Award.

3. **Undertaking.** The Property Owner will undertake the construction of improvements and other repairs of the Property approved by the City in a timely manner (the “**Project**”). The Property Owner has twelve (12) months to complete the Project, which time period shall begin upon the issuance of a building permit or upon disbursement of the first payment from the Award by the City to begin the Project.

Property Owner Initials _____ Date _____

4. **Conditions Precedent to Disbursement of Funds.** Subject to Section 4 hereof, funds from the Award shall be disbursed to the Property Owner upon satisfaction of:

4.1 **Evidence of Construction Costs.** The Property Owner shall provide the City, or its designee, all invoices, paid statements, building permits and such other supporting documents or certifications of the Property Owner evidencing the reasonableness and the appropriateness of the cost of the construction amount as the City, or its designee, may reasonably require.

4.2 **Building Permit.** If required by the nature of the rehabilitation of the Property as determined by the City in its sole discretion, the City, or its designee, shall be provided with a copy of the building permit issued by the City's Chief Building Official for the Project, which shall be in such form and with such content as the City, or its designee, may reasonably require.

4.3 **Other Documents or Requirements.** The Property Owner shall provide the City, or its designee, such other documents as may be required by the City, or its designee, in its sole discretion to satisfy the requirements of this Agreement.

4.4 **Completion of Improvements.** The Project shall have been satisfactorily completed in accordance with the City's Grant Program guidelines and design standards, as determined by the City or its designee, in its sole discretion, on or before twelve (12) months after the issuance of the building permit if required by the City, or on or before twelve (12) months after the first disbursement is made to the Property Owner, whichever date comes first.

5. **Disbursement.**

5.1 **Grant Disbursement.** The Property Owner is responsible for providing the City invoices for work on the Project. Each invoice shall contain sufficient detail regarding work that has been done, or will be performed, for each aspect of the Project. The invoice shall also relate directly to the items outlined on the original proposal or bid provided to the Property Owner by the Contractor and/or Owner's Representative Consultant. When the invoice is considered complete and payable, the City will write the check for the invoice amount directly to the Property Owner within two (2) weeks of this

determination. The Property Owner is then responsible for the disbursement of these funds directly to the Contractor and/or Owner's Representative.

5.2 Emergency Grant Disbursement. The Property Owner is responsible for providing the information as described **5.1 above** except that the City shall be notified of the emergency within 14 calendar days (upon discovery) of the date of the emergency and the grant application shall be submitted within 45 calendar days of the date of the emergency. **IF THE APPLICATION FOR AN EMERGENCY GRANT IS NOT RECEIVED BY THE BLACK HAWK PLANNING DEPARTMENT FROM THE OWNER WITHIN THE TIME SPECIFIED HEREIN, THE APPLICATION SHALL BE DENIED BY THE PLANNING DEPARTMENT AS UNTIMELY.**

6. **Termination of the Award.** In the event the Property Owner fails to satisfy the conditions precedent set forth in Section 4 hereof on or before, _____, 20____ (The "**Termination Date**"), the Property Owner's right to be paid the Award or any portion thereof shall automatically terminate.

7. **Sale or Transfer of Property.**

7.1 Reimbursement. In the event the amount of the Award plus the Tax Burden (the "**Combined Amount**") set forth in Section 1 exceeds fifty thousand dollars (\$50,000.00) and the Property Owner sells or transfers the Property within five years of the Effective Date, the Property Owner shall reimburse the City the amount of the Combined Amount less an amount equal to one-sixtieth of the amount of the Combined Amount for each full month occurring between the date of this Agreement and the date of the sale or transfer of the Property (the "**Reimbursement Amount**").

7.2 Security. In the event that Property Owner seeks to sell or transfer the Property within five years of the Effective Date and Property Owner has not paid the City the Reimbursement Amount, prior to any sale or transfer Property Owner shall (1) notify the City of the intended sale or transfer; (2) execute a promissory note in favor of the City for the Reimbursement Amount, which shall be calculated as if the Property will be sold on the date of execution of the deed of trust ("**Estimated Reimbursement Amount**"); and (3) execute a deed of trust for the benefit of the City to secure the

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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Estimated Reimbursement Amount. Should the Estimated Reimbursement Amount exceed the actual Reimbursement Amount, the City shall pay the difference back to the Property Owner after the transfer or sale and upon the City's receipt of the Estimated Reimbursement Amount.

7.3 Avoidance of Security Requirement. Property owner need not comply with the requirements of Section 7.2 if prior to the sale or transfer of the Property, Property Owner deposits the Estimated Reimbursement Amount in an escrow account payable to the City upon the sale or transfer of the Property. If upon the sale or transfer of the Property, the Estimated Reimbursement Amount exceeds the actual Reimbursement Amount, the difference shall be returned to the Property Owner.

8. **Non-Transferable.** The rights granted to the Property Owner herein are non-transferable and may not be transferred or assigned. Any attempted transfer or assignment shall automatically be deemed to be null and void and shall be grounds for termination of this Agreement.
9. **Notices.** All notices required or permitted under this Agreement shall be deemed given upon personal delivery by hand to the authorized representatives of either the Property Owner or the City or three (3) days after being sent by certified mail, return receipt requested, postage prepaid, addressed to the respective party at its mailing address below:

If to the City:

**City of Black Hawk
P.O. Box 68
Black Hawk, CO 80422
ATTN: Planning and Development Department**

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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If to the Property Owner:

(Insert Applicant)

Each Party may change its or his/her address as set forth herein by written notice to such effect directed to the other party.

10. **Miscellaneous:**

10.1 **Amendments and Supplements:** This Agreement may not be amended, modified or supplemented in any manner except by a written agreement executed by both the City and the Property Owner.

10.2 **Severability.** In the event any provision of this Agreement is deemed to be illegal, invalid or unenforceable by a court of competent jurisdiction, such provisions shall not affect the remainder thereof.

10.3 **Standard of Approval.** Where within this Agreement, the approval of the City or its designee is required or permitted, the City or its designee may grant or withhold its approval or its consent in its sole, absolute and uncontrolled discretion.

10.4 **Waiver.** The waiver by the City, or its designee, of any failure by the Property Owner to comply with any of the terms and conditions of this Agreement must be in writing and in any event shall not be deemed to be a waiver of any subsequent failure of the Property Owner to comply with the terms or conditions of this Agreement.

10.5 **Time of the Essence.** Time is of the essence in the performance of each and every term and condition of this Agreement by the parties hereto.

10.6 **Governing Law.** This Agreement, its construction, validity and effect, shall be governed and construed by and in accordance with the laws of the State of Colorado.

Property Owner Initials _____ Date _____

IN WITNESS WHEREOF, the Property Owner and the City have executed this Agreement on the date first above written.

CITY OF BLACK HAWK, a municipal corporation organized and existing under the laws of the State of Colorado

CITY OF BLACK HAWK

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann, City Attorney

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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EXHIBIT C
MATERIAL ALLOWANCE LIST

Item Description	Unit Cost	Unit of Measure	Not to Exceed Limit	Comments
Division 5 - Metals				
Exterior Deck Railings - Metal	\$82.50	LF	N/A	
Division 6 - Wood and Plastics				
Cabinets	\$330.00	LF	\$17,600.00	Includes all casework and built-in millwork items, along with the associated hardware (hinges, pulls and drawer guides)
Countertops	\$55.00	SF	\$3,080.00	Includes associated edge detail and backsplash (if applicable)
Exterior Decking Material	\$6.60	SF	N/A	Pricing based on composite type material
Exterior Deck Railings - Wood/Composite	\$33.00	LF	N/A	
Interior Trim (Base & Case)	\$3.85	LF	N/A	Pricing based on PEH Architects Trim Option 3 in Paint Grade Poplar
Division 8 - Doors and Windows				
Exterior Door & Frame	\$1,320.00	EA	N/A	Applies to replacement of existing exterior door & frame. 3'-0" wide exterior door required.
Interior Door & Frame	\$275.00	EA	N/A	Pricing based on 4 panel solid core veneer style
Exterior Door Hardware	\$165.00	EA	N/A	
Interior Door Hardware	\$82.50	EA	N/A	
Shower Door	\$440.00	EA	N/A	
Division 9 - Finishes				
Flooring	\$9.35	SF	N/A	
Carpet & Pad	\$27.50	SY	N/A	
Wall Tile	\$8.80	SF	N/A	Based on aggregate cost per SF of wall tile, inclusive of edge trim pieces, decorative patterns and transitions
Wallpaper	\$3.30	SF	N/A	Applies to replacement of existing wallpaper. Homeowner liable for total cost of wallpaper where it does not exist currently.
Division 10 - Specialties				
Bathroom Accessories	\$220.00	EA	N/A	Per bathroom (Towel bars, TP holder, robe hook, etc)
Division 15 - Mechanical				
Kitchen Sink	\$379.50	EA	N/A	
Kitchen Faucet	\$275.00	EA	N/A	
Bathroom Sink	\$379.50	EA	N/A	
Bathroom Faucet	\$220.00	EA	N/A	
Bath Tub or Shower Enclosure/Pan	\$715.00	EA	N/A	
Bath Tub/Shower Fixture	\$220.00	EA	N/A	
Toilet	\$275.00	EA	N/A	
Division 16 - Electrical				
Light Fixtures	\$165.00	EA	N/A	Applies to both indoor and outdoor fixtures
Ceiling Fans	\$275.00	EA	N/A	1 ceiling fan per room

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Property Owner Initials _____ Date _____

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EXHIBIT D
PROGRAM APPLICATION

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Property Owner Initials _____ Date _____

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City of Black Hawk
 Community Planning and Development
 211 Church Street
 P.O. Box 68
 Black Hawk, CO 80422
 Ph: 303-582-0615 / 303-582-2223

Grant No: _____ Project No: _____ <p style="text-align: center;">For Office Use Only</p>

HISTORIC RESTORATION AND COMMUNITY PRESERVATION FUND - APPLICATION

GENERAL INFORMATION:

Grant Year: _____ Today's Date: _____

Property Street Address: _____

Property Owner(s): _____

Owner(s) Mailing Address: _____

Owner(s) Telephone No.: (H) _____ (W) _____ (Cell) _____

Email Address: _____

Contact Person (if different from owner) _____

Contact Telephone No.: (H) _____ (W) _____ (Cell) _____

Email Address: _____

Applications can be made by individuals other than the property owners with the owner's written permission (written permission must be signed and notarized on a form "Affidavit of Permission" or 'Power-of-Attorney' provided by the applicant).

Please check the appropriate box of the type of grant you are applying for. Refer to the "Guide to Programs" for information relating to each program. PLEASE NOTE: COMPLETE A SEPARATE APPLICATION FOR EACH GRANT COMPONENT BELOW:

- Full Site and Building Component Rehabilitation (Interior/Exterior)
- Site Work Component
- Exterior Maintenance Component
- Emergency Component
- Radon Mitigation Component

Office Use Only. Do not write below this line.

Date Received: _____ Grant No.: _____

HPC Review Date: _____ Board of Aldermen Approval Date: _____

Amount Approved: _____

Comments or Conditions: _____

Authorization Signature: _____ Date: _____

Associated Grant Numbers: _____

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Property Owner Initials _____ Date _____

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PROJECT INFORMATION:

1. Please provide a general-detailed description of the project (If additional room is needed, attach additional paper):

Even though a property is located in the National Historic Landmark District, completion of an application does not guarantee the property is eligible to participate in the Historic Restoration and Community Preservation program. Once the property owner makes an official application submittal, Black Hawk staff, and the Owner's Representative will meet with the property owner for an orientation meeting and on-site property visit and inspection. Subsequently, a current conditions report and scope of work will be prepared and presented to City Council with recommendations from City staff and the Owner's Representative regarding program eligibility. Property owner will be notified by the Community Planning and Development with a decision and the next steps in the program process, if applicable.

Applicant to check the box that applies to this application:

- Grant Program Agreement (Full Site & Building-Interior/Exterior Maintenance/Emergency)
- Preservation Easement Agreement (Full Site & Building – Exterior/Site Work) - Applicant understands and agrees that prior to any construction, applicant shall grant to the City temporary construction easements necessary to complete the work, and shall execute a deed restriction in favor of the City in the forms attached hereto as **Exhibit A**.

In accordance with the City of Black Hawk's Resolution 10-2010 Titled: A resolution amending the City of Black Hawk Community Restoration and Preservation Fund Guide to provide a process for determining payment of Federal potential income tax liability. A copy of Resolution 10-2010 is attached hereto as **Exhibit B**.

For the purpose of determining reimbursement of State of Colorado income tax liability, the City Council further determines that a recipient of a residential grant must elect in writing prior to the receipt of any grant proceeds whether to seek the Colorado income tax credit for qualifying rehabilitation projects pursuant to C.R.S. § 39-22-514, or whether to apply to the City Manager consistent with C.R.S. §12-47.1-1301, as amended, for the reimbursement of any Colorado income tax liability paid as a result of the receipt of the grant.

- I certify that I **WILL NOT** submit an application to the Colorado Historical Preservation Income Tax Credit program, but will apply for reimbursement through the City of Black Hawk.
- I certify that I **WILL** apply for the Colorado Historical Preservation Income Tax Credit through the State of Colorado and understand that **NO** reimbursement will be available from the City of Black Hawk. The most current information on the Colorado Preservation tax credit program can be found at <http://www.historycolorado.org/oahp/preservation-tax-credits>.

Property Owner Signature

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Property Owner Initials _____ Date _____

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CERTIFICATE OF APPROPRIATENESS APPLICATION

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Property Owner Initials _____ Date _____

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CITY OF BLACK HAWK
 Community Planning and Development
 211 Church Street
 P.O. Box 68
 Black Hawk, CO 80422
 Ph: 303-582-0615 / 303-582-2223

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APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

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*Office Use Only *****DO NOT COMPLETE ANY ENTRIES CONTAINED IN THIS BOX*****Office Use Only*

Date Received: _____ Application Number: _____

Past Reviews: YES _____ Date of Review NO _____

Staff Approval Authorized by: _____ Title: _____

Historic Preservation Commission Review Date: _____

Local Landmark Local Historic District (name) _____

National Landmark National Register District (name) _____

Certificate of Appropriateness:

Denied Continued Sent to Council Approved and issued: ___/___/___

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(Please print)

Property Address:

_____ Address _____ City/State _____ ZIP _____

Property Owner(s):

_____ Phone: _____

Property Owner Address:

_____ Address _____ City/State _____ ZIP _____

Current Building Use:

_____ (Single family, Commercial, Industrial, etc.)

Type of Building Construction:

_____ (Wood frame, brick, stone, steel concrete, etc.)

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Property Owner Initials _____ Date _____

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Proposed Work: _____

- _____ Full Site and Building Component Rehabilitation (Interior)
- _____ Site Work Component
- _____ General Fund Exterior Paint
- _____ Emergency Component
- _____ Radon Mitigation Component
- _____ Demolition

Detailed Description of Proposed Work:

Owner email: _____

Owner(s) Signature: _____

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Property Owner Initials _____ Date _____

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CITY OF BLACK HAWK

CHECK LIST FOR CERTIFICATE OF APPROPRIATENESS

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To ensure your application can be processed in a timely manner without delay,
Include the following documentation when appropriate!

Detailed written narrative of the project (include scale,
dimensions, construction methods, alterations, etc.)

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Materials to be used and colors selected from historic color
palette (supplemented with manufacturers' brochures and
specifications)

Site Plan showing existing buildings and structures, and
proposed project (i.e.: any exterior improvement/change such
as new construction, additions, sidewalks/stairs, rock walls,
porches, decks, fences, signs, awnings,)

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Photographs

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Drawings (one set), if applicable

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Date

Property Owner Initials _____ Date _____

**EXHIBIT A
TEMPORARY CONSTRUCTION EASEMENT**

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Property Owner Initials _____ Date _____

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TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That _____, whose address is _____ ("Grantor"), in consideration of **TEN DOLLARS (\$10.00)**, receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby grant, bargain, sell and convey to **CITY OF BLACK HAWK**, whose address is 201 Selak Street, Black Hawk, Colorado 80422, ("Grantee"), a Temporary Easement for restoration of _____, together with all rights and privileges as are necessary or incidental to the reasonable and proper use of such easement in and to, over, under and across the tract of land described as follows:

See **Exhibit A**, attached hereto and incorporated herein by this reference the "Temporary Easement Property". (**Insert Site Plan/Improvement Location Survey/Legal Description**)

1. Said Temporary Easement shall expire and be of no further force or effect one (1) year after the date of notice by the Grantee of the commencement of said temporary construction easement. More specifically, this Temporary Easement shall not commence until the Grantee provides a written notice to Grantor of the commencement of the Temporary Easement, which must be provided within one (1) year of the date of execution of this Agreement. The Grantor also grants to the Grantee the option to extend this Temporary Easement for a period not to exceed six (6) months from the date of expiration hereof.

2. City will use the Temporary Easement Property as access to the _____ and _____ sides of _____ for the restoration of that property. The City may have to install an earth ramp to access the area and this may entail the removal of the existing low rock retaining walls. The City will repair or replace any rock walls to existing conditions. The Temporary Easement Property will be restored to its current condition. The City will remove any dead and downed trees and clean, finish grade and reseed all disturbed areas with native grasses and wildflowers.

3. During the term of this Temporary Easement, Grantor shall not erect or construct, or allow to be erected or constructed, any building or other structure which may interfere with Grantee's full enjoyment of the rights hereunder.

4. The parties hereto agree that neither has made nor authorized any agreement with respect to the subject matter of this instrument other than expressly set forth herein, and no oral representation, promise or consideration different from the terms herein contained shall be binding on either party, or its agents or employees hereto.

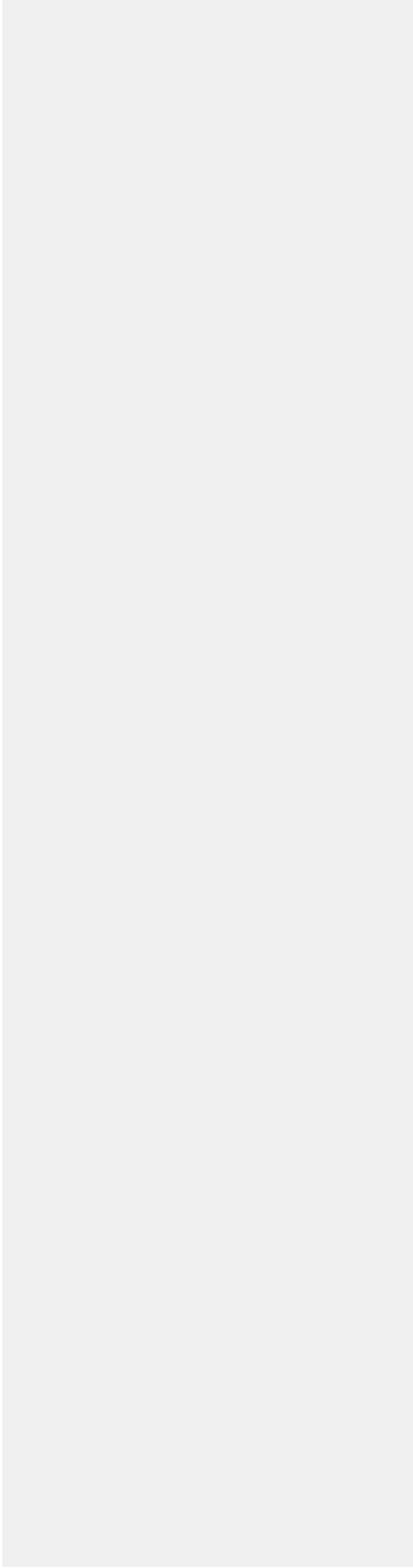
Property Owner Initials _____ Date _____

GRANTEE: CITY OF BLACK HAWK

By: _____ Date: _____
David D. Spellman, Mayor

Attest: _____
Melissa A. Greiner, City Clerk

Approved as to legal form: _____
Corey Y. Hoffmann, City Attorney



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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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EXHIBIT B
REFERENCED CITY OF BLACK HAWK RESOLUTIONS

81

Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 10-2010

TITLE: A RESOLUTION AMENDING THE CITY OF BLACK HAWK COMMUNITY RESTORATION AND PRESERVATION FUND GUIDE TO PROVIDE A PROCESS FOR DETERMINING PAYMENT OF FEDERAL POTENTIAL INCOME TAX LIABILITY

WHEREAS, with the adoption of HB 04-1381, a provision of C.R.S. § 12-47.1-1301(3) that prohibited the payment of income tax liability associated with the receipt of a residential grant within the City of Black Hawk was deleted from C.R.S. § 12-47.1-1301(3) for all residential grants awarded on or after May 12, 2004;

WHEREAS, the City Council of the City of Black Hawk desires to provide for payment of federal income tax liability associated with the receipt of a residential grant awarded on or after May 12, 2004, and at the same time protect the confidential financial information of those individuals that may be entitled to such payment pursuant to the Colorado Open Records Act, C.R.S. § 24-72-201, *et seq.*; and

WHEREAS, the City Council of the City of Black Hawk desires to develop a process for paying the federal income tax liability associated with the receipt of a residential grant that is in accord with the law and provides notice to the public of the expenditure of public funds and at the same time protects the privacy interests related to confidential financial information of those individuals receiving such grant funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The recipient of a residential grant approved by the City Council pursuant to the City of Black Hawk Community Restoration and Preservation Fund Guide to Programs (the "Grant Program") seeking payment of federal income tax liability shall submit to the City of Black Hawk Finance Department a copy of the documents described hereinbelow in order to qualify for consideration to receive the payment of federal income tax liability associated with the preservation and restoration of the recipient's residential property.

A. A copy of a letter from a Certified Public Accountant or Enrolled Agent specifying the specific federal tax liability amount for the tax year in question associated with the receipt of a grant pursuant to the Grant Program, and

B. A fully executed document in the form attached hereto as **Exhibit A** and incorporated herein by this reference, signed by the grant recipient(s).

1

4/29/10
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Property Owner Initials _____ Date _____

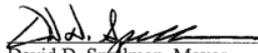
Approved by Resolution ____-2014 on July 9, 2014
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Section 2. The City Manager, in coordination and consultation with the Finance Director, shall provide to the City Council a report indicating the total federal income tax liability due grant recipients on a quarterly basis based on receipt of the information set forth in Section 1 of this Resolution, and the City Council shall consider by separate Resolution whether to approve the federal income tax liability for its residential grant program on a quarterly basis. If the City Council approves the payment of federal income tax liability by Resolution, said Resolution will identify the recipients of payment for federal income tax liability, but shall not disclose the amount paid to each recipient.

Section 3. The City Council may also determine to budget a certain amount within the City's annual budget for the payment of such federal income tax liability, and if the amount has been duly budgeted, and the approval of the grant included approval of an amount to be determined for federal income tax liability, the City Manager may approve the expenditure of the federal income tax liability, subject to ratification by the City Council by Resolution in accordance with section 2 of this Resolution, and provided said applicant has provided the necessary documentation as provided in Section 1 of this Resolution.

Section 4. For the purpose of determining reimbursement of State of Colorado income tax liability, the City Council further determines that a recipient of a residential grant must elect in writing prior to the receipt of any grant proceeds whether to seek the Colorado income tax credit for qualifying rehabilitation projects pursuant to C.R.S. § 39-22-514, or whether to apply to the City Manager consistent with C.R.S. § 12-47.1-1301, as amended, for the reimbursement of any Colorado income tax liability paid as a result of the receipt of the grant.

RESOLVED AND PASSED this 28 day of April, 2010.


David D. Spillman, Mayor

ATTEST:

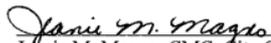

Jeanie M. Magno, CMC, City Clerk

Exhibit A
Income Tax Liability

City of Black Hawk
ATTN: Finance Director
P.O. Box 68
Black Hawk, CO 80422

Dear Sir or Madam:

I (We) have completed our Federal and State Tax Returns for tax year 20___, and are requesting that the City of Black Hawk issue a check to cover our total Federal income tax liability for receipt of the residential grant for my (our) property located at _____ in the amount of \$_____.

I (We) certify that for the Federal Income Tax Return filed for tax year 20___, my (our) tax liability is \$_____ and my (our) tax liability would have been \$_____ without reporting the grant.

I (We) certify that an application for the Colorado Historical Preservation Income Tax Credit has been submitted and I (we) understand that no reimbursement will be available from the City of Black Hawk for my State income tax liability.

OR

I (We) certify that I (we) will not submit an application for the Colorado Historical Preservation Income Tax Credit and I (We) certify that for the State Income Tax Return filed for tax year 20___, my (our) tax liability is \$_____ and my (our) tax liability would have been \$_____ without reporting the grant.

I (We) certify that the above information is true and correct. To the extent the information is not correct, I (we) understand that I (we) may be held personally liable to repay all money received hereunder, and to pay interest, costs, and attorneys' fees incurred by the City of Black Hawk in collecting such amounts, and that I (we) may also be subject to criminal prosecution.

Sincerely,

Signature / Date

Signature / Date

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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EXHIBIT E: HOME PROGRAM OUTLINE

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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City of Black Hawk

Community Planning and Development
211 Church Street
P.O. Box 68
Black Hawk, CO 80422
Ph: 303-582-0615 Fax: 303-582-2239

**HOME PROGRAM
OUTLINE**

DATE: _____

OWNERS: _____

PROPERTY ADDRESS: _____

A. HOUSE INFORMATION:

Year home was built: _____

Additions on House: _____

Date Addition was Built: _____

Approximate Square Footage of Home: _____

Floors: _____

House Occupied: YES NO

Will Owner empty house and live elsewhere during construction: YES NO

Approximate Renovation Start Date: _____

B. REASONS OWNER IS REQUESTING RENOVATIONS TO HOUSE

Owner identified problems in need of repairs:

Roof Leaks. Roof material: _____

Exterior Wall & Trim Condition. Exterior material: _____

Exterior Paint. Condition: _____

Visible Structural Problems. Roof line: _____

Walls: _____

Rodent Infestation

Crawl Space. Foundation type: _____

Site Drainage Problems. Location: _____

Mold in House. Locations: _____

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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Preservation Guide to Program\Guide to Programs - March to July Compare_REV2_072314.docx

- Hazardous (lead paint, asbestos, etc.): _____
- Condition of Windows: Operable? YES NO Number: _____ Age: _____
- Porch or Deck. Condition: _____
- Fence. Type and Condition: _____
- Outbuildings. Description: _____
- Site Condition: _____
- Retaining Walls: Condition, location & size: _____
- Electrical System. Condition: _____
- Plumbing System. Condition: _____
- Heating System. Condition & Type: _____
- Insulation. Ceilings, Walls, Floors: _____
- Kitchen Cabinets. Condition: _____
- Kitchen Countertops. Condition: _____
- Floors. Condition & Types: _____
- Doors. Number, Type & Condition: _____
- Interior Walls. Condition: _____
- Bathroom. Condition & Number: _____
- Staircase. Condition: _____
- Interior Trim. Condition: _____
- Secondary Heat (fireplace or stove). Type & Condition: _____
- Historic Elements. Description & Condition: _____

NOTES: _____

Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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EXHIBIT F: REFERENCED CITY OF BLACK HAWK RESOLUTIONS

Resolution No. 10-2010:

A Resolution amending the City of Black Hawk Community Restoration and Preservation Fund Guide to provide a process for determining payment of federal potential income tax liability.

Resolution No. 19-2013:

A Resolution establishing a contingency on public improvement projects to be managed at the City Manager's discretion.

Resolution No. 3-2014:

A Resolution establishing a contingency on grant projects under the Community Restoration and Preservation Fund grant program to be managed at the City Manager's discretion.

Resolution No. 38-2014:

A Resolution temporarily rebating City use tax on construction and building materials for residential projects within the City's National Historic Landmark District.

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 10-2010

TITLE: A RESOLUTION AMENDING THE CITY OF BLACK HAWK COMMUNITY RESTORATION AND PRESERVATION FUND GUIDE TO PROVIDE A PROCESS FOR DETERMINING PAYMENT OF FEDERAL POTENTIAL INCOME TAX LIABILITY

WHEREAS, with the adoption of HB 04-1381, a provision of C.R.S. § 12-47.1-1301(3) that prohibited the payment of income tax liability associated with the receipt of a residential grant within the City of Black Hawk was deleted from C.R.S. § 12-47.1-1301(3) for all residential grants awarded on or after May 12, 2004;

WHEREAS, the City Council of the City of Black Hawk desires to provide for payment of federal income tax liability associated with the receipt of a residential grant awarded on or after May 12, 2004, and at the same time protect the confidential financial information of those individuals that may be entitled to such payment pursuant to the Colorado Open Records Act, C.R.S. § 24-72-201, *et seq.*; and

WHEREAS, the City Council of the City of Black Hawk desires to develop a process for paying the federal income tax liability associated with the receipt of a residential grant that is in accord with the law and provides notice to the public of the expenditure of public funds and at the same time protects the privacy interests related to confidential financial information of those individuals receiving such grant funds.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The recipient of a residential grant approved by the City Council pursuant to the City of Black Hawk Community Restoration and Preservation Fund Guide to Programs (the "Grant Program") seeking payment of federal income tax liability shall submit to the City of Black Hawk Finance Department a copy of the documents described hereinbelow in order to qualify for consideration to receive the payment of federal income tax liability associated with the preservation and restoration of the recipient's residential property.

A. A copy of a letter from a Certified Public Accountant or Enrolled Agent specifying the specific federal tax liability amount for the tax year in question associated with the receipt of a grant pursuant to the Grant Program, and

B. A fully executed document in the form attached hereto as **Exhibit A** and incorporated herein by this reference, signed by the grant recipient(s).

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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Section 2. The City Manager, in coordination and consultation with the Finance Director, shall provide to the City Council a report indicating the total federal income tax liability due grant recipients on a quarterly basis based on receipt of the information set forth in Section 1 of this Resolution, and the City Council shall consider by separate Resolution whether to approve the federal income tax liability for its residential grant program on a quarterly basis. If the City Council approves the payment of federal income tax liability by Resolution, said Resolution will identify the recipients of payment for federal income tax liability, but shall not disclose the amount paid to each recipient.

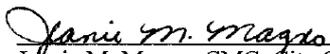
Section 3. The City Council may also determine to budget a certain amount within the City's annual budget for the payment of such federal income tax liability, and if the amount has been duly budgeted, and the approval of the grant included approval of an amount to be determined for federal income tax liability, the City Manager may approve the expenditure of the federal income tax liability, subject to ratification by the City Council by Resolution in accordance with section 2 of this Resolution, and provided said applicant has provided the necessary documentation as provided in Section 1 of this Resolution.

Section 4. For the purpose of determining reimbursement of State of Colorado income tax liability, the City Council further determines that a recipient of a residential grant must elect in writing prior to the receipt of any grant proceeds whether to seek the Colorado income tax credit for qualifying rehabilitation projects pursuant to C.R.S. § 39-22-514, or whether to apply to the City Manager consistent with C.R.S. § 12-47.1-1301, as amended, for the reimbursement of any Colorado income tax liability paid as a result of the receipt of the grant.

RESOLVED AND PASSED this 28 day of April, 2010.


David D. Spellman, Mayor

ATTEST:


Jeanie M. Magno, CMC, City Clerk

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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Exhibit A

Federal Income Tax Liability

City of Black Hawk
Attn: Finance Director
P.O. Box 68
Black Hawk, Colorado 80422

Dear Sir or Madam:

I (We) have completed our Federal Tax Returns for tax year 20____, and are requesting that the City of Black Hawk issue a check to cover our total federal income tax liability for receipt of the residential grant for my (our) property located at _____ in the amount of \$_____.

I (We) certify that for the Federal Income Tax Return filed for tax year 20____, my (our) total tax liability is \$_____ and my tax liability would have been \$_____ without reporting the grant.

I (We) certify that an application for the Colorado Historical Preservation Income Tax Credit has been submitted and I (we) understand that no reimbursement will be available from the City of Black Hawk for my State income tax liability.

Or

I (We) certify that I (we) will not submit an application for the Colorado Historical Preservation Income Tax Credit and are asking for reimbursement from the City in the amount of \$_____ for my State income tax liability.

I (We) certify that the above information is true and correct. To the extent the information is not correct, I (we) understand that I (we) may be held personally liable to repay all money received hereunder and to pay interest, costs, and attorneys' fees incurred by the City of Black Hawk in collecting such amounts, and that I (we) may also be subject to criminal prosecution.

(Name)

Date

Property Owner Initials _____ Date _____

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 19 -2013

TITLE: A RESOLUTION ESTABLISHING A CONTINGENCY ON PUBLIC IMPROVEMENT PROJECTS TO BE MANAGED AT THE CITY MANAGER'S DISCRETION

WHEREAS, Article IX of Chapter 1 of the Black Hawk Municipal Code sets forth procedures for the awarding of contracts for public improvements; and

WHEREAS, in furtherance of the awarding of contracts for public improvements as authorized by Article IX of Chapter 1 of the Black Hawk Municipal Code, the City Council desires to authorize the City Manager to manage the contingency in a fixed amount of ten percent (10%) for any such contract, without having the contingency specifically awarded to the successful contractor.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

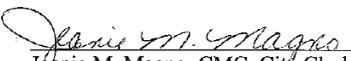
Section 1. The City Council hereby directs that the City Manager is authorized to manage a contingency in the amount of ten percent (10%) for any City contract for the design and/or construction of public improvements, without the need or requirement that the City Council specifically add such contingency to the award of the contract. Nothing in this Agreement shall preclude or prevent the City Manager from seeking City Council approval for any change orders, notwithstanding the authority granted by this Resolution.

RESOLVED AND PASSED this 24 day of April, 2013.



David D. Spellman, Mayor

ATTEST:



Jeanie M. Magno, CMC, City Clerk

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 3-2014

TITLE: A RESOLUTION ESTABLISHING A CONTINGENCY ON GRANT PROJECTS UNDER THE COMMUNITY RESTORATION AND PRESERVATION FUND GRANT PROGRAM TO BE MANAGED AT THE CITY MANAGER'S DISCRETION

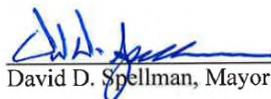
WHEREAS, in furtherance of the awarding of contracts for public improvements as authorized by Article IX of Chapter 1 of the Black Hawk Municipal Code, the City Council has previously authorized the City Manager to manage the contingency in a fixed amount of ten percent (10%) for any such contract, without having the contingency specifically awarded to the successful contractor; and

WHEREAS, the City Council desires to include within such authorization grant projects under the Community Restoration and Preservation Fund Grant Program.

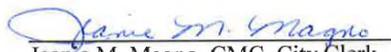
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. In addition to the previous authorization given to the City Manager for management of design and/or construction of public improvement projects, the City Council further directs that the City Manager is authorized to manage a contingency in the amount of ten percent (10%) for any grant projects under the Community Restoration and Preservation Fund Grant Program without the need or requirement that the City Council specifically add such contingency to the award of the contract. Nothing in this Agreement shall preclude or prevent the City Manager from seeking City Council approval for any change orders, notwithstanding the authority granted by this Resolution.

RESOLVED AND PASSED this 12 day of February, 2014.


David D. Spellman, Mayor

ATTEST:


Jeanie M. Magno, CMC, City Clerk

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 38-2014

**TITLE: A RESOLUTION TEMPORARILY REBATING CITY USE TAX ON
CONSTRUCTION AND BUILDING MATERIALS FOR RESIDENTIAL PROJECTS
WITHIN THE CITY'S NATIONAL HISTORIC LANDMARK DISTRICT**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF BLACK HAWK, COLORADO, THAT:

Section 1. Retroactive to April 1, 2014, the Mayor and Board of Aldermen hereby
resolve to temporarily rebate City use tax of 4% on construction and building materials for
projects which require a building permit for which use tax on construction and building materials
is imposed, on those residential properties located within the City's National Historic Landmark
District. Said rebate shall expire on April 4, 2016.

RESOLVED AND PASSED this 11th day of June, 2014.



David D. Spelman, Mayor

ATTEST:



Kelly K. Stevens, Deputy City Clerk

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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EXHIBIT G: FUNDING MATRIX

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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<u>Scope of Work</u>	<u>Preservation Easement</u>	<u>Rehabilitation Grant</u>	<u>Comments</u>
Excavation	✓		
Necessary Tree Removal	✓	✓	Funding through Rehabilitation Grant for Emergency Component only
Historic Rock Wall Repairs	✓	✓	
Historic Fencing	✓	✓	
Outbuildings	✓		
Foundation Systems	✓	✓	Funding through Rehabilitation Grant for Emergency Component only
Perimeter Foundation Drainage	✓	✓	Funding through Rehabilitation Grant for Emergency Component only
Subfloor Repair	✓		
Exterior Doors and Hardware	✓		
Exterior Windows and Hardware	✓		
Skylights (if existing)	✓		
Exterior Siding and Trim	✓		
Exterior Paint	✓	✓	Funding through Rehabilitation Grant for Exterior Maintenance Component only
Exterior Appurtenances	✓		
Roofing	✓	✓	Funding through Rehabilitation Grant for Emergency Component only
Sheet Metal and Flashing	✓		
Downspouts and Gutters	✓		
Site Utilities	✓	✓	Funding through Rehabilitation Grant for Emergency Component only
Landscaping	✓		As allowed per Guide to Programs
Fireplace and Chimney	✓	✓	Must have doors installed to prevent heat loss and drafts – Preservation Easement applies to fireplaces only if this is the sole heating source
Outdoor Lighting Replacement	✓		
Reversal of Inappropriate Alterations or Additions	✓		
Reconstruction/Restoration of Original Exterior Architectural Details	✓		
Interstitial Floor and Ceiling Systems		✓	
Roof Framing Systems	✓		
Exterior Wall Construction	✓		
Interior Wall Finishes		✓	
Interior Ceiling Finishes		✓	
Floor Finishes		✓	

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Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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<u>Scope of Work</u>	<u>Preservation Easement</u>	<u>Rehabilitation Grant</u>	<u>Comments</u>
Cabinetry and Hardware		✓	
Trim		✓	
Interior Doors and Hardware		✓	
Countertops		✓	
Backsplash		✓	
Shower and Bath Accessories		✓	
Kitchen Fixtures		✓	
Bathroom Fixtures		✓	
Hose Bibs		✓	
Heating Systems		✓	
Ventilation Systems		✓	
Interior Rough MEP Utilities	✓		
Interior Trim MEP Utilities		✓	
BBQ Gas Line	✓		
Interior Lighting		✓	
Exterior Lighting	✓		
Ceiling Fans		✓	
Fire and Carbon Monoxide Detection		✓	
Radon Mitigation Systems	✓	✓	Funding through Rehabilitation Grant for Radon Mitigation Component only

Property Owner Initials _____ Date _____

Approved by Resolution ____-2014 on July 9, 2014
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RESOLUTION 55-2014
A RESOLUTION
CONVEYING CERTAIN
CITY-OWNED PROPERTY
TO THE BLACK HAWK
URBAN RENEWAL
AUTHORITY TO
ENCOURAGE
REDEVELOPMENT OF
THE PROPERTY
LOCATED AT 211 AND 221
GREGORY STREET

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 55-2014

TITLE: A RESOLUTION CONVEYING CERTAIN CITY-OWNED PROPERTY TO THE BLACK HAWK URBAN RENEWAL AUTHORITY TO ENCOURAGE REDEVELOPMENT OF THE PROPERTY LOCATED AT 211 AND 221 GREGORY STREET

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The Board of Aldermen hereby approves the Quit Claim Deed conveying the property located at 211 and 221 Gregory Street to the Black Hawk Urban Renewal Authority, and authorizes the Mayor to execute the same on behalf of the City of Black Hawk.

RESOLVED AND PASSED this 23rd day of July, 2014.

David D. Spellman, Mayor

ATTEST:

Melissa Greiner, City Clerk

Recorded at _____ o'clock _____ .M., _____

Reception No. _____, Recorder

QUIT CLAIM DEED

The City of Black Hawk, Colorado, a Colorado home rule municipality whose address is P. O. Box 68, Black Hawk, Colorado 80422, County of Gilpin, and State of Colorado, Grantor, for the consideration of Ten dollars (\$10.00) and other good and valuable consideration, in hand paid, hereby sells and quitclaims to the Black Hawk Urban Renewal Authority whose address is P. O. Box 68, Black Hawk, Colorado 80422, County of Gilpin, and State of Colorado the following real property, in the County of Gilpin, and State of Colorado, to wit:

See **Exhibit A**, attached hereto and incorporated herein by this reference..

Signed this _____ day of _____, 2014.

**GRANTOR CITY OF BLACK HAWK,
COLORADO**

David D. Spellman, Mayor

Attest:

Melissa Greiner, City Clerk

STATE OF COLORADO)
) ss.
COUNTY OF GILPIN)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by David D. Spellman as the Mayor of the City of Black Hawk, Colorado.

My commission expires: _____

Witness my hand and official seal.

Notary Public

Name and Address of Person Creating Newly Created Legal Description (§38-35-106.5, C.R.S.)

Exhibit A

The East 17 feet of Lot 2 and the West 21 feet of Lot 3, Block 28, Black Hawk, County of Gilpin, State of Colorado, also known by a street address of 221 Gregory Street

AND

The East 19 feet of Lot 3, the West 23 feet of Lot 4, the East 15 feet of Lot 4, and the west 31 feet of Lot 5, Block 28 Black Hawk, County of Gilpin, State of Colorado, also known by a street address of 211 Gregory Street

RESOLUTION 56-2014
A RESOLUTION
ADOPTING THE CITY OF
BLACK HAWK GENERAL
FUND EXTERIOR PAINT
PROGRAM GUIDE TO
PROGRAMS

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 56-2014

TITLE: A RESOLUTION ADOPTING THE CITY OF BLACK HAWK GENERAL FUND EXTERIOR PAINT PROGRAM GUIDE TO PROGRAMS

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The City of Black Hawk General Fund Exterior Paint Program Guide to Programs, attached hereto as **Exhibit A** and incorporated herein by this reference, is hereby approved.

RESOLVED AND PASSED this 23rd day of July, 2014.

David D. Spellman, Mayor

ATTEST:

Melissa Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

CITY COUNCIL MEETING:

July 23, 2014

SUBJECT:

Approval and Adoption of the City of Black Hawk General Fund Exterior Paint Program Guide to Programs

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The City of Black Hawk strives to maintain the integrity of its Historic Landmark District by providing funds to local residents to preserve the appearance of eligible properties. As such, City Council has directed Community Planning and Development to provide a Guide to Programs for the newly designated General Fund Exterior Paint Program. In general, the Program provides direction to homeowners on how to request and expend funds provided by the City of Black Hawk to paint their residence and accessory structures, including outbuildings, fences and metal stairs.

City staff would like City Council to review the newly created General Fund Exterior Paint Program. The following changes differ from the previous Exterior Maintenance Component as provided by the City of Black Hawk Historic Restoration and Community Preservation Fund. Under the newly created General Fund Exterior Paint Program:

1. The homeowner will no longer be allowed to request reimbursement of their initial tax liability as a result of receiving the City grant.
2. The homeowner will be responsible, via an escrow account established at the beginning of the project, for all significant repairs and/or upgrades which are necessary or requested as part of the scope of work.

The General Fund Exterior Paint Program Guide to Programs was presented to the Historic Preservation Commission (HPC) on July 15, 2014. Upon review, HPC recommended to City Council that the following items be additionally discussed:

1. The requirement for a homeowner escrow account for all significant repairs may deter certain homeowners from participation in the program, which then may result in additional deterioration of the structure. What actions will City Council take to prevent these additional negative consequences?
2. The five-year cycle for repainting may be too long given the City of Black Hawk's location and weather conditions. Should this timeline be reduced?
3. The Guide to Programs should reflect that any upgrades or repairs related to code compliance are at the homeowner's cost. The program as presented does not address this condition.

4. Should “minor repairs”, which are covered by the General Fund, be defined, either with a dollar amount or otherwise, and what is the procedure for determining this? Or, should the scope be left intentionally vague and determined on a case by case basis by City staff and the Owner’s Representative?

5. Should “significant repairs”, which is not covered by the General Fund, be defined, either with a dollar amount or otherwise, and what is the procedure for determining this? Or, should the scope be left intentionally vague and determined on a case by case basis by City staff and the Owner’s Representative?

RECOMMENDATION:

It is recommended the Board of Aldermen **APPROVE** the City of Black Hawk General Fund Exterior Paint Program Guide to Programs, with any recommended revisions.

RESOLUTION DATE:

July 23, 2014

ORIGINATED BY:

Community Planning & Development

STAFF PERSON RESPONSIBLE:

Cynthia Linker, CP&D

DOCUMENTS ATTACHED:

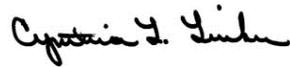
Draft Guide to Programs

CITY ATTORNEY REVIEW:

Yes No N/A

INITIALS C.L.L.

SUBMITTED BY:



7/16/14

Cynthia L. Linker, CP&D

REVIEWED BY:



7/17/2014

Jack D. Lewis, City Manager



BLACK HAWK[®]

CITY OF BLACK HAWK

**GENERAL FUND EXTERIOR PAINT PROGRAM
GUIDE TO PROGRAMS**

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Exhibit B: Program Application

SECTION 1: PROGRAM OVERVIEW

A. PURPOSE

1. The City has established goals to preserve the City's architectural character with exterior improvements to buildings. The purpose of the General Fund Exterior Paint Program is to provide financial assistance that will promote the exterior restoration and preservation of Black Hawk's Qualified Properties and to provide for the continuation and enhancement of a functional, sustainable, healthy and vibrant Black Hawk residential community.
2. This program is intended to enhance certain select areas of the City by providing Property Owners with the resources needed to rehabilitate and historically preserve the exteriors of Qualified Properties. The use of funds pursuant to the Program is only for the specific property address and work program recommended by City Staff and approved by the City Manager, which is consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties, complies with the City of Black Hawk Residential Design Guidelines and Section 16-368 of the Black Hawk Municipal Code.

B. DEFINITIONS

1. Bed and Breakfast: A residential dwelling unit that provides sleeping accommodations for hire, for thirty (30) days or less, on a day-to-day basis, with one (1) or more meals per day included, at which an owner, manager or lessee of the property resides on the premises. Such use shall not include residential dwelling units with two (2) or more rental rooms or facilities which include retail or commercial activities of any kind. Commercial properties without a resident owner are not eligible for this Program.
2. Board of Aldermen: An elected six-member panel authorized with decision-making powers for the governance of the City of Black Hawk.
3. Building Official: The City official charged with the responsibility of administering and enforcing the City's building codes.
4. City Council: The elected Board of Aldermen, plus the Mayor.
5. City of Black Hawk Residential Design Guidelines: Guidelines developed to help achieve the goal of preserving the City's character with exterior improvements to buildings. Please contact City staff for a copy of these Guidelines.
6. City Manager: The City Manager is the chief administrative officer for all departments of the City, is appointed by the City Council and shall have and exercise all the administrative powers vested in the City.
7. City Staff: An employee of the City of Black Hawk.

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8. General Contractor: The contracting company selected to oversee and manage the construction work.
9. Construction Hard Costs: Costs related to labor, materials, and overhead.
10. Construction Soft Costs: Costs related to fees, permits, insurance, and other costs not directly related to the physical installation of the scope of work.
11. Contributing Structure: Any building, structure, or object included on the property which adds to the historical integrity or architectural qualities that make the historic district significant and is used for defining context and which retains a significant amount of its physical integrity and character-defining features.
12. Designated Historic Resource: A public or private building, home, replica, structure, object, property, park or site that has importance in the history, architecture, archeology or culture of the City, State or Nation, as designated by the Historic Preservation Commission and City Council.
13. Escrow Account: An account established by the Property Owner to fund any additional costs for the project which are not covered through the Historic Restoration and Community Preservation Fund. Costs must be pre-paid into the account prior to the start of construction.
14. Guide to Programs: This policy and procedures document, related to the General Fund Exterior Paint Program.
15. Historic Preservation Commission (HPC): A five-member appointed panel charged with the review and recommendation of modifications to the historic components of the City of Black Hawk.
16. National Historic District Landmark: All properties within the Historic Residential District zoning designation are included within the National Historic District Landmark. The full boundaries of this Landmark District can be obtained from City staff.
17. National Historic Landmark Period of Significance: 1859 to 1918.
18. Noncontributing Building: A building, regardless of age, that has lost its integrity. These buildings do retain value as residential or commercial properties, but do not possess the significance and/or physical integrity necessary to be listed as contributing.
19. Outbuildings: Accessory structures to the original building which may or may not be included as part of the Qualified Property. Improvements to these structures will be at the discretion of the City.

20. Owners Representative: An entity designated by the Owner (City of Black Hawk and/or Property Owner) to act on their behalf in administering the contract documents, coordinating design professionals, overseeing construction progress, and reviewing paperwork required as part of the Program.
21. Program: The Black Hawk General Paint Fund.
22. Property Owner (Owner): Property owner per recorded City documents, or designated representative as provided with written permission via a signed and notarized "Affidavit of Permission" or "Power-of-Attorney" from the Property Owner.
23. Qualified Professional: An individual licensed or appropriately experienced in the discipline within which a recommendation is needed.
24. Qualified Properties: Properties within City limits and are designated as a national landmark or within a national historic landmark district. NOTE: Properties may have both historic and non-historic components.
25. General Fund Exterior Paint Program: A funding source from the City of Black Hawk which is administered via direct contract between the Property Owner and General Contractor.
26. Secretary of the Interior Standards: The United States Secretary of the Interior's Standards for Treatment of Historic Properties.
27. Substantial Completion: The stage in the progress of the work when the work, or designated portion thereof, is sufficiently complete in accordance with the contract documents so that the owner can occupy or utilize the work for its intended use.
28. Temporary Construction Easement: A legal document providing the Grantee (City of Black Hawk) with full access to the property under consideration for the purpose of completing the scope of work. The easement is only valid for the duration of the construction period.
29. Temporary Use Permit: A permit issued by the City of Black Hawk to allow private property to be used for alternate uses (storage, staging, etc.) for a limited amount of time.
30. Property Owner Trade Contract Agreement: An agreement signed by the Property Owner and the successful General Contractor detailing the contract terms and alternates for any construction work as part of the General Fund Exterior Paint Program.

C. PROGRAM GOALS:

1. The goal of the General Fund Exterior Paint Program is to promote the exterior restoration and preservation of Qualified Properties through proper rehabilitation, which includes making Qualified Properties habitable and sustainable. The exterior of the structures must be maintained and preserved with materials that comply with the City of Black Hawk Residential Design Guidelines, and by methods consistent with those that will allow the structure to remain as a contributing structure in the historic district. Historically significant exterior finishes are expected to remain on each property. Evaluation, approval and exterior painting of homes will be reviewed on a case-by-case basis in accordance with the applicable standards, laws, and regulations approved by the City, including this Guide to Programs. Any significant exterior repairs of siding, woodwork, gutter work, stairs, railings, porches, decks and trim boards due to exposure to the weather and elements will be a homeowner expense, bid as an alternate, and escrow account established to cover the costs.
2. For further guidance regarding the long-term preservation, maintenance, and proposed improvements on a property, please consult with professional staff in the Community Planning and Development Department. Additional information concerning structural and architectural improvements can be found in the City of Black Hawk Residential Design Guidelines, which is consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties, also available from the Community Planning and Development Department.

D. GENERAL INFORMATION

The following considerations apply to all activities proposed and/or covered by the Program:

1. Projects will only be selected and authorized upon completion of an application (**Exhibit A**) in accordance with the requirements described in this Guide to Programs.
2. All applications will be reviewed and approved by the City Manager based on the Black Hawk Municipal Code, Chapter 16, Article XVII, Section 16-368-(3) h and i. and Black Hawk Residential Design Guidelines.
3. Careful consideration should be given in preparing the application. The quality of the application will be considered as indicative of the Property Owner's ability to accomplish the proposed project. Careful consideration will also be given to a Property Owner's past performance in prior projects including, but not limited to, the use of a grant and the accomplishment of a prior project. Additionally, the manner of upkeep and routine maintenance performed by the Property Owner at the property will be taken into account by the City Manager.
4. The City Manager shall have the authority in its sole discretion to deny any application submitted for a paint grant if, in their opinion, the Property Owner has neglected to

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- adequately maintain their property allowing it to become in a state of disrepair.
5. Failure to sign and enter into the necessary legal agreements will disqualify Applicants from participation in the program. All Grant Program Agreements will be signed and escrow funds collected prior to issuance of Notice to Proceed to the general contractor.
 6. The City of Black Hawk and the City Manager expressly reserves the right to reject any or all applications, reduce the application amount, and request additional information to assist in the thorough review of any application. Failure of a Property Owner to comply with this Guide to Programs on a prior project, to properly use a grant for a prior project, to administer a prior project, and to accomplish a prior project may be a basis to reject or deny an application.
 7. The award of any paint grant to a Qualified Property, regardless of funding type, shall only occur once per every five years. Additionally, only one request may be made within any five-year period, and is subject to the availability of grant funds, which are allocated by the City Manager in the exercise of his/her sole discretion, and is further subject to the annual budget and appropriation of the General Fund by the City Council of the City of Black Hawk.
 8. If a Property Owner owns multiple Qualified Properties, an application may be made for each individual property. Properties will be placed on the list of potential recipients in the order in which the applications are received. The order of properties to receive grant funds, if owned by the same Property Owner and in sequential order on the grant approval list, may be modified from the order of application. Non-sequential properties owned by the same Property Owner may not be modified from the order of application.
 9. Applications can only be made by the Property Owner, as defined in this Section.
 10. This program is not intended for, and should not be used as a substitute for, routine maintenance and care of a house, structure, or prior improvements to the home and/or property. Additionally, all improvements to a Qualified Property that are funded by this grant program need to be appropriately and consistently maintained by the Property Owner. All improvement(s) should be maintained in conformance with manufacturers' standards of normal care for such improvement. Furthermore, no Category of Assistance included in this program is to be utilized as a substitute for a Property Owner's property insurance policy.
 11. In the event the City makes certain expenditures to benefit a property in reliance upon a signed application, including but not limited to the creation of any and all Bid Documents and fees for Owners Representative services, the Property Owner agrees to be bound by the terms and conditions contained in the General Fund Exterior Paint Program Guide to Programs and to complete the project set forth in the application. Property Owner further agrees that in the event he/she decides not to proceed with painting/minor repairs of the project, Property Owner shall be responsible for reimbursing the City for actual costs incurred by the City for items including but not limited to the creation of any and all Bid Documents, fees for Owners Representative services, and any other costs actually

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incurred.

12. All painting projects, shall commence within one month of the award of any grant funds for a project, and will have two (2) months to complete the work after the project has begun. The beginning of a project is the date of issuance of the building permit for the project. The end of the project is the expiration date two (2) months after issuance of the building permit), and same date that all available and approved funds should be requested from the City, with appropriate and required receipts and documentation, on or before that day. Unless the City Manager approves an extension of the expiration date, any funds remaining at the end of the project shall revert to the General Fund for use on other projects. In the event the Contractor/Property Owner fails to obtain a building permit and commence construction of a project within two (2) months of the grant award, the grant funds shall revert to the General Fund for use on other projects and the property/project will move off the list of upcoming projects for the General Fund Exterior Paint Program.
13. It is the responsibility of the Property Owner subject to any grant agreement being completed to keep the improvements paid for with the City-approved grant installed and on the property for a minimum of five (5) years. Changes to the grant-paid improvements shall not be allowed (external to the building and site) for the next five (5) years upon the completion date of the last disbursement of funds from the City for the General Fund Exterior Paint Grant.

E. GENERAL EVALUATION CRITERIA

1. The City Manager's decision to approve an application will be based on the Criteria for Selection included in, but not limited to, Appendix 1 of this Guide to Programs for any proposed exterior paint project and the support that the project provides to the advancement of the City's restoration and preservation goals. In addition to the discretionary Criteria, priority may be given to applications that will:
 - a. Substantially improve the visual appearance of neighborhoods, streetscape or an individually significant Qualified Property.
 - b. Demonstrate proper rehabilitation techniques based on preservation and restoration principles.
 - c. Demonstrate previous proper maintenance and upkeep of the property including all required payments to the City and/or other governmental agency.
2. The listed general considerations include, but are not limited to the following, and will be taken into account in reviewing and evaluating all requests for assistance from the Program:
 - a. The significance of the property involved.
 - b. The physical condition of the property.

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- c. The quality of maintenance and repairs made to the property.
- d. The quality of the proposal and the completeness of the application.
- e. The likelihood of satisfactory completion and previous proper maintenance of the property and its improvements.

SECTION 2: TAX LIABILITY

1. The grants awarded under this General Fund Exterior Paint Program shall be considered income under the State and Federal income tax laws.
2. Any grant approved by the City will be reported to State and Federal taxing authorities in the manner provided by applicable law. As the recipient of a grant, the receiver will be required to pay income or other taxes to State and Federal authorities as a result of receiving a grant under this program. As part of the General Fund Exterior Paint Program, the City will not reimburse recipients for additional State and Federal taxes paid by the recipients that are directly attributable to the disbursement of grant funds. The obligation to pay any taxes shall remain the responsibility of the grant recipient.
3. Property Owners are encouraged to obtain independent tax advice regarding the income tax implications of the General Fund Exterior Paint Program. The City shall not be responsible for the payment of any tax liability associated with the participation in the General Fund Exterior Paint Program.
4. Notwithstanding anything to the contrary contained herein, the City shall have no responsibility or liability concerning any tax liability or a recipient of grant funds of benefits received under the General Fund Exterior Paint Program.

SECTION 3: CATEGORY OF ASSISTANCE

Exterior Paint

1. The General Fund Exterior Paint Grant is provided for Qualified Properties to allow painting and minor exterior repairs related to painting preparation only. Significant exterior repairs of siding, woodwork, gutter work, stairs, railings, porches, decks and trim boards due to exposure to the weather and elements are at the expense of the property owner.
2. Property owner agrees to provide payment to be held in an escrow account for all portions of the project that are above and beyond the Grant Program allowances. Property Owner deposits the Estimated Reimbursement Amount into a non-interest bearing escrow account payable to the City of Black Hawk upon execution of the Trade Contractor Agreement between the Contractor and Property Owner. If upon completion of the project and final payment to the Contractor there are any remaining funds from the Estimated Reimbursement Amount, those funds shall be returned to the Property Owner. Property Owner is responsible for providing the City of Black Hawk invoices for work to be processed from escrow account. Each invoice shall contain sufficient detail regarding work that has been done, or will be performed, for each aspect of the Project. The invoice shall also relate directly to the escrow items outlined on the approved Scope of Work. When the invoice is considered complete and payable, the City of Black Hawk will write the check for the invoice amount directly to the Property Owner within two (2) weeks of this determination. The Property Owner agrees to and is responsible for the disbursement of these funds by directly endorsing the check over to the Contractor in an FBO (For the Benefit Of) format to include the company name of the Contractor for the project. By depositing funds into a non-interest bearing City of Black Hawk escrow account, the Property Owner understands the process for payment to the Contractor for the contracted work, and agrees to not defraud the City of Black Hawk or the Contractor during any part of the escrow payment process.
3. City staff will prepare and the City Manager will determine what scopes of work are to be included within the approved application request, and may retain a design professional as needed.
4. At least three (3) detailed bids will be required to be requested required from qualified and financially sound General Contractors. General Contractors must be on the City Pre-Qualified Contractors list, or meet all pre-qualification requirements prior to execution of a contract. The City and/or the Owners Representative appointed by the City will assist the Property Owner with the procurement of three (3) detailed bids, in order to ensure that all bidders are qualified, financially sound and provide pricing for the same scope of work to be performed.
5. A General Fund Exterior Paint Grant may only be considered on a case-by-case basis by the City Manager. Appeals (from the Property Owner) of such decisions/requirements by the City shall be to the City Council for review and determination. Any proposed exterior painting on the home must be selected from the historic color palette and approved in accordance with the Black Hawk Residential Guidelines, Secretary of the Interior's

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Standards for Treatment of Historic Properties and Section 16-368 of the Municipal Code. Reimbursement may only be requested subject to funding availability, and only if the request complies with the standards for exterior paint.

6. In the event a Full Site and Building grant is awarded within three (3) years of the City Manager awarding a General Fund Exterior Paint grant, the Property Owner agrees to reimburse the City in full the total amount awarded on the General Fund Exterior Paint grant for construction hard costs, prior to the award of the Full Site and Building grant. A General Fund Exterior Paint grant may only be awarded to a Qualified Property once every five (5) years. *Preparation and painting must be in compliance with the standards/specifications included in Appendix 2 of the Guide to Programs.* Please consult with City staff and Owners Representative to fully understand how a specific request for this component will be processed.

SECTION 4: GENERAL FUND EXTERIOR PAINT GRANT PROGRAM

A. ELIGIBILITY

In order to be a Qualified Property that is eligible for a grant under the General Fund Exterior Paint Program (“General Fund Grant”), the following requirements must be adhered to:¹

1. The work must be part of a Qualified Property to be eligible. Contributing structures are automatically considered eligible. Any additions to historic buildings are eligible.
2. The work must be consistent with the Black Hawk Residential Design Guidelines, Secretary of the Interior’s Standards for Treatment of Historic Properties and Black Hawk Municipal Code. All exterior historically significant finishes and materials and character defining features are to remain or are addressed appropriately in accordance with the standards and guidelines
3. A Qualified Property must be located within a national historic landmark district or within an area listed on the national register of historic places.
4. Funding shall only be made to a defined Property Owner.
5. A General Fund Exterior Paint Grant shall not be made for more than one (1) year at a time.
6. Commercially zoned Qualified Properties that are being maintained for a residential use may apply for a grant provided the Property Owner signs an additional agreement. This separate agreement requires the Property Owner to pay back, without interest, the grant amount used for the structure if and when the property is converted from residential to an income-producing commercial use. For the purposes of this program, an owner of a bed and breakfast use or a non-profit organization may qualify for a grant as long as the primary use of the property is residential.
7. Property Owners are specifically responsible for using the funds from the Grant to pay the General Contractor for all work done in accordance with the agreement the Property Owner must have with the General Contractor. Lack of payment from a Property Owner to the General Contractor, for work covered under the approved grant, will be grounds to withhold disbursement of any funds to the Property Owner for any additional work on the property or even other properties the owner may own until such time as evidence of payment to the General Contractor is provided. Also see Appendix 1 of this document regarding payments to the Property Owner and subsequent payment to the General Contractor.

¹ An Applicant should be aware that the provisions of the General Fund Program will be a private project by the Property Owner reimbursed by the City.
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8. At least three (3) detailed bids will be required to be requested from pre-qualified General Contractors. Bids must be obtained for all proposed work and submitted for review by the City prior to beginning any work unless otherwise authorized in writing by the City. The City and the Property Owner must both be in agreement with the selection of the General Contractor.
9. The City of Black Hawk does not provide for reimbursement of a Property Owner's state and federal income tax liability in association with the receipt of a General Fund Exterior Paint Grant. Property Owners are encouraged to obtain independent tax advice regarding the income tax implications of the General Fund Exterior Paint Program. The City shall not be responsible for the payment of any tax liability associated with the participation in the General Fund Exterior Paint Program.
10. Awards will be made to owners of property within the City of Black Hawk at the sole discretion of the City Manager, and subject to the annual budget and appropriation of the General Fund by the Board of Aldermen of the City of Black Hawk.

B. WORK ELIGIBLE TO BE COVERED BY THE REHABILITATION GRANT PROGRAM

1. Costs covered by the grant program include the minor exterior maintenance/repairs that become necessary due to weather exposure, such as painting and items associated with painting preparation and minor repairs of Qualified Properties to the extent provided by this program. City building permit fees are waived for residential projects only per City of Black Hawk Municipal Code Chapter 18, Section 18-5.

C. WORK NOT ELIGIBLE TO BE COVERED BY THE REHABILITATION GRANT PROGRAM

1. Significant repairs to the building exterior, including replacement of gutters, roofs, and siding will be the responsibility of the homeowner. City staff and the City Manager will review the requested scope of work to determine the eligible repair items.

D. LEGAL REQUIREMENTS

1. Along with the approval of an application by the City, owners must enter into legal agreements with the City which describe the terms for participation in the General Fund Exterior Paint Program. Participation in the General Fund Exterior Paint Program requires a General Fund Exterior Paint Grant Agreement. A copy of this document is included in **Exhibit B**. In addition to the basic General Fund Grant Agreement, a commercial Property Owner will also be required to enter into another agreement regarding the conversion of the property from a residential use to an income-producing commercial use. Please consult with City staff for additional information regarding commercial conversion agreements.

E. GENERAL CONDITIONS OF ASSISTANCE

1. The City of Black Hawk Residential Design Guidelines, Secretary of the Interior's Standards for Treatment of Historic Properties, and Black Hawk Municipal Code shall be consulted and utilized for all General Fund Program projects.
2. Grant funds are paid on a "draw" basis. No advancement of payments will be paid to the Property Owner or General Contractor. Payments are made directly to the Property Owner when the City receives a General Contractor's pay application with detailed and itemized invoices/schedule of values, and a signed request for payment form for the City Council approved work program. Property Owners shall not *disburse cash funds* to any Contractor for any work done. *All transactions are expected to be promptly completed via the Property Owner by signing over the check* from the City of Black Hawk to the General Contractor for the project as set forth herein in Appendix 1 regarding FBO (For the Benefit Of) payments. It is recommended the Property Owner obtain a receipt/waiver of lien from the General Contractor stating funds have been received with pay application paid in full. All work is subject to inspection and review by the City's Building and Planning Departments for compliance with City standards and processes prior to submittal of any invoices to the City. The Property Owner is responsible for and must review, approve, and acknowledge seeing each invoice by placing a signature or initials on each invoice (pay application) submitted to the City with the paperwork for a request for payment. The Property Owner will work with the City appointed Owners Representative to assist with this process.
3. Grant funds cannot be used to reimburse a Property Owner for previous work or materials for a project accomplished prior to the grant approval.
4. The City may recommend funding at a lower level than that requested by the Property Owner. In addition, the City may exercise its discretion while reviewing applications to require alternative materials due to cost, longevity, appropriateness of materials, and quality. Such decisions will be noted on the approved applications, and acknowledged by the Property Owner in advance of any building permits being issued for such work. Appeals (from the Property Owner) of such decisions/requirements by the City shall be to the City Council for review and determination.
5. Neither a Property Owner nor a close relative of the Property Owner shall be permitted to be the General Contractor, subcontractor or material supplier.
6. The Property Owner shall work with City staff and a City appointed Owners Representative to create a scope of work, and request at least three (3) bids from the City of Black Hawk pre-qualified General Contractors list. Such selected General Contractor shall submit itemized invoices, and/or itemized receipts through the Property Owner and then to the City for payment of completed work.
7. The General Contractor must be insured during the entire project.

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F. CONDITIONS OF AGREEMENT

The Property Owner shall agree to the following conditions:

1. The property shall be maintained in a manner that assures its preservation. Please consult with City staff for additional information regarding maintenance of building exterior systems (including paint, gutters, etc.).
2. The City, Owners Representative, Property Owner, and the General Contractor shall agree on a scope of work, and schedule of construction for the project. The scope of work and schedule must follow the approved scope of work and Guide to Programs procedures.
3. Scope of work shall be reviewed by the City and Owners Representative to assure that appropriate preservation procedures are followed. The Property Owner is responsible to ensure that an application for a building permit is submitted for all work associated with the approved project, and that no work on the property takes place until there is an approved building permit for the work.
4. The City may hold a lien against the property for any improper work or to assure that the project is completed as approved. The lien will be released when the Manager approves the completed project.
5. A General Fund Exterior Paint Program Agreement will be provided that sets forth the terms and conditions of participation in the program (**Exhibit B**).
6. A General Fund Exterior Paint Program Grant may only be considered on a case-by-case basis by the City Manager. Appeals (from the Property Owner) of such decisions/requirements by the City shall be made to the City Council for review and determination. Any proposed exterior painting on the home must be consistent with the Secretary of the Interior's Standards for Treatment of Historic Properties, and comply with the City of Black Hawk Residential Guidelines. Colors are selected from the historic color palette. Reimbursement may only be requested subject to funding availability, and only if the request complies with the standards for exterior paint.
7. In the event a Full Site and Building grant under the Historic Restoration and Community Preservation Grant Program is awarded within three (3) years of the City Council awarding a General Fund Exterior Paint Program grant, the Property Owner agrees to reimburse the City in full the total amount awarded on the General Fund Exterior Paint Program grant for construction hard costs, prior to the award of the Full Site and Building grant. A General Fund Exterior Paint Program grant may only be awarded to a Qualified Property once every five (5) years.

APPENDIX 1: REVIEW PROCEDURE AND CRITERIA FOR THE PROGRAM

A. REVIEW PROCEDURE

The application (**Exhibit A**) and other program criteria are included as part of this Guide to Programs. Additional copies or further information can be obtained by calling Community Planning and Development at (303) 582-2223 or 303-582-0615. Please read the Guide to Programs thoroughly before proceeding. All Applicants are required to follow these procedures. For the purposes of this section, the terms Applicant and Property Owner are used interchangeably.

1. Orientation Meeting

- a. The Applicant is required to meet with the City staff and Owners Representative to discuss their proposed project and potential eligibility. City staff and Owners Representative will introduce the general features of the program.

2. Applicant Submits Funding Documents

- a. The Applicant, with the assistance of City staff and the Owners Representative, prepares the respective agreements for the proposed grant.
- b. The Property Owner must work with the Owners Representative, City staff, and other consultants to define the desired scope of work. Such information will be used to evaluate desired improvements and to establish the scope of work allowed to be included in the Program, and scope of work.

3. Staff Reviews the Application

- a. The Owners Representative, City staff and other consultants, will evaluate the project based on the submitted criteria and shall create a "Scope of Work" This information will be provided to the Property Owner. During this review, the Owners Representative, City staff will use its best efforts to identify any omissions or discrepancies in the application, as well as communicate this information to the Property Owner as soon as possible.

4. Staff Report

A staff report is written on the scope of work.

5. Application Review by City Staff and Approval by City Manager

City staff will review the application submitted, and the City Manager will make a determination to approve, approve with conditions, or deny the request/application. Property Owners recommended for funding will be notified by telephone and mail as soon as a final decision is made by the City Manager. Those Applicants not selected by the City Manager will be notified in writing explaining the reason(s) for rejection. Applicants not selected for program participation, at any level, may meet with the Owners Representative and City staff to discuss the factors which resulted in the rejection of the application. Applicants do not have the right to appeal.

Comment [JK1]: Should this be City staff?
Maybe Staff will make the determination, with final approval by Council?

6. Evaluation Process

a. Bid Process

For General Fund Exterior Paint projects, the bid and associated costs are presented as the “Final Grant Project Proposal” to the Owners Representative and City staff for recommendation, and then to the City Manager for a final decision.

b. Final Determination of Funding

City Manager makes a final determination on funding and may attach special requirements to the project.

c. Final Agreement with City

Final agreements are executed as detailed in the respective program sections. The Property Owner shall be responsible for verifying that they have seen and agree with all scope of work for the project on their property by placing a signature of acknowledgement and approval on the appropriate documents. The Property Owner will be required to work with the City appointed Owners Representative to assist with review and explanation of the project documents. Additionally, it is VERY STRONGLY recommended that the Property Owner consult with a qualified tax advisor on the financial impacts of participating in the program.

d. Permitting

i. General Contractor shall supply a list of all sub-contractors and corresponding City registration numbers for the grant project. The General Contractor and all subcontractors shall be registered with the City in accordance with the Black Hawk Municipal Code, Chapter 6, Article VII. Subcontractor information must be submitted at execution of the final construction contract. Information shall be updated per the terms of the Trade Contractor Agreement through the entire project until completion.

ii. The General Contractor shall supply a project schedule from the beginning to end of the project. The schedule shall be updated per the terms of the Trade Contract Agreement throughout the entire project until completion.

iii. The approval of an application does not mean a building permit will automatically be issued. All permit fees are waived by the City for residential rehabilitation, as outlined in Chapter 18, Section 18-5 of the Black Hawk Municipal Code, however, the Property Owner/General Contractor is still required to apply for a no-charge building permit and secure appropriate inspections during the course of the work. Any other permits required with the project are also the responsibility of the Property Owner/General Contractor to apply for such in accordance with the City code.

e. Construction Work Commences

The Owners Representative will monitor the work. The work shall be performed according to the approved scope of work, approved by the City and attached to the building permit issued by the City. Any Change Orders from the approved scope of work must be reviewed and approved prior to implementation, and in accordance with the process for proposed Change Orders per Appendix 2. Onsite progress meetings shall be held with the Property Owner, Contractor, and Owners Representative as needed. The Contractor is responsible to have all required inspections called into the City for inspection.

f. Payments.

Property owners are required to submit a Check and Payment Request Form for each requested payment. With the initial Check and Payment Request Form the Property Owner will need to attach a completed W-9, if not previously provided. All payments for approved work shall be made by check from the City of Black Hawk payable to the Property Owner in an FBO (For the Benefit Of), format to include the company name of the Contractor for the project. The City strongly encourages that the provided FBO check be promptly endorsed over to the Contractor for payment by the Property Owner. By signing General Fund Exterior Paint Guide to Programs, the Property Owner acknowledges and understands the process for payment to the Contractor for the contracted work, and that they understand they are not to defraud the City or the Contractor during any part of the process for the project. The Property Owner is responsible to ensure that all payment requests are done in a timely fashion throughout the life of the project.

g. Construction Completed

Upon completion of the project, final inspections are made. Provided that the construction work has been found to be done in accordance with the approved Scope of Work, and has passed all inspections, a final building inspection will be issued by Owner's Representative. Final payment amounts due to the Contractor will be released upon completion of the final approval of the work.

B. SCHEDULE

General Fund Exterior Paint Program requests may be submitted at any time and will be considered throughout the year. Applications are considered and monies awarded on a first come, first served basis. Annual appropriations for this Program are limited. On occasion, the City will exhaust the available funds for the year. In that case, each application will be processed whenever the funds become available.

C. CRITERIA FOR SELECTION

The City Manager shall review and have final approval of all Exterior Paint grant applications submitted to the City. However, final approval of any request is subject to approval by the City Council. The City Manager shall include, utilize, consider, but not be

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limited to the following criteria while evaluating grant applications when making decisions and/or recommendations (this process is discretionary and any other criteria as deemed necessary and appropriate to evaluate, consider, and analyze. ,:

1. The project will contribute to and enhance the overall character of the City of Black Hawk.
2. The project aids in the preservation of existing properties. The project would repair damaged components, slow any deterioration in progress, and work to assure the continued presence of the structure.
3. The project produces visible results. Portions of the work will be on highly visible portions of the property. The property is visibly deteriorated and the proposed repairs would noticeably improve the structure's appearance, or the property has experienced inappropriate alterations that would be removed and a more compatible appearance would result.
4. Quality of the application. The application is well presented with a detailed scope of work and copies of multiple itemized bids for construction, and demonstrates the ability of the Property Owner to satisfactorily complete the project. (City Manager decision only.)

D. NEGATIVE FINDINGS

The City staff may recommend denial of an application because it does not meet the intent of the program and guidelines. The final decision made by the City Manager shall include, utilize and consider, but not be limited to, the following criteria while evaluating grant applications in order to make decisions and/or recommendations:

1. Other outstanding debts to the City or unresolved issues associated with City regulations.
2. A demonstrated lack of routine maintenance of the property that indicates the Property Owner may not honor the agreement to maintain the property after rehabilitation, or has failed to maintain the property after previous rehabilitation through this Program.
3. The proposed work would not appropriately promote preservation of the historic character of the City.
4. The cost of the work is not commensurate with the projected benefit to be provided to the community.

APPENDIX 2: PROJECT PROCESSES AND DOCUMENTATION REQUIREMENTS

This appendix is provided to be used as a resource for City staff, Owners Representative, Property Owners and General Contractors affiliated with the City of Black Hawk in regards to the requirements for proposing projects, proposing to work on projects, process requirements for work on projects, quality of workmanship, completion and inspection of all improvements.

A. PRE-QUALIFIED CONTRACTOR APPLICATION PROCESS

Contractors must submit a Qualifications Packet. A determination will be made by City staff and the Owners Representative to approve or disapprove the Contractor to be put on the pre-qualified list.

A Qualifications Packet includes the following information:

1. An overview of general information about the company including:
 - a. Previous work experience related to any of the Categories of Assistance
 - b. Managerial ability
2. Quality control management/procedures
3. Previous construction experience in and/or near the City of Black Hawk
4. Staff resumes

B. SPECIFIC HISTORIC RESTORATION AND COMMUNITY PRESERVATION FUND GRANT PROGRAM CATEGORIES OF ASSISTANCE COMPONENTS INFORMATION

1. Application Process

This process is for the exterior paint grants approved by the City for Qualified Properties in the City.

- a. Grant applicant requests application for exterior paint.
- b. City staff, Owners Representative and Historic Preservation Consultant performs site visit and prepares report identifying existing conditions.
- c. Effective April 2010, the recent Renovation, Repair and Painting Ruling by the EPA requiring the use of lead safe practices. All contractors, subcontractors, painters, plumbers, renovation specialists, etc. that perform work on homes, child care centers, schools and any child occupied building built before 1978 must be EPA certified and follow specific work practices to prevent lead contamination.
- d. Grant applicant submits completed grant application, and works with City appointed Owners Representative to secure no less than three bids detailing the scope of work, itemizing materials and labor, and color chip paint samples selected from an historic

color palette. Items identified on existing conditions report from City staff to be included in contractor bids. Any Escrow Account items to be bid as alternates.

- e. Grant application must be reviewed and approved by the City Manager prior to any work commencing. Any work started prior to grant approval will not be reimbursed.
- f. Painting contractor along with any subcontractors shall be licensed by the City of Black Hawk through the City Clerk's office. Contractor and subcontractors to call 303-582-2212 to complete this task.
- g. Painting contractor shall apply for and obtain a building permit from the Community Planning and Development Department and request periodic inspections to be performed by the Owner's Representative.
- h. The colors used to paint the house, fence, stairs, shed, gutters and downspouts shall be colors in compliance with the historic paint color palette. Contractor shall submit paint color samples, selected from the historic paint color palette, when applying for the permit. Color samples should be identified as follows: Base, Trim, Accent 1, Accent 2, Accent 3, Gutter, Downspouts.
- i. Any additional contractors performing work on the job not covered under the painting contractor building permit shall also apply for and obtain a building permit from the Community Planning and Development Department and request periodic inspections to be performed by the Owner's Representative.
- j. Grant applicant signs a Program Agreement that sets forth the terms and conditions of the participation in the grant program. Some of the key Program Agreement terms include project initiation and completion requirements, City approvals and disbursement of funds.
- k. When it comes time to request a payment from the City, the grant applicant must first submit a completed copy of a Check Request Form along with a completed W9 Form. All Check Request Forms must be accompanied by itemized invoices and receipts submitted from the contractor accomplishing the work. Invoices should list in detail all labor and materials. All paperwork is submitted to the City of Black Hawk Community Planning and Development Department for processing with payment made directly to the grant applicant. The grant applicant is then expected to make prompt payment to the contractor who has submitted invoices by endorsing the check directly to the contractor. Payment by the grant applicant from personal funds is not allowed.

2. Preparation of Exterior of House Before Painting

- a. If necessary, a hazardous materials investigation will be conducted by the City's consultants to determine what, if any, hazardous materials may be present onsite and the extents of any required abatement. Hazardous materials abatement must be completed prior to any additional work commencing. Prior to painting, all necessary

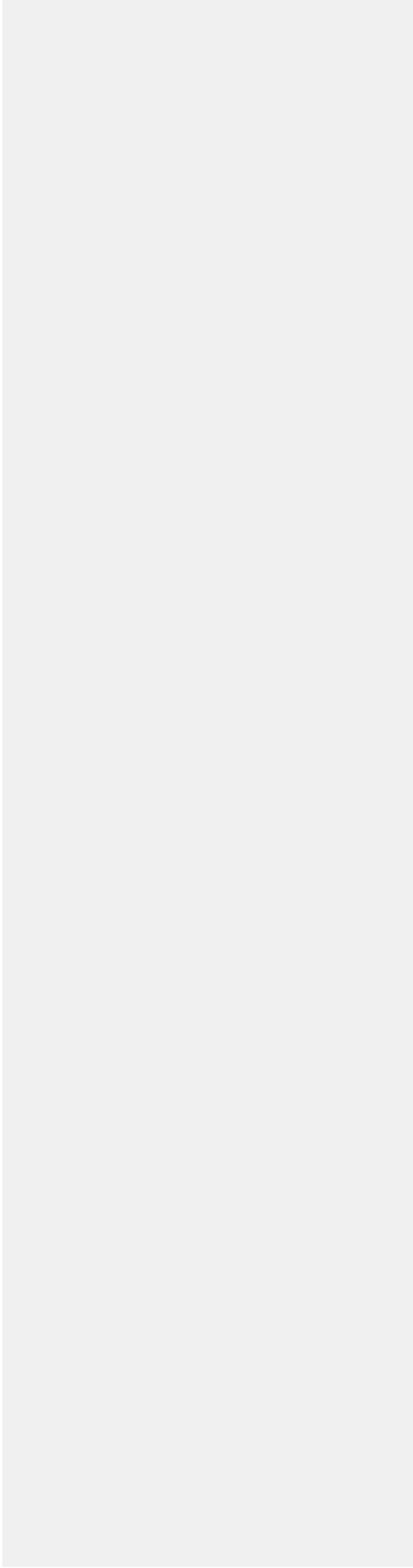
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sanding, chipping of existing peeling paint, washing of exterior, and replacement of weathered/worn materials must be completed. No chemical washing or high power blasting on siding is permitted. The Owners Representative designated to inspect the preparation work shall inspect the house to determine adequacy of the prep work once completed, and prior to any layers of paint being placed on the house.

3. Painting.

- a. Lead Paint: The City will conduct lead clearance testing on all restoration and preservation grant projects prior to and upon completion of the job, if the original siding exists. Per the EPA-Renovation, Repair and Painting Final Rule (40 CFR 745) all renovations conducted for compensation, MUST be performed by Certified Firms using Certified Renovators. The Contractor and subcontractors will be required to follow the EPA-Renovation, Repair and Painting rules and regulations.
- b. Exterior siding: Siding to be painted with minimum of one coat of primer on all sides and two (2) coats for final color of a high quality paint, installed over a waterproof barrier (Tyvek or similar house wrap). Existing siding is recommended to be repaired, at Property Owners expense (See Section 3 – Categories of Assistance), with partial in-kind replacement on an as-needed basis only.
 - 1) All painting and varnishing shall be a two (2) coat minimum job free of runs and skips, applied per the manufactures recommendation. Cut edges neatly. Items to be painted or stained include: exterior siding, soffits, metal work, decks, porches, wood fences, gutters, eaves, trim and all other surfaces to be painted. If sprayed, all surfaces must be back-rolled.
 - 2) Use only the best quality materials as approved by the City. The primer coat should visually differ in color from succeeding coats. Paint color as selected by Property Owner and approved by the City from an historic color palette.
 - 3) Flat paint finish is not acceptable. Consult with Owners Representative and City staff for acceptable sheen.
 - 4) If applicable, all stain shall be two coats with a clear natural satin finish. Fill all nail heads with filler to match wood trim.
 - 5) Sealants: Consult with Owners Representative and City staff for approved sealant products. Color to match siding or trim.
 - a. Apply at window and door frames
 - a. Bed metal thresholds in sealant
 - b. Apply at flashing and jacks

- 6) Consult with Owners Representative and City staff for approved paint brands and historic color palette.



Review of Documents by Property Owner

The Property Owner has:

- (a) read this Agreement and the applicable documents associated with “General Fund Exterior Paint Guide to Programs,”
- (b) fully understands the terms and conditions of the grant as set forth therein, and
- (c) agrees to be bound by those terms and conditions.

Property Owner

By: _____

Date: _____

EXHIBIT A
GENERAL FUND EXTERIOR PAINT GRANT AGREEMENT

**GENERAL FUND EXTERIOR PAINT
GRANT PROGRAM AGREEMENT**

THIS GENERAL FUND EXTERIOR PAINT GRANT PROGRAM AGREEMENT (the “**Agreement**”) is made as of the _____ day of _____, 20_____, (the “**Effective Date**”) by and between the **CITY OF BLACK HAWK**, a municipal corporation organized and existing under the laws of the State of Colorado (the “**City**”) and **(Insert Applicant)** (the “**Property Owner**”) whose property address is _____.

RECITALS

- A. The City has made certain proceeds of the General Fund, available for the purpose of painting Qualified Properties in the City of Black Hawk, when owners agree to use the funds in accordance with agreed upon specifications (the “**Grant Program**”).
- B. The Property Owner, who is the owner of a structure located at **(Insert Property Address), Black Hawk, Colorado 80422**, (the “**Property**”) submitted an application under the Grant Program.

AGREEMENT

NOW, THEREFORE, in consideration of the above Recitals and the mutual covenants contained herein, the City and the Property Owner hereby agree as follows:

- 1. **Exterior Painting Grant.**
 - 1.1 Award.** The City hereby agrees to reimburse Property Owner for work performed in compliance with this Agreement, an amount up to **\$(Insert Award Amount without Escrow Account funds)** (the “**Award**”) for the restoration and preservation (exterior paint) of the Property.

1.2 Tax Payment. The City will not reimburse the Property Owner for personal state and federal income taxes owed by Property Owner that are directly attributable to funds disbursed under the Award (the “Tax Burden”).

1.4 Escrow Payment. Property Owner agrees to provide payment to be held in an escrow account for all portions of the project that are above and beyond the Grant Program allowances. Property Owner deposits the Estimated Reimbursement Amount into a non-interest bearing escrow account payable to the City of Black Hawk upon execution of the Trade Contractor Agreement between the Contractor and Property Owner. If upon completion of the Restoration and Preservation project and final payment to all Contractors there are any remaining funds from the Estimated Reimbursement Amount, those funds shall be returned to the Property Owner. Property Owner is responsible for providing the City of Black Hawk invoices for work to be processed from escrow account. Each invoice shall contain sufficient detail regarding work that has been done, or will be performed, for each aspect of the Project. The invoice shall also relate directly to the escrow items outlined on the original proposal or bid provided to the Property Owner by the Contractor. When the invoice is considered complete and payable, the City of Black Hawk will write the check for the invoice amount directly to the Property Owner within two (2) weeks of this determination. The Property Owner agrees to and is responsible for the disbursement of these funds by directly endorsing the check over to the Contractor in an FBO (For the Benefit Of) format to include the company name of the Contractor for the project. By depositing funds into a non-interest bearing City of Black Hawk escrow account, the Property Owner understands the process for payment to the Contractor for the contracted work, and agrees to not defraud the City of Black Hawk or the Contractor during any part of the escrow payment process. The accepted allowances included in this Agreement are:

- a. (Insert alternates, if any)

2. **Agreement, Acknowledgement and Representation by Property Owner.** The Property Owner hereby agrees with, and acknowledges and represents to the City that:

2.1 Review of Documents. The Property Owner (a) has read this Agreement and the

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applicable “General Fund Guide to Programs,” (b) fully understands the terms and conditions of the grant as set forth therein, and (c) agrees to be bound by those terms and conditions.

2.2 Failure to Comply. Any failure by the Property Owner to comply with the terms and conditions of this Agreement shall terminate the Property Owner’s right to any Award payments.

2.3 No Liability. The City nor the Owner’s Representative shall be in no manner liable to the Property Owner for any monies expended by the Property Owner in connection with the Grant Program, whether or not the Property Owner is actually paid any funds from the Award.

3. Undertaking. The Property Owner will undertake the exterior paint improvements and other repairs of the Property approved by the City in a timely manner (the “**Project**”). The Property Owner has twelve (12) months to complete the Project, which time period shall begin upon the issuance of a building permit or upon disbursement of the first payment from the Award by the City to begin the Project.

4. Conditions Precedent to Disbursement of Funds. Subject to Section 4 hereof, funds from the Award shall be disbursed to the Property Owner upon satisfaction of:

4.1 Evidence of Construction Costs. The Property Owner shall provide the City, or its designee, all invoices, paid statements, building permits and such other supporting documents or certifications of the Property Owner evidencing the reasonableness and the appropriateness of the cost of the construction amount as the City, or its designee, may reasonably require.

4.2 Building Permit. If required by the nature of the rehabilitation of the Property as determined by the City in its sole discretion, the City, or its designee, shall be provided with a copy of the building permit issued by the City’s Chief Building Official for the Project, which shall be in such form and with such content as the City, or its designee, may reasonably require.

4.3 Other Documents or Requirements. The Property Owner shall provide the City, or its designee, such other documents as may be required by the City, or its designee, in

its sole discretion to satisfy the requirements of this Agreement.

4.4 Completion of Improvements. The Project shall have been satisfactorily completed in accordance with the City's Grant Program guidelines and design standards, as determined by the City or its designee, in its sole discretion, on or before twelve (12) months after the issuance of the building permit if required by the City, or on or before twelve (12) months after the first disbursement is made to the Property Owner, whichever date comes first.

5. Disbursement.

5.1 Grant Disbursement. The Property Owner is responsible for providing the City invoices for work on the Project. Each invoice shall contain sufficient detail regarding work that has been done, or will be performed, for each aspect of the Project. The invoice shall also relate directly to the items outlined on the original proposal or bid provided to the Property Owner by the Contractor and/or Owner's Representative Consultant. When the invoice is considered complete and payable, the City will write the check for the invoice amount directly to the Property Owner within two (2) weeks of this determination. The Property Owner is then responsible for the disbursement of these funds directly to the Contractor and/or Owner's Representative.

6. Termination of the Award. In the event the Property Owner fails to satisfy the conditions precedent set forth in Section 4 hereof on or before, _____, 20____ (The "**Termination Date**"), the Property Owner's right to be paid the Award or any portion thereof shall automatically terminate.

7. Non-Transferable. The rights granted to the Property Owner herein are non-transferable and may not be transferred or assigned. Any attempted transfer or assignment shall automatically be deemed to be null and void and shall be grounds for termination of this Agreement.

8. Notices. All notices required or permitted under this Agreement shall be deemed given upon personal delivery by hand to the authorized representatives of either the Property Owner or the City or three (3) days after being sent by certified mail, return receipt requested, postage prepaid, addressed to the respective party at its mailing address below:

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If to the City:

City of Black Hawk
P.O. Box 68
Black Hawk, CO 80422
ATTN: Planning and Development Department

If to the Property Owner:

(Insert Applicant)

Each Party may change its or his/her address as set forth herein by written notice to such effect directed to the other party.

9. **Miscellaneous:**

10.1 **Amendments and Supplements:** This Agreement may not be amended, modified or supplemented in any manner except by a written agreement executed by both the City and the Property Owner.

10.2 **Severability.** In the event any provision of this Agreement is deemed to be illegal, invalid or unenforceable by a court of competent jurisdiction, such provisions shall not affect the remainder thereof.

10.3 **Standard of Approval.** Where within this Agreement, the approval of the City or its designee is required or permitted, the City or its designee may grant or withhold its approval or its consent in its sole, absolute and uncontrolled discretion.

10.4 **Waiver.** The waiver by the City, or its designee, of any failure by the Property Owner to comply with any of the terms and conditions of this Agreement must be in writing and in any event shall not be deemed to be a waiver of any subsequent failure of the Property Owner to comply with the terms or conditions of this Agreement.

10.5 **Time of the Essence.** Time is of the essence in the performance of each and every term and condition of this Agreement by the parties hereto.

10.6 **Governing Law.** This Agreement, its construction, validity and effect, shall be governed and construed by and in accordance with the laws of the State of Colorado.

IN WITNESS WHEREOF, the Property Owner and the City have executed this Agreement on the date first above written.

CITY OF BLACK HAWK, a municipal corporation organized and existing under the laws of the State of Colorado

CITY OF BLACK HAWK

Jack D. Lewis, City Manager

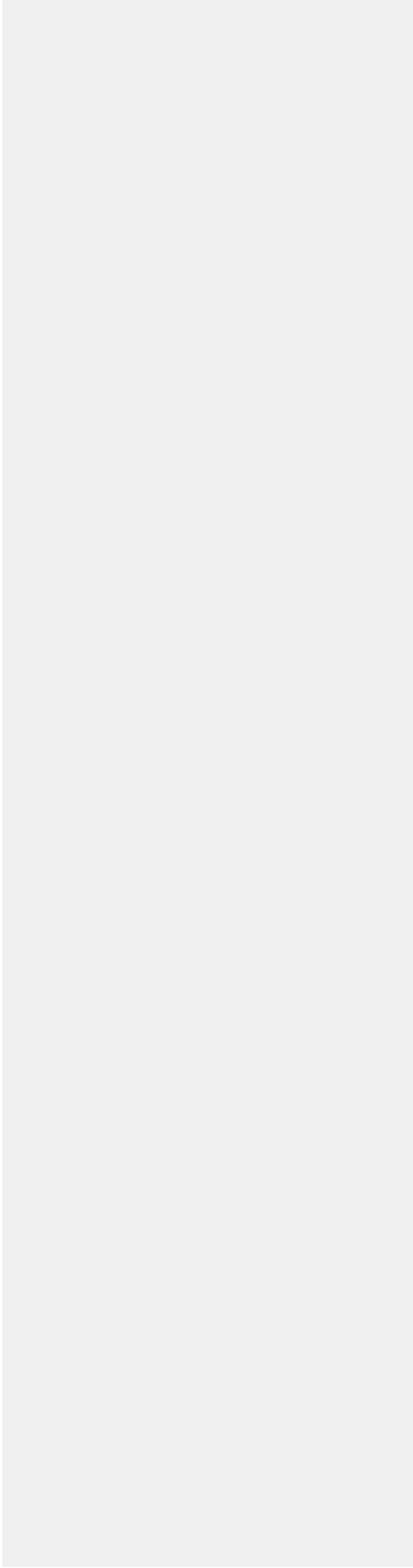
ATTEST:

Melissa A. Greiner, City Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann, City Attorney

**EXHIBIT B
PROGRAM APPLICATION**





City of Black Hawk
Community Planning and Development
211 Church Street, P.O. Box 68
Black Hawk, CO 80422
Ph: 303-582-2223 or 303-582-0615

Grant No: _____
Project No: _____

For Office Use Only

**GENERAL FUND – EXTERIOR PAINT
APPLICATION**

GENERAL INFORMATION:

Grant Year: _____ Today's Date: _____

Property Street Address: _____

Property Owner(s): _____

Owner(s) Mailing Address: _____

Owner(s) Telephone No.: (H) _____ (W) _____ (Cell) _____

Email Address: _____

Contact Person (if different from owner)

Contact Telephone No.: (H) _____ (W) _____ (Cell) _____

Email Address: _____

Applications can be made by individuals other than the property owners with the owner's written permission (written permission must be signed and notarized on a form "Affidavit of Permission" or 'Power-of-Attorney' provided by the applicant).

Office Use Only. Do not write below this line.

Date Received: _____ Grant No.: _____

Amount Approved: _____

Comments or Conditions: _____

Authorization Signature: _____ Date: _____

Associated Grant Numbers: _____

PROJECT INFORMATION:

1. Please provide a detailed description of the project (If additional room is needed, attach additional paper). Color selection and location must be included. Photographs and site plan showing existing buildings and structures for the proposed project would be helpful.

Even though a property is located in the National Historic Landmark District, completion of an application does not guarantee the property is eligible to participate in the Historic Restoration and Community Preservation program. Once the property owner makes an official application submittal, Black Hawk staff, and the Owner's Representative will meet with the property owner for an orientation meeting and on-site property visit and inspection. Subsequently, a current conditions report and scope of work will be prepared and presented to the Historic Preservation Commission and City Council with recommendations from City staff and the Owner's Representative regarding program eligibility. Property owner will be notified by the Community Planning and Development with a decision and the next steps in the program process, if applicable.

Property Owner Signature

Date

RESOLUTION 57-2014
A RESOLUTION
ESTABLISHING BUILDING
PERMIT FEES

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

Resolution No. 57-2014

TITLE: A RESOLUTION ESTABLISHING BUILDING PERMIT FEES

WHEREAS, the Board of Aldermen desires to modify the fees established for the issuance of building permits in the City.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. Building permit fees as referenced in Section 18-5(l) of the City of Black Hawk Municipal Code shall be as follows:

1. Building Permit Fee

TOTAL VALUATION	FEE
\$1.00 to \$500	\$23.50
\$501.00 to \$2,000.00	\$23.50 for the first \$500.00 plus \$ 3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2000.00 plus \$ 14.00 for each additional \$1000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$ 10.10 for each additional \$1000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$ 7.00 for each additional \$1000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.725 for each additional \$1000.00, or fraction thereof, to and including \$500,000.00
\$1,000,000.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1000.00, or fraction thereof
Building Plan Review Fee	65% of the Building permit fee calculated above.

Contract Plan Review
Contract Inspections

Based on valuation and collected at issuance of Building Permit
Based on valuation and collected at issuance of Building Permit

2. Electric Permit Fee

Electrical Permit Fees for Nonresidential Buildings and Residential Alteration or Additions:

PROJECT VALUATION	FEE
\$0.00 to \$2,000.00	\$115.00
\$2,001.00 or more	\$115.00 plus \$11.50 per \$1,000.00 or portion thereof of valuation
Electrical Plan Review Fee	65% of the electrical permit fee calculated above

Electrical Permit Fees for New Residential Buildings:

BUILDING AREA	FEE
---------------	-----

Not more than 1,000 sq. ft.	\$115.00
Over 1,000 sq. ft. and not more than 1,500 sq. ft.	\$172.50
Over 1,500 sq. ft. and not more than 2,000 sq. ft.	\$230.00
Over 2,000 sq. ft.	\$230.00 plus \$11.50 per 100 sq. ft. or fraction thereof in excess of 2,000 sq. ft.
Electrical Plan Review Fee	65% of the electrical permit fee calculated above

Contract Plan Review

Based on valuation and collected at issuance of Electrical Permit

Contract Inspections

Based on valuation and collected at issuance of Electrical Permit

3. Excavation Permit Fee

Excavation Permit Fees for Nonresidential Buildings and Residential Alteration or Additions:

\$7.00 per cubic yard

4. Additional Fees:

Re-inspection Fee (Building/Electrical): \$100.00/Each

Additional Services/Consulting Building/Electrical: \$100.00/hourly

RESOLVED AND PASSED this 23rd day of July, 2014.

David D. Spellman, Mayor

ATTEST:

Melissa Greiner, City Clerk

**APPROVAL OF PEH
ARCHITECTS PROPOSAL
FOR THE
REHABILITATION OF THE
HISTORIC HOMES AND
PROPERTIES LOCATED
AT 301 HIGH STREET AND
401 CHASE STREET**



BLACK HAWK
 CITY OF BLACK HAWK
 REQUEST FOR COUNCIL ACTION

CITY COUNCIL MEETING:

July 23, 2014

SUBJECT:

Approval of PEH Architects, Inc.'s proposal for the rehabilitation of the historic homes and properties located at 301 High Street and 401 Chase Street.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

On June 30, 2014, Consilium Partners received proposals from PEH Architects, Inc. and Anderson Hallas Architects, Inc. for the complete rehabilitation design work and construction administration of 301 High Street and 401 Chase Street. This work includes all of the design work necessary, including all consulting engineering for the rehabilitation project through construction documents. The proposals also include all construction administration which will include shop drawings and product reviews, site observations and reports, all clarifications and SK drawings the general contractor may require, project close out and records drawings, and reimbursable expenses. Both architects provided complete proposal packages at the time of submission. The architects were invited to provide proposals based on previous experience within the City of Black Hawk, as well as other historic preservation and renovation experience. The results of these proposals were as follows:

<u>Architectural Firm:</u>	<u>301 High Street</u>	<u>401 Chase Street</u>	<u>Discount if Awarded Together</u>
PEH Architects, Inc.	\$94,890	\$91,272	(\$5,580)
Anderson Halles Architects	\$105,380	\$92,770	(\$13,880)

RECOMMENDATION:

Based on the proposals received, PEH Architects, Inc. is the lowest and most qualified bidder for both Grant Program projects.

RESOLUTION DATE:

July 23, 2014

ORIGINATED BY:

Consilium Partners

STAFF PERSON RESPONSIBLE:

Cynthia Linker, CP&D Administrator

DOCUMENTS ATTACHED:

None

CITY ATTORNEY REVIEW:

[] Yes [X] No [] N/A
 INITIALS _____

SUBMITTED BY:

Jessica Killian 07/10/14
 Jessica Killian, Senior Project Manager
 Consilium Partners

REVIEWED BY:

Jack D. Lewis 07/17/2014
 Jack D. Lewis, City Manager
 City of Black Hawk

**PROFESSIONAL
SERVICES AGREEMENT
FOR
MARYLAND MOUNTIAN /
QUARTZ VALLEY
HIDDEN TREASURE
TRAILHEAD
FEASIBILITY AND
PRELIMINARY DESIGN**



CITY OF BLACK HAWK

REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of the **Hidden Treasure Trailhead Preliminary Design Project** Professional Services contract.

RECOMMENDATION: If City Council chooses to approve the contract for the Hidden Treasure Trailhead Preliminary Design Project, the recommended motion is as follows:

“Approve the Contract with **Stolfus & Associates, Inc.** in the amount not to exceed **\$84,670.00** to perform the necessary engineering analysis and design to complete 30% preliminary plans for the Hidden Treasure Trailhead Project.”

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

As part of the Maryland Mountain Open Space project, a parking and trailhead concept has been developed for the site along Hwy 119 where the Warming House historically was located. A pedestrian and bicycle bridge will be required to cross the Highway and North Clear Creek to access the trail system. There are also potential impacts to wetlands and the creek that must be accounted for as well as impacts to the highway right of way. This is basically the feasibility portion of this project. This is a fairly complex project with many subcontract specialties required. This preliminary work will include survey and geotech as well as structural and environmental investigations. Coordination with CDOT for improvements in their right of way and access permits associated with the parking lot will be evaluated. Several bridge concepts will be looked at and a final concept will be selected to move into final design and permitting. Coordination with the City’s landscape architect working on the open space is included.

Stolfus and Associates, Inc. has successfully completed many projects in the City of Black Hawk and along the Highway 119 corridor and have the requisite experience to complete this project.

FUNDING SOURCE: 305-3101-431.75-15-Maryland Mtn Improvements

WORKSHOP DATE: 7/23/14

ORIGINATED BY: Thomas Isbester

STAFF PERSON RESPONSIBLE: Thomas Isbester

PROJECT COMPLETION DATE: estimated 2/27/15

DOCUMENTS ATTACHED: Stolfus & Associates, Inc. Proposal

CITY ATTORNEY REVIEW: []Yes []No []N/A INITIALS_____

SUBMITTED BY:



7/17/2014

Thomas Isbester, Public Works Director

REVIEWED BY:



7/17/2014

Jack Lewis, City Manager

Tom Isbester

From: Michelle Hansen <michelle@stolfusandassociates.com>
Sent: Monday, July 14, 2014 5:19 PM
To: Tom Isbester
Cc: Elizabeth Stolfus
Subject: Maryland Mountain
Attachments: Scope - Maryland Mountain Concept-Prelim 2014, 7-14.pdf; BH Trailhead Conceptual Opinion of Probable Cost.pdf; Maryland Mountain Schedule.pdf

Tom,

Please find attached a scope of work and fee for the conceptual and preliminary design of the Warming House Trailhead at Maryland Mountain for your review. A couple items to note:

- 1) We asked Yeh & Associates to review the project. They have recommended that we don't do a boring at the tramway trail abutment location side due to access concerns and cost. Yeh is confident that they can use field observation and site mapping to provide appropriate recommendations for that location. Our scope of work and fee reflect this approach. If you'd like to discuss this approach further, let me know. For your information, they expect that the cost for one boring in that location will be in the range of \$10-15k.
- 2) We originally were not planning to include environmental at this stage, but realized that we should at least include an analysis of the existing conditions based on the seasonal limitations of those investigations. We have included a \$5,000 placeholder to accommodate those investigations.
- 3) We've excluded a boundary survey at this time. We can better define the limits of the survey once we have established a preferred alignment and concept.

I've also attached a project schedule for your review. We expect this first conceptual and preliminary stage will take about 6 months. We've included a range for the acquisition and advertisement that accounts for condemnation, if necessary.

Finally, I've attached a conceptual opinion of probable cost for the project. The cost is based on the entire project reflected in the architect's exhibit (full parking lot) and takes into account the length of trail anticipated to provide the necessary highway clearance at the bridge. It assumes a 2 span bridge with a pier in the depressed area adjacent to the highway. Walls are anticipated adjacent to the trail on the parking lot side and on the back side of the parking lot. We've also taken into account the type of architectural treatment reflected in the architect's exhibit. We expect that there are several options that could be considered that could reduce costs, if desired, including how the architectural treatment of the structure is accomplished. A 30% contingency is included based on the conceptual nature of the project. I'd be happy to discuss this in more detail.

Please give me a call if you have any questions or comments. Thanks for your patience.

Michelle

Michelle R. Hansen, PE | Senior Transportation Engineer



www.stolfusandassociates.com

Stolfus & Associates, Inc. | 5690 DTC Boulevard, Suite 101W | Greenwood Village, CO 80111
P: 303 221 2330 | C: 720 771 3056 | michelle@stolfusandassociates.com

**City of Black Hawk
Warming House Trailhead
Maryland Mountain
Concept Evaluation and Preliminary Design
July 14, 2014**

Introduction

The City of Black Hawk has developed a conceptual site plan for a trailhead at Maryland Mountain and has identified a need to further evaluate the concept and develop a preliminary design for the improvements. Improvements include a pedestrian/cyclist bridge crossing over SH 119 and Clear Creek to connect the tramway trail with an improved parking area and trailhead on the east side of SH 119. In particular, the City has requested that Stolfus & Associates, Inc. provide assistance to the City by evaluating horizontal and vertical alignment options and bridge types for the bridge crossing and preliminary design for the preferred concept. The following identifies the general scope of work necessary to:

- Collect survey and geotechnical data for the project area
- Conduct wetland and threatened and endangered species investigations
- Develop potential bridge concepts and document and present options to the City
- Initiate coordination with CDOT
- Prepare 30% level preliminary design plans for the selected concept

Scope of Services

Work Element 1: Project Administration & Management

Stolfus & Associates, Inc. will review and process invoices and provide other project administration/ management services (coordination and product review) throughout the duration of the project. Stolfus & Associates, Inc. will be responsible for day-to-day management and coordination of the work elements.

Work Element 2 - Initial Project Meeting

Immediately after receipt of notice to proceed, Stolfus & Associates, Inc. will hold a kickoff meeting with City staff. This work element will confirm the scope of work, project schedule, and provide an opportunity to confirm design-related issues and requirements. Stolfus & Associates, Inc. will be responsible for scheduling the meeting, preparing meeting exhibits, and participating in the meeting.

Meeting notes will be generated and distributed to the meeting attendees by Stolfus & Associates, Inc. It is assumed that the project kick-off meeting will be held at the City offices.

Work Element 3: Survey

C.C.S Consultants, Inc. will perform a topographic survey and establish site control. A boundary survey is not included in this scope of work. The topographic map will cover an area of approximately 4 acres at the "Pig Hilton" site, being 100' extended from the existing drive access points, easterly to the tree line and westerly to the Gilpin tram access.

Work Element 4: Geotechnical Investigations

Yeh & Associates, Inc will conduct a geotechnical investigation for a two span bridge and potential retaining walls at the parking lot bridge entrance. Four augered 20 foot borings will be drilled (one at the pier, one at the east abutment and two along the walls) and will be refused on the bedrock, if found. The level of traffic control required will be defined by CDOT, but minor traffic control for shoulder closures was assumed for budgeting purposes. Due to access constraints, a boring at the west abutment is not included in this scope of work. Field reconnaissance and geologic sampling will be conducted on the west and recommendations for the west abutment will be provided.

Work Element 5: Concept Evaluation & Documentation

Stolfus & Associates, Inc. will use the topographic survey as a basis for concept development. Up to four geometric layouts for the bridge and bridge approach will be investigated, including a concept similar to the architect's rendering. Concepts will be coordinated with Michael Baker to incorporate elements of potential bridge types into the geometric design.

Considerations will include vertical clearance, existing and potential future highway width, trail alignment, ADA guidance, parking lot impacts, construction cost, and other physical constraints. Horizontal and vertical alignments for concepts will be developed. Pros and cons of each concept will be identified and explained in detail. Each concept will be accompanied by a concept plan which will be displayed, to scale, on an 11"x17" sheet, one sheet per plan.

Plan development will be based on site conditions, AASHTO guidance, CDOT standards, ADA standards for trails and engineering judgment. Plans will be conceptual in nature and not developed for construction. Stolfus will coordinate with the City's architect during concept development to incorporate the project vision already developed and include architectural elements identified.

Existing conditions, concepts analyzed, and recommendations will be documented in a technical memo. Any concepts investigated but not developed into concept plans will be listed in table form with salient information to document consideration.

Opinions of Probable Cost

Project construction requirements will be estimated based on the available information. An engineer's opinion of probable construction cost for the proposed improvements will be prepared for each concept accompanied by a concept plan. CDOT and City historical data will be used to determine unit costs. Unit costs will be based on bid prices from projects of similar scope with similar locations and professional judgment. Right-of-way costs and costs associated with addressing potential environmental concerns will not be estimated. Opinions of probable cost developed are not intended to be used as a guaranteed maximum price but instead for planning and comparison purposes. Opinions of probable construction cost will be provided in summary form in the technical memo developed for this Scope of Work.

Work Element 6: Structural Design

Michael Baker will provide structural design support for concept and preliminary design. Baker will perform an initial construction cost estimate. The estimate will be based upon the architect's rendering provided by the City.

Baker will support the development of multiple bridge/wall layout alternatives. It is assumed that up to four alternatives will be developed, and that the bridge superstructures will be prefabricated truss elements provided by local manufacturers. Support will include evaluation of potential bridge types, structure depths, bridge details, abutment and pier locations, and high-level aesthetic concepts. In support of this effort, Baker will provide simple graphics to support potential bridge alternatives. A structure selection memorandum will be prepared to document the concept alternatives, a preferred alternative, preliminary design, and associated estimation of construction costs.

Baker will prepare 30% construction plans based on the preferred alternative. Plans include: (1) general layout for preferred bridge alternative, (2) construction phasing for preferred bridge alternative, (3) general layouts for up to two retaining walls.

Baker will also provide guidance to Yeh & Associates with the geotechnical investigation, design recommendations, and report preparation.

Work Element 7: Preliminary Design

Plans depicting the project designs will be prepared at a 30% level based on the City's preferred concept. Stolfus will provide .pdf versions of plans for City review. Preparation of specifications are not included in this scope of work.

Stolfus and Associates will provide a QA/QC review of the project prior to submittal. Our review efforts will confirm appropriateness of methodologies used, accuracy of documents, reasonableness of conclusions, document completeness, and overall clarity.

Preliminary plans shall include the following sheets (as appropriate):

- Title Sheet
- Standard Plans List
- General Notes
- Typical Section
- Removal Plans
- Trail Plan & Profile
- Parking Lot Plan
- SH 119 Access Plan
- Bridge General Layout
- Bridge Construction Phasing
- Retaining Wall General Layout

Stolfus & Associates, Inc. will schedule and attend a meeting with the City to discuss preliminary design submittal comments. The design review meeting will be held in Black Hawk.

Preliminary design comments resolution will be completed as part of final design development under a separate scope of work.

Work Element 8: Environmental

In order to allow seasonal environmental investigations to be conducted at the appropriate time of year, wetland and threatened and endangered species investigations will be conducted to determine if any specific resources exist within the project limits and to what extent. A memo summarizing the findings and recommendations for next steps will be prepared.

Work Element 9: CDOT Coordination

Stolfus & Associates, Inc. will work with the City of Black Hawk staff to define the use of the trailhead and potential phasing scenarios for the parking area. Trip generation for the trailhead will be developed and traffic impacts on SH 119 will be evaluated based on the CDOT State Highway Access Code. The evaluation and results will be summarized in a traffic memo.

Stolfus & Associates and Michael Baker will meet with CDOT Region 1 permitting staff to discuss project concepts, phasing options and the permitting process. If found necessary, Stolfus & Associates will prepare an access permit application and associated documentation for submittal to CDOT. A special use permit is anticipated for the bridge crossing over SH 119; however, submittal of the special use permit application at preliminary design is premature and is excluded from this scope of work.

Work Element 10: Project Meetings

Stolfus & Associates, Inc. will work with the City of Black Hawk staff to review and develop project concepts. Two project meetings including a concept review meeting will be held in Black Hawk to review draft concepts. We will provide a City Council packet in summary form for presentation to Council by City staff.

SCHEDULE AND FEE

Based on our current workload, work on this project can begin immediately upon notice to proceed with the topographic survey beginning within two weeks of notice to proceed and will be completed within 6 months. We will complete this Scope of Work at our Standard Hourly Rates for a not to exceed fee of \$84,670.

End of Scope

ENGINEER'S OPINION OF PROBABLE COST		Project #	
		 	
Project Name	Maryland Mountain Trailhead	Date:	07/14/14
County of	Gilpin	CO 119	Length In Feet Length In Miles 0 00
Type		Roadway Pavement	Asphalt
Prepared by	Stolfus & Associates, Inc.	Thickness in inches	Roadway: 6 Shoulders: 6

In providing opinions of probable construction cost, the Client understands that Stolfus & Associates Inc. has no control over costs or the price of labor, equipment or materials, or over the Contractor's method of pricing, and that the opinions of probable construction costs provided herein are to be made on the basis of our qualifications and experience. These costs do not reflect escalation for future costs. Stolfus & Associates, Inc. makes no warranty, expressed or implied, as to the accuracy of such opinions as compared to bid or actual costs.

ITEM NO.	ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	COST
203-00060	EMBANKMENT MATERIAL (COMPLETE IN PLACE)	CY	2,790	\$20.00	\$55,800
206-00000	STRUCTURE EXCAVATION	CY	103	\$15.00	\$1,545
206-00100	STRUCTURE BACKFILL (CLASS 1)	CY	53	\$30.00	\$1,590
304-06000	AGGREGATE BASE COURSE (CLASS 6)	TON	2,400	\$30.00	\$72,000
403-34741	HOT MIX ASPHALT (GRADING SX) (100) (PG 58-28)	TON	100	\$120.00	\$12,000
503-00030	DRILLED CAISSON (30 INCH)	LF	338	\$100.00	\$33,800
504-03411	MSE WALL	SF	2,000	\$75.00	\$150,000
504-06400	SOIL NAIL WALL	SF	1,125	\$75.00	\$84,375
601-03040	CONCRETE CLASS D (BRIDGE)	CY	389	\$405.86	\$157,961
601-40005	CUT STONE VENEER	SF	5,039	\$50.00	\$251,935
602-00000	REINFORCING STEEL	LB	58,371	\$0.81	\$47,281
606-10200	BRIDGE RAIL (SPECIAL)	LF	350	\$37.00	\$12,950
608-00006	CONCRETE SIDEWALK (6 INCH)	SY	575	\$65.00	\$37,375
621-00600	PEDESTRIAN OVERPASS	SF	2,388	\$175.00	\$417,900
622-03260	SANITARY SEWER VAULT	LS	1	\$50,000.00	\$50,000
Total Major Items					\$1,390,000
Total Major Items (A)					\$1,390,000

Item	Percent Range	Percent Selected	Costs \$
Major Items (above)			\$1,390,000
Signing & Striping	1 to 5% of (A)	1%	\$14,000
Wetland Mitigation	5 to 15% of (A)	5%	\$70,000
Erosion Control	1 to 5% of (A)	3%	\$42,000
Construction Phasing & Traffic Control	5 to 25% of (A+B+C+D)	5%	\$76,000
Mobilization	4 to 10% of (A+B+C+D+E)	7%	\$112,000
TOTAL OPINION OF PROBABLE CONSTRUCTION BID ITEMS COST, CBI	(A+B+C+D+E+F)		\$1,704,000
Force Account - Utilities	1 to 5% of (G)	5%	\$86,000
Force Account - Miscellaneous	1 to 5% of (G)	5%	\$86,000
TOTAL OPINION OF PROBABLE CONSTRUCTION ITEMS COST, CI	(G+H+I)		\$1,876,000
Construction Engineering, CE	10 to 20% of (J)	20%	\$376,000
Construction Engineering Indirects	1 to 5% of (J)	3%	\$57,000
Utilities	5 to 10% of (J+K+L)	5%	\$116,000
Contingency	30% of (J+K+L+M)	30%	\$728,000
TOTAL COMPONENT PROJECT OPINION OF PROBABLE COST	(J+K+L+M+N)		\$3,160,000

**PROFESSIONAL
SERVICES AGREEMENT
FOR POLICE ANNEX AND
PARKING FACILITY
DESIGN**



CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Approval of the **Police Annex and Parking Facility Design Project** Professional Services contract.

RECOMMENDATION: If City Council chooses to approve the contract for the Police Annex and Parking Facility Design Project, the recommended motion is as follows:

“Approve the Contract with **Roth Sheppard Architects** in the amount **not to exceed \$144,350.00** to complete the design and construction documents for the Police Annex and Parking Facility Project.”

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Roth Sheppard completed an initial space study for the police department. Through the analysis it was determined that 2000-3500 square feet of space would be beneficial if located up adjacent to the parking area for the patrol vehicles. The Annex portion of the facility will house bathroom, shower and locker facilities, storage for SWAT and CSI, break room, armory, and weapon cleaning area. The parking facility will be connected and have space for 14 patrol cars, one secure impound bay, and six bays for use by fire, public works and transit. The parking facility will be a pre-engineered insulated metal building with heat for the winter months. The type of construction of the Annex portion of the facility is yet to be determined.

Several locations on the mesa will be evaluated for suitability.

The intent is to fast track the design and bid a 60% set and complete the project as a hybrid design-build.

FUNDING SOURCE: 305-3101-431.75-06-Police Parking Structure

WORKSHOP DATE: 7/23/14

ORIGINATED BY: Thomas Isbester/Steve Cole

STAFF PERSON RESPONSIBLE: Thomas Isbester/Steve Cole

PROJECT COMPLETION DATE: estimated at approximately 18 months

DOCUMENTS ATTACHED: Roth Sheppard Architects Proposal

CITY ATTORNEY REVIEW: []Yes []No []N/A INITIALS _____

SUBMITTED BY:



Thomas Isbester, Public Works Director

REVIEWED BY:



Jack Lewis, City Manager



July 15, 2014

Tom Isbester
Public Works Director
City of Black Hawk
P.O. Box 68
Black Hawk, Colorado, 80422

Black Hawk Police Department Annex Building

Tom,

Roth Sheppard appreciates the opportunity of submitting this Scope of Services Proposal for the proposed Black Hawk Police Department Annex on Miners Mesa. The scope of work within this proposal is based on our previous space needs assessment, concept design and feasibility study completed for the City of Black Hawk, and includes Design, Documentation and Contract Administration services. The feasibility study will be amended in the design phases to provide for 14 police cars and 7 larger vehicles.

Project Description

The purpose of the project is to relieve the existing space limitations in the Black Hawk Police HQ building and provide patrol officers space to park, change into or out of uniform and access assigned patrol cars for their shift out of an enclosed garage. The project is perceived as a pre-engineered metal building with appropriate insulation and mechanical system to ventilate and maintain a winter temperature of 45 with ventilation only during the summer months. An annex building of approximately 3,500 GSF containing PD storage, lockers and showers and a small break room will be connected to the garage building. ~~Secure outside paved parking for 30 personal vehicles will be provided adjacent to the annex building.~~ A conceptual estimate of construction cost is \$1,590,000 assuming construction is initiated during the 2014 Summer.

Form of Agreement

Architect agrees to enter into agreement for A/E services with the City of Black Hawk using AIA document B101-2007, Standard Form of Agreement Between Owner and Architect or a mutually acceptable City of Black Hawk agreement in the event that this proposal is acceptable.

Scope of Services

Phase I – Site Analysis / Site Selection and Design

We will explore concept / schematic site designs to include the aforementioned program on a minimum of two (2) site locations on Miners Mesa.

Phase II – Schematic Design

Roth Sheppard will review previously completed program and concept studies for Black Hawk PD. The intent is to gain overall consensus on the space program prior to detail design work. Roth Sheppard will prepare two-dimensional as well as three-dimensional imagery to explain the design direction and assure that the building and the necessary building system infrastructure are considered. Roth Sheppard will, in conjunction with civil engineers and the local jurisdiction, address any zoning, planning and storm water detention requirements to assure that the desired site configuration is approved.

Included in the Schematic Design tasks will be an updated construction cost estimate prepared by an independent construction cost estimator.

Following completion of Schematic Design, the documents will be submitted to the City of Black Hawk and/or its project representative and the Black Hawk PD for review and authorization to proceed. Once we have received signed authorization to proceed, we will commence with the design development phase.

Phase III – Design Development

Roth Sheppard will provide documentation sufficient to convey the design intent of the project through more detailed design effort that will include updated architectural design, coordination of the structural, mechanical, electrical and plumbing design requirements. The Design Development phase will finalize the annex building space layout as well as the architectural components of exterior/interior walls roof and other envelop issues. Specifications will be incorporated into the drawings as needed to indicate major materials and equipment. An independent construction cost estimator will prepare a DD estimate. Roth Sheppard will meet with the City of Black Hawk and the Black Hawk Police Department to review the progress document package.

Upon completion of the Design Development Phase, Roth Sheppard will submit documents to the City of Black Hawk and the Black Hawk Police Department and/or its project representative for review and approval.

Phase IV – Construction Documents

Roth Sheppard will provide documentation sufficient to convey the design intent of the project for construction. Complete construction specifications will be provided to convey detailed building component and finish requirements. Roth Sheppard will meet with the City of Black Hawk and the Black Hawk Police Department and/or its project representative to review the construction document package at appropriate stages of completion and at 100% completion.

Phase V – Permitting and General Contractor Selection

Roth Sheppard will submit documentation as needed to the City of Black Hawk and/or its code review consultant, and will provide responses and documented revisions as needed to review comments. Roth Sheppard will also assist the City of Black Hawk as needed with development of a Guaranteed Maximum Price (GMP) by the CMGC in a CMGC delivery process or will collaborate with a selected design build contractor, should the City choose a DB project delivery process, at the completion of the Construction Document Phase or at a time during the process to be determined.

Phase VI – Contract Administration

During the construction phase, Roth Sheppard will address CMGC / Contractor requests for information and review design submittals, change order requests and payment applications. Roth Sheppard will attend Owner/Architect/Contractor meetings as appropriate based on the progress of construction. Upon substantial completion of the work, Roth Sheppard will perform punch list observations as necessary to achieve a certificate of occupancy.

Review of project Record Documents prepared and furnished by the General Contractor is included.

Furniture, Fixtures and Equipment

The City of Black Hawk will provide detailed FF&E requirements. Roth Sheppard will coordinate documentation of the FF&E package.

Project Budget

The project budget is not to exceed \$1,590,000, unless authorized by the City of Black Hawk in response to more accurate estimator or contractor evaluations.

Roth Sheppard, and our consultant team, does not guarantee or warranty construction cost. Every effort will be made to provide a design solution that satisfies the project budget requirements, but Roth Sheppard does not have control over material or labor price fluctuations, and discovery of unknown existing site conditions that may require remedial work. We will work with the City and our engineering team to establish systems and details that are appropriate to the project budget.

Proposed Schedule to Perform the Work

Upon receipt of an executed agreement, Roth Sheppard can begin work on the stated scope of services. An estimated accelerated schedule with the intent of beginning construction this summer and completion by fall or early winter 2014 is as follows:

<i>Phase I – Site Analysis/Site Selection</i>	2 Weeks
<i>Phase I – Schematic Design</i>	2 Weeks
<i>Phase II – Design Development</i>	3 Weeks
<i>Phase III – Construction Documents</i>	10 Weeks
<i>Phase IV – Permitting, Bidding and Negotiation</i>	4 Weeks (estimated)
<i>Phase V – Contract Administration</i>	TBD

Compensation

Roth Sheppard will perform the stated scope of work for the below fee based on 8% of the construction cost:

<i>Phase I – Site Analysis/ Selection</i>	\$6,360.00
<i>Phase II – Schematic Design</i>	\$12,720.00
<i>Phase III – Design Development</i>	\$25,440.00
<i>Phase IV – Construction Documents</i>	\$50,880.00
<i>Phase V – Permitting, Bidding and Negotiation</i>	\$6,360.00
<i>Phase VI – Contract Administration</i>	\$25,440.00
Sub-Total Compensation	\$127,200.00
<i>LEED Consulting (Not included)</i>	0.00
<i>Survey</i>	\$6,200.00
<i>Geotechnical</i>	\$3,950.00
Total Compensation	\$137,350.00
<i>Reimbursable Expenses (See below not to exceed budget)</i>	\$7,000.00
Not to Exceed Grand Total Compensation	\$144,350.00

Additional Services

The below services are excluded from the scope of work outlined in this proposal. Should the City request inclusion of any of the below services, they will be billed hourly on an as-needed basis, and only with prior written approval.

- A. City of Black Hawk, neighborhood group, Historic Preservation, special interest group or other design review submittals and/or presentations beyond those specifically included above
- B. Presentation quality models or renderings
- C. Revisions after receiving prior approvals
- D. Acoustical Engineering design services
- E. Hazardous materials surveys and abatement, or other remedial environmental cleanup or testing
- F. LEED Services
- G. Furniture, Fixtures & Equipment procurement
- H. Additional meetings beyond those indicated within this proposal
- ~~I. Survey and Geotechnical engineering services~~
- J. Construction phase site visits in addition to normal and customary site visits at the request of the Owner's Representative to be provide on a per diem basis (includes reimbursables):
 - a. Architectural \$600.00
 - b. Structural \$600.00
 - c. Mechanical \$600.00
 - d. Electrical \$600.00

Reimbursable Expenses

Reimbursable Expenses are in addition to compensation for Basic and Additional Services and include expenses incurred by the Architect and the Architect's consultants directly related to the Project, as follows:

- a. Transportation and authorized out-of-town travel and subsistence;
- b. Long distance services, dedicated data and communication services, teleconferences, Project Web sites, and extranets;
- c. Fees paid for securing approval of authorities having jurisdiction over the Project;
- d. Printing, reproductions, plots, standard form documents, maximum twelve (12) sets of project documents at each bid Package and project milestone for Owner's record;
- e. Postage, handling and delivery;
- f. Renderings, models, mock-ups, professional photography, and presentation materials requested by the Owner
- g. Architect 's Consultant's expense of professional liability insurance dedicated exclusively to this Project, or the expense of additional insurance coverage or limits if the Owner requests such insurance in excess of that normally carried by the Architect's consultants;
- h. All taxes levied on professional services and on reimbursable expenses;
- i. Site office expenses; and
- j. Other similar project -related expenditures.

The below Reimbursable Expenses will be billed in addition to the above fee, and as incurred at 1.1x actual cost, unless otherwise indicated below.

In-House Xerox Copies

\$0.15

In-House Color Prints	\$1.50	
In-House Color Plots (larger than 11x17)	\$7.00	
Outsourced Printing per Square Foot		\$0.06
Outsourced Per Sheet at 30 x 42	\$0.54	
Edge Binding	\$0.25	
Local Courier Services	At Actual Cost	
Deliveries (FedEx, UPS)	At Actual Cost	
Local Mileage (Per IRS current guidelines)	\$0.555 per mile	
Travel (airfare, hotel, car rental or cab)	At Actual Cost	

For Reimbursable Expenses the compensation shall be the expenses included by the Architect and the Architect's consultants plus ten percent (10 %) of the expenses incurred. Reimbursable expenses shall not exceed seven thousand dollars (\$7,000).

Billing

Invoices are mailed monthly based on a % complete basis through the 27th of the month. Payment is due upon receipt of invoice.

Standard hourly billing rates are as follows:

Partner-In-Charge	\$200.00	
Project Architect	\$135.00	
Project Manager	\$100.00	
Project Designer	\$85.00	
Draftsperson/Technician	\$75.00	
Clerical/Administration		\$50.00

We look forward to our continued relationship with the City of Black Hawk, and are excited about the opportunity to assist The City and the Police Department with design of their proposed new support facility. Please call if you have any questions.

Sincerely,



Herbert B. Roth FAIA

2013 AUDIT

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: 2013 Comprehensive Annual Financial Report – (Audit)

RECOMMENDATION: Acceptance of the 2013 Audit

SUMMARY AND BACKGROUND OF SUBJECT MATTER: Colorado State law requires that the financial statements of the City of Black Hawk be audited by an independent Certified Public Accountant. The City’s auditor, John Cutler & Associates, LLC has issued a clean or unqualified opinion. This means the Financial Statements present fairly, the financial position of the City. This is the best type of opinion an auditee may receive from an external auditor.

FUNDING SOURCE: General Fund Budget

WORKSHOP DATE: N/A

ESTIMATED DATE OF PROJECT COMPLETION: N/A

ORIGINATED BY: Lance Hillis

STAFF PERSON RESPONSIBLE: Lance Hillis

DOCUMENTS ATTACHED: 2013 Comprehensive Annual Financial Report

RECORD: []Yes [x]No

CITY ATTORNEY REVIEW: []Yes []No [x]N/A INITIALS _____

SUBMITTED BY:

Lance Hillis

Lance R. Hillis, Finance Director

City of Black Hawk, Colorado



*Comprehensive Annual Financial Report
For The Year
Ended December 31, 2013*

City of Black Hawk, Colorado

*Comprehensive Annual Financial Report
For The Year
Ended December 31, 2013*

Prepared By

Finance Department

*Lance Hillis
Finance Director*

Black Hawk, Colorado
Comprehensive Annual Financial Report
For The Year Ended December 31, 2013

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Administrative Services

201 Selak Street
P.O. Box 68
Black Hawk, CO 80422
www.cityofblackhawk.org
303-582-2292 Office
303-582-0848 Fax

Mayor

David D. Spellman

Aldermen

Linda Armbright
Paul G. Bennett
Hal Midcap
Jim Johnson
Greg Moates
Benito Torres

City Attorney

Corey Y. Hoffmann

City Manager

Jack D. Lewis

City Clerk /

Administrative Services Director

Melissa A. Greiner

Finance Director

Lance R. Hillis

Fire Chief

Donald E. Taylor

Police Chief

Stephen N. Cole

Public Works Director

Thomas Isbester

**Community Planning & Development
Administrator**

Cynthia L. Linker

**CELEBRATING 150 YEARS OF
MUNICIPAL GOVERNMENT**

**COLORADO'S SECOND OLDEST
MUNICIPAL CORPORATION**

July 16, 2014

To the Honorable Mayor and Members of the City Council, Citizens of the City of Black Hawk, Colorado and the Financial Community:

We are pleased to transmit the Comprehensive Annual Financial Report (CAFR) of the City of Black Hawk for the year ended December 31, 2013. This submittal is in accordance with Colorado State Statutes and the City of Black Hawk Charter provisions. This report of the financial condition of the City as of December 31, 2013, and the activity which brought about that condition meets the City Charter requirements as well as provides full financial disclosure in accordance with generally accepted accounting principles (GAAP).

The Finance Department prepared this report in conformance with standards of the Governmental Accounting Standards Board, the American Institute of Certified Public Accountants, the Government Finance Officers Association (GFOA) and the Colorado State Auditor. Responsibility for both the accuracy of the presented data and the completeness and fairness of the presentation, including all disclosures, rests with the City's management.

The purpose of the CAFR is to provide citizens, investors, grantor agencies and other interested parties with reliable information concerning the financial condition of the City. The City management believes the data as presented is accurate in all material respects. The data is presented in a manner designed to set forth fairly the financial position and results of City operations as measured by the financial activity of its various funds. Also, all disclosures necessary to enable the reader to gain the maximum understanding of the City's financial affairs have been included.

State law requires that the financial statements of the City of Black Hawk be audited by independent certified public accountants selected by the City Council. The independent auditing firm of John Cutler & Associates, whose report is included herein, has audited the basic financial statements and related notes.

GAAP requires that the City's management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in the form of a "Management's Discussion and Analysis" (MD&A). This transmittal letter should be read in conjunction with MD&A.

REPORTING ENTITY DEFINITION

The financial reporting entity, the City, includes all the funds of the primary government as well as all of its component units. Additional financial information concerning the blended component units may be obtained through the Finance Department of the City of Black Hawk, Colorado.

PROFILE OF THE CITY

The City is a political subdivision of the State of Colorado which was incorporated on March 11, 1864, under a territorial charter, prior to the time Colorado became a state in 1876. The City is located in central Colorado in Gilpin County, approximately 35 miles west of Denver at the intersection of state highways 119 and Black Hawk Street. The City is located at an altitude of 8,042 feet and covers an area of approximately three square miles. Since 2001, upon the approval by the City's residents of a home rule charter, the City has operated under Colorado law as a home rule municipality. The City charter establishes the powers of the City and describes its system of government.

Although the City had several thousand residents at its peak as a mining town in the late 1800's, the population decreased as the mines were depleted. Prior to the legalization of limited gaming in 1991, the City was generally a seasonal residential area and tourist attraction. Since limited gaming began in 1991, the population has decreased from approximately 227 in 1990 to around 100 residents today.

The City charter creates a Council-Manager form of government and establishes the City Council as the policy-making legislative body of the City. The City council consists of six Aldermen and a Mayor. The members of the City council are elected at large for staggered four-year terms, and the Mayor is elected from the City at large for a four-year term. The Mayor presides at all City council meetings and has the same power, rights and privileges as an alderman, except the mayor shall not vote except in the case of a tie vote. The City council currently meets on the second and fourth Wednesday of each month. Special meetings are held at the request of the Mayor or any two aldermen.

The City provides a wide range of services to its residents and guests including police protection, fire protection, public works, parks, public improvements, planning and zoning, water and general administration. Sanitation services are provided by the Black Hawk/Central City Sanitation District, gas and electric service is provided by Xcel Energy, and telephone service is provided by CenturyLink.

Although the City has a small population, the daily population ranges from 10,000 – 15,000 per day, primarily due to availability of gaming. Therefore, City staffing is much larger than that normally found in a small City.

LOCAL ECONOMY

The City's economy relies almost 100% on gaming for its revenue streams. The level of gaming activity within the City may be affected by, among other things, the amount of disposable income and entertainment expenditures of individuals participating in gaming activities. The number of gaming devices operated within the City is subject to, among other things:

- The availability of space within a constitutionally defined area in which gaming is legal.
- The continued availability of money to finance the capital investment necessary to acquire, improve, construct or equip gaming establishments.
- The continued profitability of operating gaming establishments after the payment of winnings to players, all applicable licenses, taxes and fees and capital and operation expenses.

Currently, the City has 18 operating casinos with the largest ten accounting for 84.2% of device fee revenues for the City. The five largest casinos generate about 60.1% of device fee revenues. The casinos are continuing to expand; currently they make up over 1.5 million square feet, with the gaming area totaling over 232,000 square feet.

There is competition for gaming revenues. Currently, limited gaming is authorized in only three cities in the State, our City, Central City and Cripple Creek. Increases in the relative levels of gaming activity in the other two existing gaming towns in the state, the introduction of gaming to any additional Colorado local governments or the limiting of any fees imposed by the City on limited gaming may have a negative impact upon the economy and property values of the City and fees and taxes generated by the City.

LONG-TERM FINANCIAL PLANNING

The Board of Alderman of the City of Black Hawk have always made decisions and implemented policies that create long-term financial, economic and competitive incentives that benefit businesses within the City. These policies and incentives, many in the form of lower taxes and fees, have attracted and retained significant private investment in the Black Hawk casino market.

RELEVANT FINANCIAL POLICIES

Internal Control Structure

Management of the City is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse and to ensure that adequate accounting data is compiled to allow for the preparation of financial statements in conformity with generally accepted accounting principles. The internal control structure is designed to provide reasonable, but not absolute, assurance that these objectives are met. The concept of reasonable assurance recognizes that: (1) the cost of a control should not exceed the benefits likely to be derived; and, (2) the valuation of costs and benefits requires estimates and judgments by management.

All accounting records for general governmental operations at the fund level are maintained on a modified accrual basis with the revenues recorded when measurable and available, and expenditures recorded when the services or goods are received and the liabilities incurred.

Legislative Development

Colorado voters passed an amendment to the State Constitution, Article X, Section 20, (referred to as TABOR) which has several limitations including revenue raising, spending abilities, and other specific

requirements of state and local governments. The amendment is complex and subject to judicial interpretation. The City believes it is in compliance with the requirements of the amendment. However, the City has made certain interpretations of the amendment's language in order to determine its compliance.

MAJOR INITIATIVES

The City of Black Hawk has plans to make significant investments in facilities and infrastructure over the next 12-24 months. The City is currently in the design phase of the realignment of Gregory Street, including upgrades to infrastructure in preparation for new amenities.

Recently, the City has received multiple inquiries from the private sector related to the expansion of existing casino properties.

AWARDS AND ACKNOWLEDGEMENTS

The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Black Hawk for its comprehensive annual financial report for the fiscal year ended December 31, 2012. This was the 7th consecutive year that the government has achieved this prestigious award. In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both generally accepted accounting principles and applicable legal requirements.

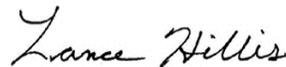
A Certificate of Achievement is valid for a period of one year only. We believe that our current comprehensive annual financial report continues to meet the Certificate of Achievement Program's requirements and we are submitting it to the GFOA to determine its eligibility for another certificate.

Finally, credit also must be given to the Mayor and City council for their unfailing support for maintaining the highest standards of professionalism in the management of the City's finances.

Respectfully submitted,



Jack D. Lewis
City Manager



Lance Hillis, CPA
Finance Director

City of Black Hawk, Colorado

Elected Officials

(In Office as of December 31, 2013)

Mayor and Alderman

David Spellman

*In office since July 2006
Current term expires April 2016*

Diane Cales

*In office since April 2006
Current term expires April
2014*

Jim Johnson

*In office since April 2010
Current term expires April
2014*

Benito Torres

*In office since April 2012
Current term expires April
2016*

Greg Moates

*In office since April 2008
Current term expires April
2016*

Paul Bennett

*In office since April 2004
Current term expires April
2016*

Linda Armbright

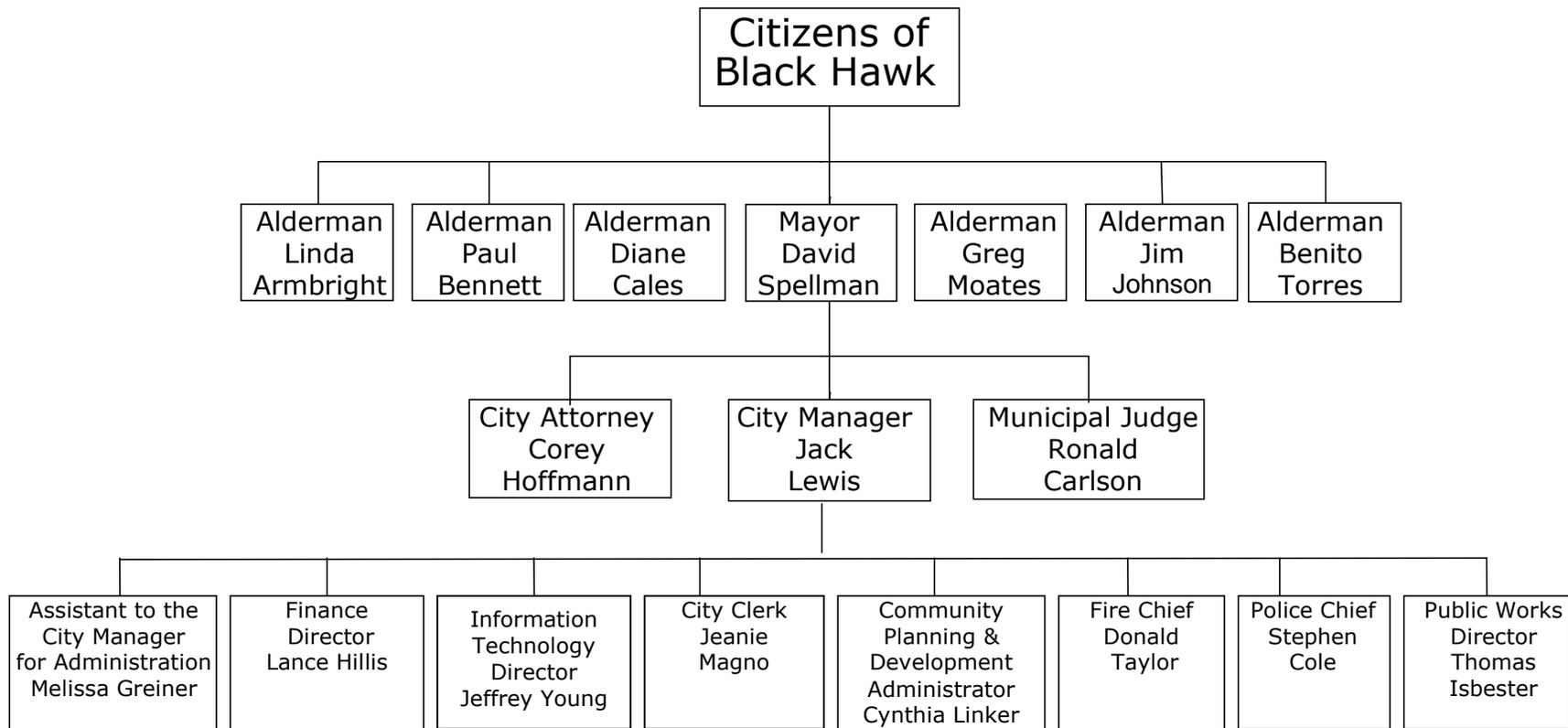
*In office since April 2006
Current term expires April
2014*

City of Black Hawk, Colorado

Appointed Principal Officials

December 31, 2013

<u>Name</u>	<u>Position</u>
Jack D. Lewis	City Manager
Melissa A. Greiner	Assistant to the City Manager For Administration
Lance R. Hillis	Finance Director
Jeanie M. Magno	City Clerk
Jeffrey L. Young	Information Technology Director
Donald E. Taylor	Fire Chief
Stephen N. Cole	Police Chief
Cynthia L. Linker	Community Planning and Development Administrator
Thomas Isbester	Public Works Director
Ronald Carlson	Judge, Municipal Court



As of December 31, 2013



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

**City of Black Hawk
Colorado**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

December 31, 2012

Executive Director/CEO



JOHN CUTLER
& ASSOCIATES

City Council
City of Black Hawk
Black Hawk, Colorado

INDEPENDENT AUDITORS' REPORT

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Black Hawk, Colorado, as of and for the year ended December 31, 2013, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Black Hawk, Colorado as of December 31, 2013, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and required budgetary information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining and individual fund schedules, and the schedule of expenditures of federal awards, as required by the *Office of Management and Budget Circular A-133, audits of States, Local Governments, and Non-Profit Organizations (Circular A-133)* listed in the table of contents are presented for purposes of additional analysis and are not a required part of the financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual fund schedules and the schedule of expenditures of federal awards are fairly stated in all material respects in relation to the financial statements as a whole.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated July 16, 2014 on our consideration of the City of Black Hawk's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Black Hawk's internal control over financial reporting and compliance.

John Cutler & Associates, LLC

July 16, 2014

MANAGEMENT'S DISCUSSION AND ANALYSIS

Within this section of the City of Black Hawk, Colorado (the City) annual financial report, the City's management is pleased to provide this narrative discussion and analysis of the financial activities of the City for the calendar year ended December 31, 2013. The City's financial performance is discussed and analyzed within the context of the accompanying financial statements, schedules and note disclosures following this section.

Financial Highlights

- The City's assets exceeded its liabilities by \$119,495,148 (net position) for the calendar year reported.
- Total net position is comprised of the following:
 - (1) Capital assets, net of related debt, of \$110,038,436 includes property and equipment, net of accumulated depreciation, and reduced for outstanding debt related to the purchase or construction of capital assets.
 - (2) Net position of \$8,349,208 are restricted by constraints imposed from outside the City such as debt covenants, grantors, laws, or regulations.
 - (3) There is unrestricted net position of \$1,107,504.
- The City's governmental funds reported total ending fund balance of \$27,319,817 this year. This compares to the prior year ending fund balance of \$21,525,377 showing an increase of \$5,794,440 during the current year. Unassigned fund balance is \$18,221,384 at December 31, 2013.
- At the end of the current calendar year, unassigned fund balance for the general fund was \$18,221,384, or 125.76% of total general fund expenditures, excluding transfers.
- Overall, the City continues to maintain a strong financial position, in spite of a less than stable economy.

The above financial highlights are explained in more detail in the "financial analysis" section of this document.

Overview of the Financial Statements

This Management Discussion and Analysis document introduces the City's basic financial statements. The basic financial statements include: (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the basic financial statements. The City also includes in this report additional information to supplement the basic financial statements.

Government-wide Financial Statements

The City's annual report includes two government-wide financial statements. These statements provide both long-term and short-term information about the City's overall financial status. Financial reporting at this level uses a perspective similar to that found in the private sector with its basis in accrual accounting and elimination or reclassification of activities between funds.

The first of these government-wide statements is the *Statement of Net Position*. This is the government-wide statement of position presenting information that includes all of the City's assets and liabilities, with the difference reported as *net position*.

Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City as a whole is improving or deteriorating. Evaluation of the overall health of the City would extend to other nonfinancial factors such as diversification of the taxpayer base or the condition of City infrastructure, in addition to the financial information provided in this report.

The second government-wide statement is the *Statement of Activities*, which reports how the City's net position changed during the current calendar year. All current year revenues and expenses are included regardless of when cash is received or paid. An important purpose of the design of the statement of activities is to show the financial reliance of the City's distinct activities or functions on revenues provided by the City's taxpayers.

Both government-wide financial statements distinguish governmental activities of the City that are principally supported by gaming taxes from business-type activities that are intended to recover all or a significant portion of their costs through user fees and charges. Governmental activities include general government, planning, public safety, and public works. Business-type activities include the water system.

The government-wide financial statements are presented on pages 17 & 18 of this report.

Fund Financial Statements

A fund is an accountability unit used to maintain control over resources segregated for specific activities or objectives. The City uses funds to ensure and demonstrate compliance with finance-related laws and regulations. Within the basic financial statements, fund financial statements focus on the City's most significant funds rather than the City as a whole. Major funds are separately reported while all others are combined into a single, aggregated presentation. Individual fund data for nonmajor funds is provided in the form of combining statements in a later section of this report.

The City has two kinds of funds:

Governmental funds are reported in the fund financial statements and encompass the same functions reported as governmental activities in the government-wide financial statements. However, the focus is very different with fund statements providing a distinctive view of the City's governmental funds. These statements report short-term fiscal accountability focusing on the use of spendable resources and balances of spendable resources available at the end of the year. They are useful in evaluating annual financing requirements of governmental programs and the commitment of spendable resources for the near-term.

Since the government-wide focus includes the long-term view, comparisons between these two perspectives may provide insight into the long-term impact of short-term financing decisions. Both the governmental fund balance sheet and the governmental fund operating statement provide a reconciliation to assist in understanding the differences between these two perspectives.

The basic governmental fund financial statements are presented on pages 19 - 22 of this report.

Individual fund information for nonmajor governmental funds is found in combining statements in a later section of this report.

The *proprietary fund* is reported in the fund financial statements and generally reports water service for which the City charges customers a fee. The City's proprietary fund is classified as an enterprise fund. This enterprise fund essentially encompasses the same functions reported as business-type activities in the government-wide statements.

The basic enterprise fund financial statements are presented on pages 23 - 26 of this report.

Notes to the Basic Financial Statements

The accompanying notes to the financial statements provide information essential to a full understanding of the government-wide and fund financial statements. The notes to the financial statements begin on page 27 of this report.

Required Supplementary Information

In addition to the basic financial statements and accompanying notes, this report also presents certain required supplementary information concerning the City's budget presentations. Budgetary comparison schedules are included as "required supplementary information" for the general fund and the major special revenue funds. Budgetary comparison schedules for all other governmental funds can be found in a later section of this report. These schedules demonstrate compliance with the City's adopted and final revised budget. These budget comparison schedules are presented on pages 49 - 53.

Supplementary Information

Combining and comparative individual statements and schedules for nonmajor funds are presented as supplementary information in this report beginning on page 54.

Financial Analysis of the City as a Whole

The City's net position at year-end is \$119,495,148. The following table provides a summary of the City's net position:

Summary of Net Position

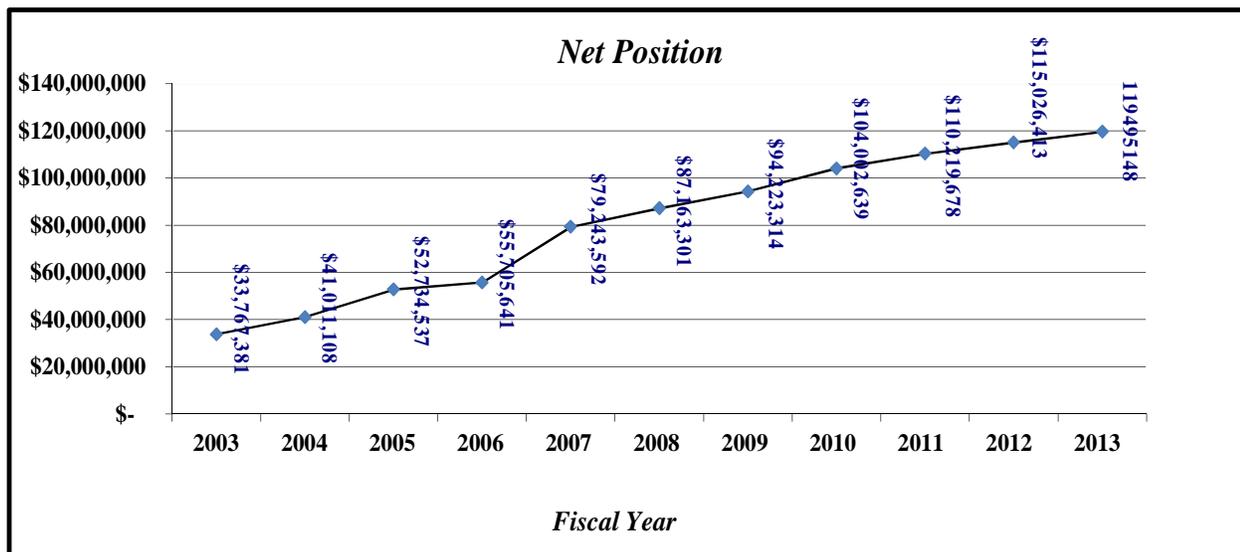
	Governmental Activities		Business-type Activities		Total	
	2013	2012	2013	2012	2013	2012
Assets:						
Current assets	\$ 29,484,414	\$ 23,791,188	\$ 792,265	\$ 909,967	\$ 30,276,679	\$ 24,701,155
Other assets	-	35,840	-	-	-	35,840
Capital assets	77,312,732	68,790,607	33,438,158	33,735,236	110,750,890	102,525,843
Total assets	106,797,146	92,617,635	34,230,423	34,645,203	141,027,569	127,262,838
Deferred outflows	348,739	401,620	-	-	348,739	401,620
Liabilities:						
Current liabilities	3,069,406	2,979,475	360,552	197,620	3,429,958	3,177,095
Long-term liabilities	18,145,822	9,121,909	44,099	58,582	18,189,921	9,180,491
Total liabilities	21,215,228	12,101,384	404,651	256,202	21,619,879	12,357,586
Deferred inflows	261,281	280,099	-	-	261,281	280,099
Net position:						
Invested in capital assets, net of debt	76,600,278	67,923,663	33,438,158	33,735,236	110,038,436	101,658,899
Restricted	8,349,208	9,724,273	-	-	8,349,208	9,724,273
Unrestricted	719,890	2,989,476	387,614	653,765	1,107,504	3,643,241
Total net position	\$ 85,669,376	\$ 80,637,412	\$ 33,825,772	\$ 34,389,001	\$ 119,495,148	\$ 115,026,413

The City continues to maintain a high current ratio. The current ratio compares current assets to current liabilities and is an indication of the ability to pay current obligations. The current ratio for governmental activities for 2013 is 9.6 to 1 as compared to a 8.0 to 1 at December 31, 2012. The current ratio for the business type activities at December 31, 2013 is 2.2 to 1. At December 31, 2012 the current ratio was 4.6 to 1. For the City overall, the 2013 current ratio is 8.8 to 1 as compared to 7.8 to 1 at December 31, 2012. These ratios are strong.

The City reported positive balances in net position for both governmental and business-type activities. Net position increased \$5,031,964 for governmental activities and decreased by \$563,229 for business-type activities. The City's overall financial position improved during calendar year 2013.

Note that approximately 89% of the governmental activities' net position is tied up in capital. This compares to 84% at December 31, 2012. The City uses these capital assets to provide services to its citizens. However, with business type activities, the City has spent approximately 98.8% of its net position on capital as compared to 98.1% at December 31, 2012. Capital assets in the business-type activities also provide utility services, but they also generate revenues for the fund. 92.1% of the City's total net position is included in capital assets as compared to 88.4% at December 31, 2012.

The following chart reports the total net asset balances from calendar year 2003 - 2013.



Note that in calendar year 2007, the City began reporting its infrastructure retroactively.

(This page continued on the subsequent page)

The following table provides a summary of the City's changes in net assets:

	Summary of Changes in Net Position					
	Governmental Activities		Business-type Activities		Total	
	2013	2012	2013	2012	2013	2012
Revenues:						
Program:						
Charges for services	\$ 622,803	\$ 531,481	\$ 2,984,365	\$ 2,982,990	\$ 3,607,168	\$ 3,514,471
Operating grants	3,471,659	3,496,923	-	-	3,471,659	3,496,923
Capital grants & contributions	1,525,291	-	-	-	1,525,291	-
General:						
Taxes	10,732,620	10,986,330	-	-	10,732,620	10,986,330
Intergovernmental	6,864,191	6,770,143	-	-	6,864,191	6,770,143
Other	1,306,333	325,843	17,067	28,558	1,323,400	354,401
Total revenues	24,522,897	22,110,720	3,001,432	3,011,548	27,524,329	25,122,268
Program Expenses:						
General government	6,163,795	4,747,052	-	-	6,163,795	4,747,052
Planning	603,619	497,010	-	-	603,619	497,010
Public safety	6,123,994	5,848,069	-	-	6,123,994	5,848,069
Public works	5,890,849	4,834,937	-	-	5,890,849	4,834,937
Culture and recreation	-	-	-	-	-	-
Interest	708,676	1,026,760	-	-	708,676	1,026,760
Water	-	-	3,564,661	3,361,705	3,564,661	3,361,705
Total expenses	19,490,933	16,953,828	3,564,661	3,361,705	23,055,594	20,315,533
Excess (deficiency)	5,031,964	5,156,892	(563,229)	(350,157)	4,468,735	4,806,735
Transfers	-	(2,000,000)	-	2,000,000	-	-
Changes in net position	5,031,964	3,156,892	(563,229)	1,649,843	4,468,735	4,806,735
Beginning net position	80,637,412	77,480,520	34,389,001	32,739,158	115,026,413	110,219,678
Ending net position	\$ 85,669,376	\$ 80,637,412	\$ 33,825,772	\$ 34,389,001	\$ 119,495,148	\$ 115,026,413

GOVERNMENTAL REVENUES

Gaming revenues provide the City's largest revenue stream. In 2013, the City recognized \$6,996,325 in device taxes levied on gaming devices located within the City's casinos. This amount compares to \$7,285,442 in 2012, or a decrease of 3.9%. The City also received \$6,864,191 from the State of Colorado for their share of the state gaming tax. This amount compares to \$6,770,143 in 2012. The 2013 amount is up 1.4% compared to 2012. Finally, the City received \$3,457,536 from the State of Colorado Historical Society for preservation and restoration. This amount is paid to the City, through the State of Colorado, from casino gaming taxes paid to the State of Colorado. This amount compares to \$3,387,232 in 2012 or a 2.1% increase.

In addition, the City relies on sales and use taxes to support governmental operations and capital. Sales and use taxes provided 12.5% of the City's total governmental revenues for 2013 as compared to 12.4% in 2012. The 2013 amount is \$297,170 more than the 2012 amount. Even with the City's healthy financial position improving, we have only been able to earn \$39,931 in interest earnings to support governmental activities as compared to \$73,291 in 2012. In 2013, program revenues covered just 28.8% of operating costs. This means that the government's taxpayers and the City's other general governmental revenues (e.g., device taxes) fund 71.2% of the governmental activities. As a result, the general economy and the City businesses (i.e., primarily casinos) have a major impact on the City's revenue streams.

GOVERNMENTAL FUNCTIONAL EXPENSES

61.6% of the total costs relates to public safety and public works. Note that general government reported more program costs in 2013 than program revenues. This revenue includes both preservation and restoration state funding and special assessments.

This table presents the cost of each of the City's programs, including the net costs (i.e., total cost less revenues generated by the activities). The net costs illustrate the financial burden that has been placed on the City's taxpayers by each of these functions.

Governmental Activities

	2013		2012	
	Total Cost of Services	Net Cost of Services	Total Cost of Services	Net Cost of Services
General government	\$ 6,163,795	\$ 2,525,977	\$ 4,747,052	\$ 1,145,452
Planning	603,619	423,166	497,010	430,788
Public safety	6,123,994	6,076,471	5,848,069	5,716,589
Public works	5,890,849	4,136,890	4,834,937	4,605,835
Culture and recreation	-	-	-	-
Interest	708,676	708,676	1,026,760	1,026,760
Total	\$ 19,490,933	\$ 13,871,180	\$ 16,953,828	\$ 12,925,424

BUSINESS-TYPE ACTIVITIES

The City's only enterprise fund is the water fund. The Water Fund's net positions are \$33,825,772 at December 31, 2013 and \$34,389,001 at December 31, 2012 and were \$32,739,158 at December 31, 2011

The following table compares the water fund's statements of net position for the last three years:

Summary of Net Position

	<u>December 31, 2013</u>		<u>December 31, 2012</u>		<u>December 31, 2011</u>	
	<u>Amount</u>	<u>% of Total</u>	<u>Amount</u>	<u>% of Total</u>	<u>Amount</u>	<u>% of Total</u>
Assets:						
Current assets	\$ 792,265	2%	\$ 909,967	3%	\$ 5,540,674	17%
Other noncurrent assets	-	0%	-	0%	-	0%
Capital assets	<u>33,438,158</u>	<u>98%</u>	<u>33,735,236</u>	<u>97%</u>	<u>27,399,977</u>	<u>83%</u>
Total assets	<u>34,230,423</u>	<u>100%</u>	<u>34,645,203</u>	<u>100%</u>	<u>32,940,651</u>	<u>100%</u>
Liabilities:						
Current liabilities	360,552	89%	197,620	77%	147,960	73%
Noncurrent liabilities	<u>44,009</u>	<u>11%</u>	<u>58,582</u>	<u>23%</u>	<u>53,533</u>	<u>27%</u>
Total liabilities	<u>404,561</u>	<u>100%</u>	<u>256,202</u>	<u>100%</u>	<u>201,493</u>	<u>100%</u>
Net position:						
Invested in capital assets, net of debt	33,438,158	99%	33,735,236	98%	27,399,977	84%
Restricted	-	0%	-	0%	-	0%
Unrestricted	<u>387,614</u>	<u>1%</u>	<u>653,765</u>	<u>2%</u>	<u>5,339,181</u>	<u>16%</u>
Total net position	<u>\$ 33,825,772</u>	<u>100%</u>	<u>\$ 34,389,001</u>	<u>100%</u>	<u>\$ 32,739,158</u>	<u>100%</u>

(This section is continued on the subsequent page)

The following table compares the water fund operations for the last three years:

Summary of Changes in Net Position

	2013		2012		2011	
	Business-type Activities	Percentage of Total	Business-type Activities	Percentage of Total	Business-type Activities	Percentage of Total
Revenues:						
Charges for services:	\$ 2,984,365	99.4%	\$ 2,982,990	99.1%	\$ 2,981,338	98.0%
Capital contributions	-	0.0%	-	0.0%	-	0.0%
Investment earnings	1,448	0.0%	10,658	0.4%	15,036	0.5%
Other	15,619	0.5%	17,900	0.6%	45,003	1.5%
Total revenues	<u>3,001,432</u>	<u>100.0%</u>	<u>3,011,548</u>	<u>100.0%</u>	<u>3,041,377</u>	<u>100.0%</u>
Expenses:						
Personal services	772,612	21.7%	776,187	23.1%	755,213	25.7%
Professional services	1,145,828	32.1%	930,719	27.7%	691,418	23.6%
General services	252,090	7.1%	248,998	7.4%	262,771	9.0%
Purchased services	17,409	0.5%	11,455	0.3%	13,510	0.5%
Program services	2,029	0.1%	4,266	0.1%	3,125	0.0%
Supplies	51,112	1.4%	43,540	1.3%	59,116	2.0%
Repairs and maintenance	286,532	8.0%	255,787	7.6%	163,880	5.6%
Capital outlay - non-capitalized	31,088	0.9%	116,436	3.5%	10,266	0.3%
Depreciation	1,005,961	28.2%	974,317	29.0%	974,313	33.2%
Amortization	-	0.0%	-	0.0%	-	0.0%
Interest	-	0.0%	-	0.0%	-	0.0%
Total expenses	<u>3,564,661</u>	<u>100.0%</u>	<u>3,361,705</u>	<u>100.0%</u>	<u>2,933,612</u>	<u>99.9%</u>
Excess (deficiency)	(563,229)		(350,157)		107,765	
Transfers	-		2,000,000		500,000	
Net change	(563,229)		1,649,843		607,765	
Beginning net position	<u>34,389,001</u>		<u>32,739,158</u>		<u>32,131,393</u>	
Ending net position	<u>\$ 33,825,772</u>		<u>\$ 34,389,001</u>		<u>\$ 32,739,158</u>	

BUSINESS-TYPE ACTIVITIES

2013 Analysis – Base fees and tiered rates on consumption have not changed since 2009. Since 2011, Charges for services have remained flat with no new customers.

Total operating expenses increased approximately \$202,900 or 6.04% compared to 2012. Professional services continue to be high in 2013 due to the exploration of additional water supplies and storage, as well as defending the City's current water rights. Repairs and maintenance expenses experienced an increase from the previous year due to planned and unplanned maintenance.

With the increase in expenses in 2013, this fund reported an operating loss of \$563,229 as compared to an operating loss in 2012 of \$350,157. In total, net position decreased \$563,229 in 2013, primarily due to increased expenses and flat revenue.

2012 Analysis – As mentioned above, the base fees and tiered rates have not changed since 2009. With the exception of the items listed below, the Water fund has experienced little variance in revenues and expenses between 2011 and 2012.

Total operating expenses increased approximately \$428,000 or 14.59% compared to 2011. Professional services increase due to the exploration of additional water supplies and storage, as well as defending the City's current water rights. Repairs and maintenance expenses experienced an increase from the previous year due to planned and unplanned maintenance.

With the increase in expenses in 2012, this fund reported an operating loss of \$350,157 as compared to an operating gain in 2011 of \$107,765. In total, net position increased \$1,649,843 in 2012, primarily due to a transfer from the General fund of \$2,000,000.

Financial Analysis of the City's Funds

Governmental Funds

As discussed, governmental funds are reported in the fund statements with a short-term, inflow and outflow of spendable resources focus. This information is useful in assessing resources available at the end of the year in comparison with upcoming financing requirements. Governmental funds reported ending fund balances of \$27,319,817 as compared to \$21,525,377 at December 31, 2012. The majority of this increase relates to:

- The general fund reported the receipt of \$10,000,000 from the issuance of Device tax revenue bonds.

Of this year-end total fund balance, \$8,349,208 is restricted (including \$4,332,241 for the preservation & restoration fund, \$1,629,639 for the capital projects fund and \$1,492,759 for the impact fee fund), \$252,487 is nonspendable, \$496,738 is assigned (including \$253,482 for the debt service fund and \$243,256 for Business Improvement District) and \$18,221,384 is unassigned.

The total ending fund balances of governmental funds show an increase of \$5,794,440 or 26.9% from the prior year. This compares to a decrease of \$5,155,282 at December 31, 2012.

Major Governmental Funds

General Fund - The general fund is the City's primary operating fund and the largest source of day-to-day service delivery. The general fund's fund balance increased by \$9,926,693 or 106.17% in 2013. In calendar year 2012, the fund balance decreased \$5,685,895.

Total revenues increased by \$338,989 or 1.93% in 2013 as compared to a decrease of \$651,496 or 3.6% in 2012. The two largest revenue categories are Taxes, which increased \$32,466 or 0.33% and Intergovernmental which increased by \$24,031 or 0.35%.

The majority of the City's revenues relate to the gaming industry. On November 4, 2008, Colorado voters approved Amendment 50, giving the electorate in the state's three gaming cities the option to approve raising the maximum wager limit up to \$100, add the games of craps and/or roulette, and allow 24-hour gaming effective July 2, 2009. The City's casinos have implemented these changes.

However, even as the economy slowly improves, the gaming population continues to be a bit reserved, which converts to less gaming activity. From 2012 to 2013, the average number of devices in the City was reduced from 8,527 to 8,470. Part of this decrease relates to the inclusion of the games of craps and roulette, which require more space, although only charged a single fee for each table. Additionally, the amount of money wagered minus the amount paid out in prizes decreased 0.98% in 2013 as compared to 2012. The 2013 amount is 4.87% below the record year set in 2007.

The City's share of the gaming tax on casinos is 10% of the total taxes paid to the State of Colorado, split between the three Colorado gaming cities, in proportion to the respective gaming revenue. The amount recognized in 2013 was \$6,864,191 or a 1.39% increase from 2012.

Most other revenue streams were consistent with that of 2012.

Expenditures in total increased \$1,144,695 or 8.58%.

The Mayor and Council program services increased due to increased funding for the Gregory Street Redevelopment.

Planning expenditures for personal costs were up \$22,678 due to converting a part-time position to full time. Professional fees increased \$73,642 due to the timing of building projects.

Police expenditures for personal services increased \$108,385 due to officer pay grade increases.

Fire expenditures increased slightly due to staff pay increases resulting from market compensation comparisons.

Public Works expenditures did not change much from the previous year in total. Minor changes within certain functions is more the result of timing and one-time expenses as opposed to the addition or deletion of programs or services.

The general fund transferred \$2,354,523 to the debt service fund for debt payments and \$1,750,000 to the capital projects fund for land acquisitions and the construction of the public works facility. In 2012, the general fund transferred \$2,000,000 to the water fund and \$6,850,000 to the capital projects fund and \$1,680,500 to the debt service fund.

After transfers out to other funds, the fund balance increased approximately \$9.927 million from 2012. The ending fund balance is considered adequate, representing the equivalent of 133.04% of annual expenditures, excluding transfers.

Preservation and Restoration Fund – During 2013, the City awarded preservation and restoration grants to City property owners totaling \$802,867, as compared to \$217,221 in 2012. The City expended approximately \$4.87 million on City owned preservation projects as compared to approximately \$2.05 million in 2012. The City received preservation and restoration funding from the state totaling approximately \$3.46 million as compared to \$3.39 million in 2012.

Transportation Device Fee Fund – This fund received device fees of \$646,520 and transfers out of \$643,000 to the general fund.

Business Improvement District Fund – This fund reported property tax revenue of \$155,763. At December 31, 2013, this fund reported a fund balance of \$252,765 as compared to \$172,595 at December 31, 2012.

Capital Projects Fund – This fund reported intergovernmental income of \$1,229,231 representing Federal and State awards for transportation & communications and a transfer from the general fund of \$1,750,000. The fund spent \$6,468,254 on capital outlay, resulting in a year-end fund balance of \$253,482.

Impact Fees Fund – In 2013, there were no impact fees recognized as revenue. This fund incurred capital expenditures in the amount of \$250,000 for parking. At year-end, the December 31, 2013 fund balance was \$1,492,759.

Budgetary Highlights

The General Fund – The general fund's budget was amended three times during 2013. Note that the budget is adopted on a non-GAAP budgetary basis, which means that capital assets acquired through capital leases are not reflected with the general fund's budget.

Actual revenues were \$614,743 more than budgeted. Taxes exceeded budget by \$438,737. On the negative side, the City's intergovernmental revenue was under budget by \$233,529 for 2013.

The total general government function was over spent by \$459,260. The majority of the excess spending was in the mayor and council's budget, specifically program services which was over spent by \$551,824. The mayor and council's program services includes expenditures related to preservation and restoration, and to a lesser degree the council discretionary line item.

The police department was able to stay within budget, despite having to fund professional services related to multiple complex criminal investigations. The savings was the result of multiple officer vacancies.

The fire department exceeded budget due to significant overtime in personal services. Additionally, vehicle operations and maintenance accounts exceeded budget due to unplanned equipment repairs and modifications.

The public works department was under spent by \$666,944 due to savings in personal services, professional services, general services and program services, to name a few.

The City spent 99.34% of the appropriated final budget, not including transfers.

Capital Assets and Debt Administration

Capital Assets

The City's investment in capital assets, net of accumulated depreciation, for governmental and business-type activities as of December 31, 2013, was \$77,312,732 and \$33,438,158 respectively. The total increase in this net investment was 12.39% for governmental activities and a 0.88% decrease for business-type activities. The overall increase was 8.02% for the City as a whole. See Note 3-D for additional information about changes in capital assets during the calendar year and outstanding at the end of the year. The following table provides a summary of capital asset activity.

	Capital Assets					
	Governmental Activities		Business Activities		Total	
	2013	2012	2013	2012	2013	2012
Non-depreciable assets:						
Land	\$ 22,280,088	\$ 19,616,696	\$ 1,475,299	\$ 1,475,299	\$ 23,755,387	\$ 21,091,995
Works of art & historic treasures	1,099,310	1,099,310	-	-	1,099,310	1,099,310
Intangible assets	2,739,820	1,803,203	9,816,922	9,770,122	12,556,742	11,573,325
Construction in progress	3,332,744	6,321,939	750,652	1,341,843	4,083,396	7,663,782
Total non-depreciable	29,451,962	28,841,148	12,042,873	12,587,264	41,494,835	41,428,412
Depreciable assets:						
Buildings and improvements	29,038,850	19,780,495	-	-	29,038,850	19,780,495
Plant and equipment	-	-	27,829,432	26,621,782	27,829,432	26,621,782
Distribution system	-	-	5,849,886	5,849,886	5,849,886	5,849,886
Vehicles and equipment	7,146,170	6,181,977	446,373	400,749	7,592,543	6,582,726
Infrastructure	37,219,524	36,948,340	-	-	37,219,524	36,948,340
Total depreciable assets	73,404,544	62,910,812	34,125,691	32,872,417	107,530,235	95,783,229
Less accumulated depreciation	25,543,774	22,961,353	12,730,406	11,724,445	38,274,180	34,685,798
Book value - depreciable assets	47,860,770	39,949,459	21,395,285	21,147,972	69,256,055	61,097,431
Percentage depreciated	35%	36%	37%	36%	36%	36%
Book value - all assets	\$ 77,312,732	\$ 68,790,607	\$ 33,438,158	\$ 33,735,236	\$ 110,750,890	\$ 102,525,843

At December 31, 2013, the depreciable capital assets for governmental activities were 35% depreciated. This compares slightly down from the December 31, 2012 percentage of 36%. This comparison indicates that the City is replacing its assets at almost the same rate as they are depreciating which is a positive indicator.

With the City's business type activities, 37% of the asset values were depreciated at December 31, 2013 compared to 36% at December 31, 2012.

In governmental activities, the intangible assets consist of preservation easements. The decrease in the construction in progress relates to the following projects:

- Public Works Facility - \$2,425,754
- Council Chambers Facility - \$904,727

In the water fund, most of the intangible assets are water rights and water storage in the Georgetown Lake. The decrease in the business-type construction in progress relates to the following projects:

- Hidden Valley Plant Infiltration Gallery - \$1,089,194

Long-term Debt

The following table presents the outstanding debt at December 31, 2013 and 2012.

	Outstanding Borrowings						% Change
	Governmental Activities		Business-type Activities		Totals		
	2013	2012	2013	2012	2013	2012	
Device fee revenue bonds	\$ 18,645,000	\$ 9,635,000	\$ -	\$ -	\$ 18,645,000	\$ 9,635,000	94%
Compensated absences	582,825	526,819	49,349	62,576	632,174	589,395	7%
Total	<u>\$ 19,227,825</u>	<u>\$10,161,819</u>	<u>\$ 49,349</u>	<u>\$ 62,576</u>	<u>\$ 19,277,174</u>	<u>\$10,224,395</u>	89%

See Note 3-F for additional information about the City's long-term debt.

Economic Conditions Affecting the City

The City was incorporated in 1864 and is located in central Colorado in Gilpin County, approximately 35 miles west of the City of Denver. The City has a population of only approximately 100. However in 1990, the City became one of three Colorado cities in which limited gaming is permitted. As a result, the City must provide most of its services to a much larger population base due to gaming. The City receives almost all of its revenue from gaming related sources.

The level of gaming activity within the City can be affected by the amount of disposable income and entertainment expenditures of individuals participating in gaming activities. The number of gaming devices operated within the City is subject to:

- The availability of space within a constitutionally defined area in which limited gaming is legal
- The continued availability of monies to finance the capital investment necessary to acquire, improve, construct or equip gaming establishments
- The continued profitability of operating gaming establishments after the payment of winnings of players, all applicable licenses, taxes and fees and capital and operation expenses.

The City monitors the gaming community very thoroughly to insure a stable revenue base.

Contacting the City's Financial Management

This financial report is designed to provide a general overview of the City's finances, comply with finance-related laws and regulations, and demonstrate the City's commitment to public accountability. If you have questions about this report or would like to request additional information, contact the Finance Director or City Manager at the City, Post Office 68, Black Hawk, Colorado, 80422.

City of Black Hawk, Colorado
Statement of Net Position
December 31, 2013

	Primary Government		
	Governmental Activities	Business-type Activities	Total
Assets			
Current Assets			
Cash and cash equivalents (Note 3A)	\$ 26,299,001	\$ 384,058	\$ 26,683,059
Receivables:			
Accounts	98,721	408,207	506,928
Property taxes	152,338	-	152,338
Other taxes	879,243	-	879,243
Notes (Note 1-E-2)	35,839	-	35,839
Inventory	135,505	-	135,505
Prepaid items	252,487	-	252,487
Restricted assets	1,631,280	-	1,631,280
Total Current Assets	29,484,414	792,265	30,276,679
Noncurrent Assets			
Capital assets (Note 3D)			
Nondepreciable	29,451,962	12,042,873	41,494,835
Depreciable, net	47,860,770	21,395,285	69,256,055
Total Noncurrent Assets	77,312,732	33,438,158	110,750,890
Total Assets	106,797,146	34,230,423	141,027,569
Deferred Outflows of Resources			
Unamortized Debt Refunding Charges	348,739	-	348,739
Total Deferred Outflows of Resources	348,739	-	348,739
Liabilities			
Current Liabilities			
Accounts payable	878,966	321,393	1,200,359
Accrued expenses	647,952	33,909	681,861
Retainage payable	448,502	-	448,502
Accrued interest payable	10,983	-	10,983
Deposits payable	1,000	-	1,000
Compensated absences payable	62,003	5,250	67,253
Revenue bonds payable	1,020,000	-	1,020,000
Total Current Liabilities	3,069,406	360,552	3,429,958
Long-Term Liabilities (net of current portion): (Note 3F)			
Compensated absences payable	520,822	44,099	564,921
Revenue bonds payable	17,625,000	-	17,625,000
Total Long-term Liabilities	18,145,822	44,099	18,189,921
Total Liabilities	21,215,228	404,651	21,619,879
Deferred Inflows of Resources			
Property taxes	152,338	-	152,338
Unamortized Debt Refunding Premiums	108,943	-	108,943
Total Deferred Inflows of Resources	261,281	-	261,281
Net Position			
Invested in capital assets (Note 3H)	76,600,278	33,438,158	110,038,436
Restricted for:			
Capital projects	1,492,759	-	1,492,759
Debt service	1,629,639	-	1,629,639
Preservation and restoration	4,332,241	-	4,332,241
Emergencies (Note 2D)	812,000	-	812,000
Other program purposes	82,569	-	82,569
Unrestricted	719,890	387,614	1,107,504
Total Net Position	\$ 85,669,376	\$ 33,825,772	\$ 119,495,148

See accompanying notes to the basic financial statements

City of Black Hawk, Colorado
Statement of Activities
For the Year Ended December 31, 2013

Function/Program	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Position		
		Charges for Services and Sales	Operating Grants, Contributions and Interest	Capital Grants and Contributions	Primary Government		
					Governmental Activities	Business-Type Activities	Total
Primary Government							
Governmental Activities							
General government	\$ 6,163,795	\$ 179,006	\$ 3,458,812	\$ -	\$ (2,525,977)	\$ -	\$ (2,525,977)
Planning	603,619	180,453	-	-	(423,166)	-	(423,166)
Public safety	6,123,994	47,523	-	-	(6,076,471)	-	(6,076,471)
Public works	5,890,849	215,821	12,847	1,525,291	(4,136,890)	-	(4,136,890)
Interest	708,676	-	-	-	(708,676)	-	(708,676)
Total Governmental Activities	19,490,933	622,803	3,471,659	1,525,291	(13,871,180)	-	(13,871,180)
Business-Type Activities:							
Water	3,564,661	2,984,365	-	-	-	(580,296)	(580,296)
Total - Primary Government	\$ 23,055,594	\$ 3,607,168	\$ 3,471,659	\$ 1,525,291	(13,871,180)	(580,296)	(14,451,476)
			General Revenues				
			Property and specific ownership taxes		164,776	-	164,776
			Sales and use taxes		3,278,009	-	3,278,009
			Road and bridge taxes		93,116	-	93,116
			Device fee taxes		6,996,325	-	6,996,325
			Franchise taxes		170,728	-	170,728
			Other taxes		29,666	-	29,666
			Intergovernmental - gaming		6,864,191	-	6,864,191
			Investment earnings		39,931	1,448	41,379
			Miscellaneous		1,266,402	15,619	1,282,021
			Total General Revenues		18,903,144	17,067	18,920,211
			Change in Net Position		5,031,964	(563,229)	4,468,735
			Net Position Beginning of Year		80,637,412	34,389,001	115,026,413
			Net Position End of Year		\$ 85,669,376	\$ 33,825,772	\$ 119,495,148

See accompanying notes to the basic financial statements

City of Black Hawk, Colorado
Balance Sheet
Governmental Funds
December 31, 2013

	General	Preservation & Restoration	Transportation Device Fee	Business Improvement District	Debt Service	Capital Projects	Impact Fee	Other Governmental Funds	Total Governmental Funds
Assets									
Cash and cash equivalents	\$ 18,883,178	\$ 5,041,893	\$ 4,857	\$ 242,891	\$ 4,359	\$ 605,864	\$ 1,492,759	\$ 23,200	\$ 26,299,001
Cash and cash equivalents - restricted	-	-	-	6,000	1,625,280	-	-	-	1,631,280
Receivables:									
Accounts	80,074	18,031	-	616	-	-	-	-	98,721
Property taxes	8,600	-	-	143,738	-	-	-	-	152,338
Other taxes	824,731	-	54,512	-	-	-	-	-	879,243
Intergovernmental	-	-	-	-	-	-	-	-	-
Notes	-	35,839	-	-	-	-	-	-	35,839
Inventory	135,505	-	-	-	-	-	-	-	135,505
Prepaid items	248,978	-	-	3,509	-	-	-	-	252,487
Total Assets	\$ 20,181,066	\$ 5,095,763	\$ 59,369	\$ 396,754	\$ 1,629,639	\$ 605,864	\$ 1,492,759	\$ 23,200	\$ 29,484,414
Liabilities, Deferred Inflows of Resources and Fund Balances									
Liabilities									
Accounts payable	\$ 525,710	\$ 251,300	\$ -	\$ 251	\$ -	\$ 101,705	\$ -	\$ -	\$ 878,966
Grant tax payable	-	280,208	-	-	-	-	-	-	280,208
Retainage payable	1,650	196,175	-	-	-	250,677	-	-	448,502
Accrued expenditures	367,744	-	-	-	-	-	-	-	367,744
Deposits payable	1,000	-	-	-	-	-	-	-	1,000
Total Liabilities	896,104	727,683	-	251	-	352,382	-	-	1,976,420
Deferred Inflows of Resources									
Property taxes	8,600	-	-	143,738	-	-	-	-	152,338
Notes receivable	-	35,839	-	-	-	-	-	-	35,839
Total Deferred Inflows of Resources	8,600	35,839	-	143,738	-	-	-	-	188,177
Fund Balances (Deficits)									
Restricted	806,000	4,332,241	59,369	6,000	1,629,639	-	1,492,759	23,200	8,349,208
Nonspendable	248,978	-	-	3,509	-	-	-	-	252,487
Assigned	-	-	-	243,256	-	253,482	-	-	496,738
Unassigned	18,221,384	-	-	-	-	-	-	-	18,221,384
Total Fund Balances (Deficits)	19,276,362	4,332,241	59,369	252,765	1,629,639	253,482	1,492,759	23,200	27,319,817
Total Liabilities, Deferred Inflows of Resources and Fund Balances (Deficits)	\$ 20,181,066	\$ 5,095,763	\$ 59,369	\$ 396,754	\$ 1,629,639	\$ 605,864	\$ 1,492,759	\$ 23,200	\$ 29,484,414

See accompanying notes to the basic financial statements

City of Black Hawk, Colorado
Reconciliation of the Balance Sheet of Governmental Funds
to the Government-Wide Statement of Net Position
December 31, 2013

Total Governmental Fund Balances	\$	27,319,817
 Amounts reported for governmental activities in the statement of net position are different because:		
Capital assets used in governmental activities are not current financial resources and therefore are not reported in the funds.		
Cost of capital assets	\$ 102,856,507	
Less accumulated depreciation	<u>(25,543,775)</u>	77,312,732
Long-term notes receivable are not available to pay current period expenditures and therefore are deferred in the funds.		35,839
Bond premiums, discounts, refundings and issuance costs are reported as other financing sources and uses and expenditures in the governmental fund financial statements but capitalized on the government-wide statement of net position.		
Premiums, discounts and refundings	<u>\$ 239,796</u>	239,796
Liabilities not due and payable in the current period and therefore are not reported in the governmental fund balance sheets but are reported on the government-wide statement of net position.		
Revenue bonds	\$ (18,645,000)	
General obligation bonds	-	
Capital leases	-	
Accrued interest	(10,983)	
Compensated absences	<u>(582,825)</u>	<u>(19,238,808)</u>
 Net Position of Governmental Activities	 \$	 <u><u>85,669,376</u></u>

See accompanying notes to the basic financial statements

City of Black Hawk, Colorado
Statement of Revenues, Expenditures and Changes in Fund Balances
Governmental Funds
For the Year Ended December 31, 2013

	General	Preservation & Restoration	Transportation Device Fee	Business Improvement District	Debt Service	Capital Projects	Impact Fee	Other Governmental Funds	Total Governmental Funds
Revenues									
Taxes	\$ 9,930,337	\$ -	\$ 646,520	\$ 155,763	\$ -	\$ -	\$ -	\$ -	\$ 10,732,620
Special assessments	-	-	-	-	-	-	-	-	-
Intergovernmental	6,887,971	3,457,536	-	-	-	1,229,231	-	1,276	11,576,014
Licenses and permits	118,014	-	-	-	-	-	-	-	118,014
Charges for services	457,016	250	-	-	-	-	-	-	457,266
Fines and forfeitures	47,523	-	-	-	-	-	-	-	47,523
Investment earnings	20,390	11,039	586	194	193	3,928	3,552	49	39,931
Miscellaneous	415,977	216,377	-	-	-	832,000	-	-	1,464,354
Total Revenues	17,877,228	3,685,202	647,106	155,957	193	2,065,159	3,552	1,325	24,435,722
Expenditures									
Current:									
General government	4,714,101	802,867	-	75,787	-	-	-	-	5,592,755
Planning	602,976	-	-	-	-	-	-	-	602,976
Public safety	5,801,721	-	-	-	-	-	-	-	5,801,721
Public works	3,370,214	-	-	-	-	-	-	-	3,370,214
Capital Outlay	-	4,866,395	-	-	-	6,468,254	250,000	-	11,584,649
Debt Service:									
Principal retirement	-	-	-	-	990,000	-	-	-	990,000
Interest and fiscal charges	-	-	-	-	698,967	-	-	-	698,967
Total Expenditures	14,489,012	5,669,262	-	75,787	1,688,967	6,468,254	250,000	-	28,641,282
Excess (Deficiency) of Revenues Over (Under) Expenditures	3,388,216	(1,984,060)	647,106	80,170	(1,688,774)	(4,403,095)	(246,448)	1,325	(4,205,560)
Other Financing Sources (Uses)									
Transfers in	643,000	-	-	-	2,354,523	1,750,000	-	-	4,747,523
Transfers out	(4,104,523)	-	(643,000)	-	-	-	-	-	(4,747,523)
Device tax bonds issued	10,000,000	-	-	-	-	-	-	-	10,000,000
Total Other Financing Sources (Uses)	6,538,477	-	(643,000)	-	2,354,523	1,750,000	-	-	10,000,000
Net Change in Fund Balances	9,926,693	(1,984,060)	4,106	80,170	665,749	(2,653,095)	(246,448)	1,325	5,794,440
Fund Balances Beginning of Year	9,349,669	6,316,301	55,263	172,595	963,890	2,906,577	1,739,207	21,875	21,525,377
Fund Balances End of Year	\$ 19,276,362	\$ 4,332,241	\$ 59,369	\$ 252,765	\$ 1,629,639	\$ 253,482	\$ 1,492,759	\$ 23,200	\$ 27,319,817

See accompanying notes to the basic financial statements

City of Black Hawk, Colorado
Reconciliation of the Statement of Revenues, Expenditures and Changes
in Fund Balances of Governmental Funds to the Government-wide Statement of Activities
For the Year Ended December 31, 2013

Net Changes In Fund Balances - Total Governmental Funds		\$ 5,794,440
Amounts reported for governmental activities in the statement of activities are different because		
Governmental funds report capital outlays as expenditures on the governmental fund type operating statement. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which capitalized capital outlay exceeded depreciation expense in the current period.		
Depreciation expense	\$ (2,630,121)	
Capital outlay	<u>11,152,246</u>	8,522,125
Revenue from the long-term notes receivable reported in the government-wide statement of activities does not provide current financial resources and are not reported as revenues in the governmental fund operating statement.		
Deferred @ 12/31/12	(244,724)	
Deferred @ 12/31/13	<u>35,839</u>	(208,885)
Accrued interest is reported in the statement of activities, but does not require the use of financial resources and therefore are not reported as expenditures in governmental funds.		
Liability @ 12/31/13	\$ (10,983)	
Liability @ 12/31/12	<u>40,034</u>	29,051
Deferred losses, premiums and discounts on bond issues are reported in the governmental fund's operating statement because these transactions require the use of current financial resources but are not capitalized on the government-wide statement of net position.		
		(38,760)
Repayment of long-term debt principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net position.		
		990,000
Issuance of long-term debt provides current financial resources to governmental funds, however issuance creates additional long-term liabilities in the statement of net position.		
		(10,000,000)
Compensated absences are reported in the government-wide statement of activities, but do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds.		
Liability @ 12/31/13	\$ (582,825)	
Liability @ 12/31/12	<u>526,818</u>	<u>(56,007)</u>
Change In Net Position of Governmental Activities		<u>\$ 5,031,964</u>

See accompanying notes to the basic financial statements

City of Black Hawk, Colorado
Water Fund
Comparative Statement of Net Position
December 31, 2013 and 2012

	2013	2012
Assets		
Current Assets:		
Cash and cash equivalents	\$ 384,058	\$ 540,329
Accounts receivable	408,207	369,638
Total Current Assets	792,265	909,967
Noncurrent Assets:		
Capital assets:		
Nondepreciable	12,042,873	12,587,264
Depreciable, net	21,395,285	21,147,972
Total Noncurrent Assets	33,438,158	33,735,236
Total Assets	34,230,423	34,645,203
Liabilities		
Current Liabilities:		
Accounts payable	321,393	158,181
Retainage payable	-	4,583
Accrued expenses	33,909	30,862
Compensated absences payable	5,250	3,994
Total Current Liabilities	360,552	197,620
Long-Term Liabilities (net of current portion):		
Compensated absences payable	44,099	58,582
Total Long-Term Liabilities	44,099	58,582
Total Liabilities	404,651	256,202
Net Position		
Invested in capital assets	33,438,158	33,735,236
Unrestricted	387,614	653,765
Total Net Position	\$ 33,825,772	\$ 34,389,001

See accompanying notes to the basic financial statements

City of Black Hawk, Colorado
Water Fund
Statement of Revenues, Expenses
and Changes in Net Position
For the Years Ended December 31, 2013 and 2012

	<u>2013</u>	<u>2012</u>
Operating Revenues		
Charges for services	\$ 2,984,365	\$ 2,982,990
Miscellaneous	15,619	17,900
Total Operating Revenues	<u>2,999,984</u>	<u>3,000,890</u>
Operating Expenses		
Personal services	772,612	776,187
Professional services	1,145,828	930,719
General services	252,090	248,998
Program services	2,029	4,266
Purchased services	17,409	11,455
Supplies	51,112	43,540
Repairs and maintenance	286,532	255,787
Capital outlay - non-capitalized	31,088	116,436
Depreciation	1,005,961	974,317
Total Operating Expenses	<u>3,564,661</u>	<u>3,361,705</u>
Operating Income (Loss)	<u>(564,677)</u>	<u>(360,815)</u>
Non-Operating Revenues (Expenses)		
Investment earnings	1,448	10,658
Total Non-Operating Revenues (Expenses)	<u>1,448</u>	<u>10,658</u>
(Loss) Before Transfers In	(563,229)	(350,157)
Transfers in	-	2,000,000
Change in Net Position	(563,229)	1,649,843
Net Position Beginning of Year	<u>34,389,001</u>	<u>32,739,158</u>
Net Position End of Year	<u>\$ 33,825,772</u>	<u>\$ 34,389,001</u>

See accompanying notes to the basic financial statements

City of Black Hawk, Colorado
Water Fund
Statement of Cash Flows
For the Years Ended December 31, 2013 and 2012

	<u>2013</u>	<u>2012</u>
Increase (Decrease) in Cash and Cash Equivalents		
Cash Flows from Operating Activities		
Cash received from customers	\$ 2,961,415	\$ 2,921,432
Cash payments for personal services	(785,839)	(770,794)
Cash payments for goods and services	(1,624,412)	(1,561,885)
Net Cash (Used in) Operating Activities	<u>551,164</u>	<u>588,753</u>
Cash Flows from Noncapital Financing Activities		
Transfers in	-	2,000,000
Cash Flows from Capital and Related Financing Activities		
Payments for capital acquisitions	(708,883)	(7,309,576)
Net Cash Provided by (Used in) Capital and Related Financing Activities	<u>(708,883)</u>	<u>(7,309,576)</u>
Cash Flows from Investing Activities		
Investment earnings	1,448	10,658
Net Increase (Decrease) in Cash and Cash Equivalents	(156,271)	(4,710,165)
Cash and Cash Equivalents Beginning of Year	<u>540,329</u>	<u>5,250,494</u>
Cash and Cash Equivalents End of Year	<u>\$ 384,058</u>	<u>\$ 540,329</u>
Reconciliation to Cash and Cash Equivalents:		
Unrestricted	\$ 384,058	\$ 540,329
Restricted	-	-
Total Cash and Cash Equivalents	<u>\$ 384,058</u>	<u>\$ 540,329</u>

City of Black Hawk, Colorado
Water Fund
Statement of Cash Flows
For the Years Ended December 31, 2013 and 2012

(Continued)

	2013	2012
Reconciliation of Operating Income (Loss) to Net Cash (Used in) Operating Activities		
Operating Income (Loss)	\$ (564,677)	\$ (360,815)
Adjustments:		
Depreciation	1,005,961	974,317
(Increase) Decrease in Assets:		
Accounts receivable	(38,569)	(79,458)
Prepaid items	-	-
Increase (Decrease) in Liabilities:		
Accounts payable	163,212	40,570
Retainage payable	(4,583)	4,583
Accrued expenses	3,047	4,163
Compensated absences payable	(13,227)	5,393
Net Cash (Used in) Operating Activities	\$ 551,164	\$ 588,753

See accompanying notes to the basic financial statements

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

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City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

The City of Black Hawk, Colorado (the “City”) became a home rule city January 16, 2001, as authorized by Article 20 of the Colorado State Constitution. Prior to that date, the City functioned as a territorial charter city. A City Aldermen/Manager form of government governs the City with a Mayor and Board of Aldermen. The City aldermen appoint the City manager. The City provides the following services: public safety, street maintenance, public improvements, culture-recreation, planning and zoning, water services and general administration.

Note 1 - Summary of Significant Accounting Policies

The financial statements of the City have been prepared in conformity with accounting principles generally accepted in the United States (GAAP) as applied to governments. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for governmental accounting and financial reporting. The City also applies Financial Accounting Standards Board (FASB) statements and interpretations issued on or before November 30, 1989, to its governmental and business-type activities at the government-wide financial reporting level and to its enterprise fund at the fund reporting level, provided they do not conflict with or contradict GASB pronouncements.

The most significant of the City’s accounting policies are described below.

1-A. Reporting Entity

The reporting entity is comprised of the primary government, component units and other organizations that are included to ensure that the financial statements are not misleading. The primary government of the City consists of all funds, departments, boards and agencies that are not legally separate from the City. For the City, this entity includes the legal entity of the City and two blended component units.

Component units are legally separate organizations for which the City is financially accountable. The City is financially accountable for an organization if the City appoints a voting majority of the organization's governing board and (1) the City is able to significantly influence the programs or services performed or provided by the organizations; or (2) the City is legally entitled to or can otherwise access the organization's resources; the City is legally obligated or has otherwise assumed the responsibility to finance the deficits of, or provide financial support to, the organization; or the City is obligated for the debt of the organization. Component units also may include organizations that are fiscally dependent on the City in that the City approves the budget, levies their taxes or issues their debt.

Brief descriptions of the blended component units follow:

Black Hawk Business Improvement District (the District) – The District was created by ordinance passed by the City’s Board of Alderman on July 26, 1995. The purpose of the District is to construct public improvements for gaming and commercial interests within the City. A board of directors, appointed by the City’s Board of Alderman, governs the District. The District issues a separate financial report which is available at the offices of L. Paul Goedecke, P.C., 950 Wadsworth Boulevard, Suite 204, Lakewood, Colorado, 80214.

Black Hawk Urban Renewal Authority (Renewal Authority) – The Renewal Authority was created by resolution passed by the City’s Board of Alderman in July 2008. The purpose of the Renewal Authority is to develop urban renewal projects. The Board of Alderman serves as the Renewal Authority’s governing board. The Authority does not issue separate financial statements. During 2013, the Renewal Authority had no financial activity.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 1 - Summary of Significant Accounting Policies (Continued)

1-B. Basis of Presentation

The City's basic financial statements consist of government-wide statements, including a statement of net position and a statement of activities and fund financial statements, which provide a more detailed level of financial information.

Government-wide Financial Statements - The government-wide financial statements include a statement of net position and a statement of activities. These statements report financial information for the City as a whole. The primary government and the component units are presented separately within these financial statements with the focus on the primary government.

Individual funds are not displayed but the statements distinguish governmental activities, generally supported by taxes and grants and the City's general revenues, from business-type activities, generally financed in whole or in part with charges for services to external customers.

The statement of net position presents the financial position of the governmental and business-type activities of the City and its discretely presented component units at year-end.

The statement of activities presents a comparison between direct expenses and program revenues for each function of the City's governmental activities and for each identifiable activity of the business-type activities of the City. Direct expenses are those that are specifically associated with a function and therefore clearly identifiable to that particular function. The City does not allocate indirect expenses to functions in the statement of activities.

The statement of activities reports the expenses of a given function offset by program revenues directly connected with the functional program. A function is an assembly of similar activities and may include portions of a fund or summarize more than one fund to capture the expenses and program revenues associated with a distinct functional activity. Program revenues include: (1) charges for services which report fees and other charges for services to users of the City's services and fines; (2) operating grants and contributions which finance annual operating activities including restricted investment earnings; and (3) capital grants and contributions which fund the acquisition, construction, or rehabilitation of capital assets. These revenues are subject to externally imposed restrictions to these program uses. For identifying the function to which the program revenue pertains, the determining factor for *charges for services* is which function *generates* the revenue. For *grants and contributions*, the determining factor is to which function the revenues are *restricted*.

Other revenue sources not properly included with program revenues are reported as general revenues of the City, primarily taxes. The comparison of direct expenses with program revenues identifies the extent to which each governmental function and each identifiable business activity is self-financing or draws from the general revenues of the City.

Fund Financial Statements - During the year, the City segregates transactions related to certain City functions or activities in separate funds in order to aid financial management and to demonstrate legal compliance. Fund financial statements are designed to present financial information of the City at this more detailed level. Fund financial statements are provided for governmental and proprietary funds.

Major individual governmental and enterprise funds are reported in separate columns.

Fund Accounting - The City uses funds to maintain its financial records during the year. A fund is a fiscal and accounting entity with a self-balancing set of accounts. The City uses two categories of funds: governmental and proprietary.

Governmental Funds - Government funds are those through which most governmental functions typically are financed. Governmental fund reporting focuses on the sources, uses and balances of current financial resources. Expendable assets are assigned to the various governmental funds according to the purposes for which they may or must be used. Fund liabilities are assigned to the fund from which they will be liquidated. The City reports the difference between governmental fund assets and liabilities as fund balance. The following are the City's major governmental funds:

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 1 - Summary of Significant Accounting Policies (Continued)

General Fund – The general fund accounts for all financial resources except those required to be accounted for in another fund. The general fund’s fund balance is available to the City for any purpose provided it is expended or transferred according to the general laws of the State of Colorado.

Preservation and Restoration Fund – This fund accounts for the various preservation and restoration programs of the City, which are primarily funded through gaming revenues received from the State of Colorado, earmarked for this purpose.

Transportation Device Fee Fund – This fund accounts for the collection of device fees levied on all gaming devices within the City to finance transportation services. All transportation expenditures are reported in the General fund and are funded from transfers from this fund.

Business Improvement District Fund – This fund accounts for marketing and the construction of public improvements to the commercial district and is funded by the imposition of property taxes and device fees on the casinos within its boundaries.

Debt Service Fund – This fund receives transfers from the general fund and retires the governmental activities bonded debt, excluding the District’s debt.

Capital Projects Fund – This fund accounts for the construction of significant City capital projects.

Impact Fee Fund – This fund accounts for the parking and related projects of the City which are funded through an impact fee collected from new developments within the City.

The Proprietary Fund - Proprietary fund reporting focuses on the determination of operating income, changes in net position, financial position and cash flows. The City’s proprietary fund is classified as a major enterprise fund.

Water Fund – This fund accounts for the operations of the City’s water system.

1-C. Measurement Focus

Government-wide Financial Statements - The government-wide financial statements are prepared using the economic resources measurement focus. All assets and all liabilities associated with the operation of the City are included on the statement of net position. The statement of activities reports revenues and expenses.

Fund Financial Statements - All governmental funds are accounted for using a flow of current financial resources measurement focus. With this measurement focus, only current assets and current liabilities generally are included on the balance sheet. The statement of revenues, expenditures and changes in fund balances reports the sources (i.e., revenues and other financing sources) and uses (i.e., expenditures and other financing uses) of current financial resources. This approach differs from the manner in which the governmental activities of the government-wide financial statements are prepared. Governmental fund financial statements therefore include a reconciliation with brief explanations to better identify the relationship between the government-wide statements and the governmental fund statements.

Like the government-wide statements, the proprietary fund type is accounted for on a flow of economic resources measurement focus on both financial reporting levels and the fiduciary fund is accounted for on a flow of economic resources at the fund reporting level. All assets and all liabilities associated with the operation of these funds are included on the statements of net position. The statements of changes in fund net position present increases (i.e., revenues) and decreases (i.e., expenses) in net position. The statement of cash flows provides information about how the City finances and meets the cash flow needs of its proprietary activities.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 1 - Summary of Significant Accounting Policies (Continued)

1-D. Basis of Accounting

Basis of accounting determines when transactions are recorded in the financial records and reported on the financial statements. Government-wide financial statements are prepared using the accrual basis of accounting. At the fund reporting level, the governmental funds use the modified accrual basis of accounting. The proprietary fund uses the accrual basis of accounting at both reporting levels. Differences in the accrual and the modified accrual basis of accounting arise in the recognition of revenue, the recording of deferred revenue, and in the presentation of expenses versus expenditures.

Revenues – Exchange Transactions - Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded on the accrual basis when the exchange takes place. On the modified accrual basis, revenue is recorded when the exchange takes place and in the calendar year in which the resources are measurable and become available. Available means that the resources will be collected within the current fiscal year or are expected to be collected soon enough thereafter to be used to pay liabilities of the current calendar year. For the City, the phrase “available for exchange transactions” means expected to be received within 60 days of year-end.

Revenues - Non-exchange Transactions - Non-exchange transactions in which the City receives value without directly giving equal value in return, include property taxes, specific ownership taxes, sales taxes, device fees, grants, and contributions. On an accrual basis, revenue from property taxes and specific ownership taxes is recognized in the calendar year for which the taxes are levied. (Note 3-C) Property taxes are assessed in one year for the subsequent years’ budget. Recognition for the levy made in 2013 is revenue for the 2014 budget year. Therefore, a property tax receivable and a liability of an equal amount are reported as “unearned revenue” on the government-wide statement of net position and as deferred revenue at the fund financial reporting level. Sales taxes are recognized in the year, in which the underlying event takes place (i.e., the calendar year in which the sale takes place).

Revenue from grants and contributions is recognized in the calendar year in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the year when the resources are required to be used or the year when use is first permitted, matching requirements, in which the City must provide local resources to be used for a specified purpose, and expenditure requirements, in which the resources are provided to the City on a reimbursement basis. On a modified accrual basis, revenue from non-exchange transactions also must be available (i.e., collected within 60 days) before it can be recognized.

Under the modified accrual basis, the following revenue sources are considered to be susceptible to accrual: property taxes, sales taxes, device taxes and federal and state grants.

Expenses/Expenditures - On the accrual basis of accounting, expenses are recognized at the time they are incurred. On the modified accrual basis, expenditures generally are recognized in the accounting period in which the related fund liability is incurred and due, if measurable.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 1 - Summary of Significant Accounting Policies (Continued)

1-E. Assets, Liabilities and Fund Equity

1-E-1 Cash, Cash Equivalents, and Investments

Cash balances of most City funds are pooled and invested. Interest earned from investments purchased with pooled cash is allocated to each fund based on the fund's average equity balance in the pooled fund. For the purpose of the statement of cash flows, the City considers cash and cash equivalents to include amounts in demand deposits as well as short-term investments with a maturity date within three months of the date acquired by the City.

Investments are stated at fair value based on quoted market prices.

Colorado law authorizes the City to invest in the following type of obligations:

- Obligations of the United States and certain U.S. government agency securities.
- Certain international agency securities.
- General obligation and revenue bonds of U.S. local government entities.
- Bankers' acceptances of certain banks.
- Commercial paper limited to securities with highest rating category by at least one nationally recognized rating agency at time of purchase.
- Written repurchase agreements collateralized by certain authorized securities.
- Certain money market funds.
- Guaranteed investment contracts.
- Local government investment pools.

1-E-2 Receivables

All trade and property tax receivables are reported net of an allowance for uncollectibles, where applicable. Unbilled water charges are accrued as receivables and revenue at December 31, 2013.

At December 31, 2013, the City holds one notes receivable as follows (Note 3-B):

Horseshoe Casino, LLC – An original contract was approved in 1997 between the City and Horseshoe Casino, LLC to move the “Lace House” from a site adjacent to the Horseshoe Casino, and owned by the casino to Mountain City, a site owned by the City. The Lace House is an historical house that the City owns. The City initially paid costs, which the City capitalized. The Horseshoe Casino has the responsibility to repay the City for the cost of building the house foundation, building the rock wall and moving the house. The casino began reimbursing the City in March 2009 monthly for a five year period.

At the fund reporting level, the notes receivable are reported at the amount outstanding in the preservation and restoration fund and deferred revenue is reported for the portion of the receivable that is not available. All costs related to these projects were reported as expenditures.

At the government-wide financial reporting level, the total amount of the note receivable has been recognized as revenue. The costs for the Lace House were capitalized on the government-wide statement of net position.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 1 - Summary of Significant Accounting Policies (Continued)

1-E-3 Interfund Balances

On the fund financial statements, receivables and payables resulting from short-term transactions or interfund loans are classified as "interfund receivables/interfund payables." These amounts are eliminated in the governmental and business-type activities columns of the statement of net position, except for any net residual amounts due between governmental and business-type activities, which are reclassified and presented as internal balances.

1-E-4 Consumable Inventory

On the government-wide financial statements, inventories are presented at the lower of cost or market on a first-in, first-out basis and are expensed when used (i.e., the consumption method).

On the fund financial statements, inventories of governmental funds are stated at cost while the inventories of enterprise fund are stated at the lower of cost or market. For all funds, cost is determined on a first-in, first-out basis. The cost of inventory items is recorded as an expenditure in the governmental fund types when consumed. Inventories of the enterprise fund are expensed when consumed.

These inventories consist primarily of fuel and public works parts.

1-E-5 Restricted Assets

Cash and investments are restricted for debt service applicable to various debt obligations.

1-E-6 Capital Assets

General capital assets are those assets not specifically related to activities reported in the proprietary fund. These assets generally result from expenditures in governmental funds. The City reports these assets in the governmental activities column of the government-wide statement of net position but does not report these assets in the City fund financial statements. Capital assets utilized by the enterprise fund are reported both in the business-type activities column of the government-wide statement of net position and in the enterprise fund's statement of net position.

All capital assets are capitalized at cost (or estimated historical cost) and updated for additions and retirements during the year. Donated capital assets are recorded at their fair market values as of the date received. The City maintains a capitalization threshold of five thousand dollars for all capital assets other than land. All land is recorded, without regard to its cost. The City's reported infrastructure consists of drainage structures, retaining walls and street lighting. Improvements to capital assets are capitalized. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend an asset's life are expensed. Interest incurred during the construction of capital assets utilized by the enterprise fund is capitalized.

The City capitalizes the cost of water rights, which includes the acquisition cost, legal and engineering costs related to the development and augmentation of those rights. Since the rights have a perpetual life, they are not amortized. All other costs, including costs incurred for the protection of those rights, are expensed.

The City capitalizes works of art and historical treasures, consisting primarily of statues and sculptures. These works are not depreciated since they are inexhaustible.

All reported capital assets are depreciated except for land, water rights, works of art and historical treasures and construction in progress. Improvements are depreciated over the remaining useful lives of the related capital assets. Useful lives for infrastructure were estimated based on the City's historical records of necessary improvements and replacement.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 1 - Summary of Significant Accounting Policies (Continued)

Depreciation is computed using the straight-line method over the following useful lives:

Asset Class	Estimated Lives	
	Governmental Activities	Business-type Activities
Buildings and improvements	25 - 40 Years	---
Vehicles and equipment	5 - 20 Years	5 - 20 Years
General government infrastructure	15 - 25 Years	---
Water plant and equipment	---	40 Years
Water distribution system	---	10 - 30 Years

At the inception of capital leases at the governmental fund reporting level, expenditures and an “other financing source” of an equal amount are reported at the net present value of future minimum lease payments.

1-E-7 Compensated Absences

Vacation benefits are accrued as a liability as the benefits are earned if the employees' rights to receive compensation are attributable to services already rendered and it is probable that the employer will compensate the employees for the benefits through paid time off or some other means.

Sick leave benefits do not vest.

All compensated absence liabilities include salary-related payments, where applicable.

The total compensated absence liability is reported on the government-wide financial statements. The proprietary fund reports the total compensated liability in this fund at the fund reporting level. Governmental funds report the compensated absence liability at the fund reporting level only “when due.”

1-E-8 Accrued Liabilities and Long-term Obligations

All payables, accrued liabilities and long-term obligations are reported in the government-wide financial statements.

In general, governmental fund payables and accrued liabilities that, once incurred, are paid in a timely manner and in full from current financial resources, are reported as obligations of the these funds. However, compensated absences that will be paid from governmental funds are reported as a liability in the fund financial statements only to the extent that they are “due for payment” during the current year. Bonds and capital leases are recognized as a liability in the governmental fund financial statements when due.

1-E-9 Bond Premiums, Discounts, Refunding Differences

On the government-wide statement of net position and the proprietary fund type statement of net position, unamortized bond premiums and discounts and unamortized bond refunding differences are netted against bonds payable. On the government-wide and proprietary fund type statement of activities, bond premiums and discounts are deferred and amortized over the life of the bonds using the effective interest method. Bond refunding differences are amortized over the shorter of the life of the refunding debt or refunded debt.

At the governmental fund reporting level, bond premiums and discounts are reported as other financing sources and uses, separately from the face amount of the bonds issued.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 1 - Summary of Significant Accounting Policies (Continued)

1-E-10 Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position and balance sheets will sometimes report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position and fund balance that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to the liabilities, the statement of financial position and balance sheets will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position and fund balance that applies to a futures period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

1-E-11 Fund Equity

Fund equity at the governmental fund financial reporting level is classified as “fund balance.” Fund equity for all other reporting is classified as “net position.” In fiscal year 2011, the City implemented GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Type Definitions*.

Net Position - The government-wide and business-type fund financial statements utilize a net position presentation. Net position is categorized as investment in capital assets, restricted, and unrestricted.

- **Investment in Capital Assets** is intended to reflect the portion of net position which are associated with non-liquid, capital assets less outstanding capital asset related debt. The net related debt is the debt less the outstanding liquid assets and any associated unamortized cost.
- **Restricted Net Position** are liquid assets, which have third party limitations on their use.
- **Unrestricted Net Position** represent assets that do not have any third party limitation on their use. While City management may have categorized and segmented portion for various purposes, the City Council has the unrestricted authority to revisit or alter these managerial decisions.

Fund Balance – Fund Balance – Generally, fund balance represents the difference between the current assets and current liabilities. In the fund financial statements, governmental funds report fund classifications that comprise a hierarchy based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. Fund balances are classified as follows:

- **Nonspendable** – Fund balances are reported as nonspendable when amounts cannot be spent because they are either (a) not in spendable form (i.e., items that are not expected to be converted to cash) or (b) legally or contractually required to be maintained intact.
- **Restricted** – Fund balances are reported as restricted when there are limitations imposed on their use either through the enabling legislation adopted by the City or through external restrictions imposed by creditors, grantors or laws or regulations of other governments.
- **Committed** – Fund balances are reported as committed when they can be used only for specific purposes pursuant to constraints imposed by formal action of the City Aldermen through the approval of a resolution. Only, the City Aldermen also may modify or rescind the commitment.
- **Assigned** – Fund balances are reported as assigned when amounts are constrained by the City’s intent to be used for specific purposes, but are neither restricted nor committed. Intent is expressed by the City Aldermen to be used for a specific purpose.
- **Unassigned** - Fund balances are reported as unassigned as the residual amount when the balances do not meet any of the above criterion. The City reports positive unassigned fund balance only in the general fund.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 1 - Summary of Significant Accounting Policies (Continued)

Flow Assumptions – When both restricted and unrestricted amounts of fund balance are available for use for expenditures incurred, it is the City’s policy to use restricted amounts first and then unrestricted amounts as they are needed. For unrestricted amounts of fund balance, it is the City’s policy to use fund balance in the following order:

- Committed
- Assigned
- Unassigned

1-E-12 Operating and Nonoperating Revenues and Expenses

Operating revenues are those revenues that are generated directly from the primary activity of the proprietary funds. For the City, these revenues are charges for services for providing water. Operating expenses are necessary costs incurred to provide the water services. All other revenues and expenses are considered nonoperating including investment earnings, interest expense and amortization.

1-E-13 Contributions of Capital

Contributions of capital in proprietary fund financial statements arise from outside contributions of capital assets, system develop fees or from grants or outside contributions of resources restricted to capital acquisition and construction (e.g., water lines).

1-E-14 Device Fees Tax

The City adopted an ordinance imposing an occupational tax (i.e., a device fee) on gaming devices used within the City. The fee is paid on all gaming devices for which the State of Colorado has issued a device tax stamp. The City annual device fee tax is \$750 per device for 2013. The annual transportation device tax is \$77 per device.

1-E-15 Impact Fees

The City imposes two types of impact fees.

Parking Impact Fees – The City imposes a parking impact fee, charged to developers at the time of application for a building permit. The fee is levied to aid the development of additional parking facilities. The fee is \$2,000 for each required parking space based upon various factors included in the ordinance. Parking impact fees not expended or encumbered within ten years from the date of collection are refunded.

Fire and Police Impact Fees - The City imposes a fire and police impact fee, charged to developers at the time of application for a building permit. The fee is levied for the acquisition of facilities and equipment for public safety. The fees are based upon the type and size of the development. These impact fees not expended or encumbered within six years from the date of collection are refunded.

1-E-16 Interfund Activity

Exchange transactions between funds are reported as revenues in the seller funds and as expenditures/expenses in the purchaser funds. Flows of cash or goods from one fund to another without a requirement for repayment are reported as interfund transfers. Interfund transfers are reported as other financing sources/uses in governmental funds and after non-operating revenues/expenses section in the proprietary fund. Repayments from funds responsible for particular expenditures/expenses to the funds that initially paid for them are not presented on the financial statements (i.e., they are netted).

Transfers between governmental and business-type activities on the government-wide statement of activities are reported separately after general revenues. Transfers between funds reported in the governmental activities column are eliminated.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 1 - Summary of Significant Accounting Policies (Continued)

1-E-17 Estimates

The preparation of the financial statements in conformity with GAAP in the United States requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from those estimates.

1-E-18 Comparative Data

Comparative total data for the prior year have been presented only for individual funds in the fund financial statements in order to provide an understanding of the changes in the financial position and operations of these funds. Also, certain amounts presented in the prior year data have been reclassified to be consistent with the current year's presentation.

1-E-19 Related Parties

The Mayor and Board of Alderman and resident City employees may receive preservation and restoration grants to restore their personal property in accordance with City policy and State Statutes.

Note 2 – Stewardship, Compliance and Accountability

2-A. Budgetary Information – The City adopts an annual operating budget for all governmental funds. The budget resolution reflects the total of each department's appropriation in each fund. The City also adopts an annual budget for its water fund.

Annual budgets are adopted for City funds. The budgets are adopted on a basis consistent with GAAP for all governmental fund types with the following exception:

- Any inceptions of capital leases and related capital outlay are not budgeted
- The budget for the water fund is adopted on the modified accrual basis of accounting (i.e., a non-GAAP budgetary basis)

The legal level of control (the level at which expenditures may not legally exceed appropriations) for each adopted annual operating budget is the total appropriation within each individual fund. Any change in total to a fund appropriation requires approval of the City's Board of Aldermen.

2-B. Emergency Reserves

In 1992, Colorado voters approved an amendment to the Colorado Constitution that placed certain limits on revenue and expenditures of the state and local governments. Although the limit is placed on both revenue and expenditures, the constitutional amendment actually applies to revenue collections. The amendment is complex and subject to judicial interpretation.

However, cities have the option of placing a ballot measure before the voters asking for approval on retaining the revenue over the limit. The City's voters approved a ballot measure on November 7, 1995 that allows the City to exclude all revenues from those included within Article X, Section 20 of the Colorado Constitution.

Article X, Section 20 of the Colorado Constitution requires a reserve of 3% of its fiscal spending for emergencies. The use of this reserve is restricted to the purpose for which it was established and can be used solely for declared emergencies. In accordance with Article X, Section 20 of the Colorado Constitution, the City has reserved all fund balances for future expenditures in the general fund.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds

3-A. Deposits and Investments

Deposits

Colorado State statutes govern the City's deposit of cash. The Public Deposit Protection Act (PDPA) for banks and savings and loans requires the state regulators to certify eligible depositories for public deposits. The Act requires eligible depositories with public deposits in excess of the federal insurance levels to create a single institution collateral pool of defined eligible assets. Eligible collateral includes obligations of the United States, obligations of the state of Colorado or local Colorado governments, and obligations secured by first lien mortgages on real property located in the state. The pool is to be maintained by another institution or held in trust for all the uninsured public deposits as a group. The market value of the assets in the pool must be at least equal to 102% of the uninsured deposits.

Custodial Credit Risk – The custodial credit risk for deposits is the risk that, in the event of a bank failure, the City’s deposits may not be recovered.

At December 31, 2013, the carrying amount of the City's deposits was \$20,476,189 and the bank balance was \$20,964,824. Of the bank balance, \$315,399 was covered by federal deposit insurance and \$20,649,425 was covered by the provisions of the Colorado Public Deposit Protection Act (i.e., cash collateralized with securities held by the pledging financial institution’s trust department or agent in the City’s name).

Investments

Interest Rate Risk – Interest rate risk is the risk that changes in interest rates of debt investments will adversely affect the fair value of an investment. The City has no formal policy regarding interest rate risk.

Investment Type	Fair Value
Money market accounts	\$ 200,798
Colostrust state investment pool	7,636,252
Total	\$ 7,837,050

The money market accounts are made up of forfeited non-vested employer 401 contributions with ICMA Retirement Corporation. These funds are available to be used towards future employer 401 contributions. As of December 31, 2013 the City had invested in the Colorado Local Government Liquid Asset Trust (the Trust), an investment vehicle established for local government entities in Colorado to pool surplus funds. The State Securities Commission administers and enforces all State statutes governing the Trust. The Trust operates similarly to a money market fund and each share is equal in value to \$1.00. The Trust offers shares in two portfolios, COLOTRUST PRIME and COLOTRUST PLUS+. Both portfolios may invest in U.S. Treasury securities and repurchase agreements collateralized by U.S. Treasury securities. COLOTRUST PLUS+ may also invest in certain obligations of U.S. government agencies, highest rated commercial paper and repurchase agreements collateralized by certain obligations of U.S. government agencies. A designated custodial bank serves as custodian for the Trust’s portfolios pursuant to a custodian agreement. The custodian acts as safekeeping agent for the Trust’s investment portfolios and provides services as the depository in connection with direct investments and withdrawals. The custodian’s internal records segregate investments owned by the Trust. The weighted average maturity of the Colostrust is less than 60 days.

Credit Quality Risk – Credit quality risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. Colostrust, a local government investment pool that the City invests in, is rated AAAM by Standard & Poor’s. This pool is rated AAA by Fitch and Moody’s. The money market account is invested exclusively in Colostrust. The maturity schedules for the above investments are less than one year. The City has no policy regarding credit risk.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds (Continued)

Custodial Credit Risk - Custodial credit risk is the risk that, in the event of a bank failure, the City's investments may not be recovered.

Concentration of Credit Risk - Concentration of credit risk is the risk of loss attributed to the magnitude of the City's investment in a single issuer. The City has all investments in a local government investment pool, Colotrust.

Cash and Investment Reconciliation

Petty cash	\$ 1,100
Deposits	20,476,189
Investments	<u>7,837,050</u>
Total Cash and Investments	<u><u>\$ 28,314,339</u></u>

Fund Reporting Level

Governmental fund type - balance sheet	\$ 26,299,001
Governmental fund type - balance sheet - restricted	1,631,280
Proprietary fund type - statement of net assets	<u>384,058</u>
Total	<u><u>\$ 28,314,339</u></u>

3-B. Receivables

Receivables at December 31, 2013, consisted of taxes, interest, accounts (billings for user charges, including unbilled utility receivables), and intergovernmental receivables arising from grants.

Receivables and payables are recorded on the City's financial statements to the extent that the amounts are determined to be material and substantiated not only by supporting documentation, but also by a reasonable, systematic method of determining their existence, completeness, valuation, and in the case of receivables, collectability.

The City holds one note receivable at December 31, 2013 (Note 1-E-2).

Notes Receivable - Horseshoe Casino, LLC - This note receivable to the City is being repaid monthly over a five-year period at an interest rate of 5%. The initial amount of the note receivable was \$955,500. The repayment schedule is as follows:

Year	Principal	Interest	Total
2014	<u>35,839</u>	<u>224</u>	<u>36,063</u>
Total	<u><u>\$ 35,839</u></u>	<u><u>\$ 224</u></u>	<u><u>\$ 36,063</u></u>

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds (Continued)

3-C. Property Taxes

Annual property taxes are levied by the City on assessed valuation as of January 1, and attached as an enforceable lien on the property at that time. Generally, property taxes are levied on December 15 for the subsequent year's operations. The taxes are payable by April. However, taxpayers may pay property taxes in two equal installments, in February and June.

Delinquent taxpayers are notified in August and generally sales of tax liens on delinquent properties are held in November or December. The County treasurer remits the taxes collected monthly to the City.

3-D. Capital Assets

Capital asset activity for governmental activities for the year ended December 31, 2013, was as follows:

	Balance 1/1/2013	Additions	Deductions	Balance 12/31/2013
Governmental activities:				
Nondepreciable capital assets:				
Land	\$ 19,616,696	\$ 2,663,392	\$ -	\$ 22,280,088
Works of art and historical treasures	1,099,310	-	-	1,099,310
Intangible	1,803,203	936,617	-	2,739,820
Construction in progress	6,321,939	7,212,227	10,201,422	3,332,744
Total nondepreciable capital assets	28,841,148	10,812,236	10,201,422	29,451,962
Depreciable capital assets:				
Buildings and improvements	19,780,495	9,258,355	-	29,038,850
Vehicles and equipment	6,181,977	1,011,893	47,700	7,146,170
Infrastructure	36,948,340	271,184	-	37,219,524
Total depreciable capital assets	62,910,812	10,541,432	47,700	73,404,544
Total capital assets	91,751,960	21,353,668	10,249,122	102,856,506
Accumulated depreciation:				
Buildings and improvements	6,491,052	973,114	-	7,464,166
Vehicles and equipment	4,978,654	510,200	47,700	5,441,154
Infrastructure	11,491,647	1,146,807	-	12,638,454
Total accumulated depreciation	22,961,353	2,630,121	47,700	25,543,774
Governmental activities capital assets, net	\$ 68,790,607	\$ 18,723,547	\$ 10,201,422	\$ 77,312,732

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds (Continued)

Governmental activities depreciation expense

General government	\$ 538,065
Public safety	315,059
Public works	<u>1,776,997</u>
Total governmental activities depreciation expense	<u><u>\$ 2,630,121</u></u>

Capital asset activities for the water fund for the year ended December 31, 2013, was as follows:

	Balance 1/1/2013	Additions	Deductions	Balance 12/31/2013
Business-type activities:				
Nondepreciable capital assets				
Land	\$ 1,475,299		\$ -	\$ 1,475,299
Water rights	9,770,122	46,800	-	9,816,922
Construction in progress	1,341,843	616,459	1,207,650	750,652
	<u>12,587,264</u>	<u>663,259</u>	<u>1,207,650</u>	<u>12,042,873</u>
Total nondepreciable capital assets				
Depreciable capital assets:				
Plant and equipment	26,621,782	1,207,650	-	27,829,432
Distribution system	5,849,886	-	-	5,849,886
Vehicles and equipment	400,749	45,624	-	446,373
	<u>32,872,417</u>	<u>1,253,274</u>	<u>-</u>	<u>34,125,691</u>
Total depreciable capital assets				
Total capital assets	<u>45,459,681</u>	<u>1,916,533</u>	<u>1,207,650</u>	<u>46,168,564</u>
Accumulated depreciation:				
Plant and equipment	7,701,157	780,374	-	8,481,531
Distribution system	3,711,252	201,012	-	3,912,264
Vehicles and equipment	312,036	24,575	-	336,611
	<u>11,724,445</u>	<u>1,005,961</u>	<u>-</u>	<u>12,730,406</u>
Total accumulated depreciation				
Business-type activities capital assets, net	<u>\$ 33,735,236</u>	<u>\$ 910,572</u>	<u>\$ 1,207,650</u>	<u>\$ 33,438,158</u>

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds (Continued)

3-E. Interfund Transfers

Interfund Transfers - Interfund transfers for the year ended December 31, 2013, consisted of the following:

Transfer to	Transfers from:		Total
	General fund	Transportation Device Fee fund	
Debt service fund	\$ 2,354,523	\$ -	\$ 2,354,523
Water fund	-	-	-
Capital Projects fund	1,750,000		1,750,000
General fund	-	643,000	643,000
Total	\$ 4,104,523	\$ 643,000	\$ 4,747,523

Transfers are used to report revenues from the fund that statute or budget requires to collect them to the fund that statute or budget requires to expend them and unrestricted revenues collected in the general fund to finance various programs accounted for in other funds in accordance with budgetary authorizations; to segregate money for anticipated capital projects; to provide additional resources for current operations or debt service; and to return money to the fund from which it was originally provided once a project is completed.

All City transfers either occur on a regular basis or are consistent with the purpose of the fund making the transfer.

3-F. Long-Term Debt

Governmental Activities Bonds - The following is a summary of the outstanding long-term bonds at December 31, 2013.

2004 Device Tax Revenue Refunding Bonds – On March 15, 2004, the City issued serial tax revenue refunding bonds, in the amount of \$1,375,000 to advance refund \$1,375,000 of the outstanding 1994 Series device tax revenue bonds. The interest rates on this debt are 2.15% to 4.6%.

Annual debt service requirements to amortize this debt, as of December 31, 2013 follow:

Year	Principal	Interest	Total
2014	135,000	6,210	141,210
Total	\$ 135,000	\$ 6,210	\$ 141,210

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds (Continued)

2006 Device Tax Revenue Refunding Bonds, Series 2006A - On October 26, 2006, the City issued device tax revenue refunding bonds, in the amount of \$13,270,000, Series 2006A and \$300,000, Series B, for a total of \$13,570,000 to advance refund the 1997 Device Tax Revenue Bonds in the amount of \$1,330,000 and to partially advance refund the 1998 Device Tax Revenue Bonds in the amount of \$11,580,000. The Series 2006A bonds carry a 5% interest rate with a final maturity on December 1, 2021. The Series 2006 B were retired in 2011.

Annual debt service requirements to amortize this debt, as of December 31, 2013 follow:

Year	Series A		
	Principal	Interest	Total
2014	885,000	425,500	1,310,500
2015	935,000	381,250	1,316,250
2016	980,000	334,500	1,314,500
2017	1,035,000	285,500	1,320,500
2018	1,085,000	233,750	1,318,750
2019-2021	3,590,000	364,750	3,954,750
Total	<u>\$ 8,510,000</u>	<u>\$ 2,025,250</u>	<u>\$ 10,535,250</u>

2013 Device Tax Revenue Bonds, Series 2013 - On December 18, 2013, the City issued device tax revenue bonds, in the amount of \$10,000,000, to acquire certain water rights and replace a water treatment plant. The Series 2013 bonds carry an interest rate of 4.17% with final maturity on December 1, 2033.

Annual debt service requirements to amortize this debt, as of December 31, 2013 follow:

Year	Series A		
	Principal	Interest	Total
2014	-	397,308	397,308
2015	-	417,000	417,000
2016	135,000	417,000	552,000
2017	410,000	411,371	821,371
2018	430,000	394,273	824,273
2019-2021	9,025,000	3,294,092	12,319,092
Total	<u>\$ 10,000,000</u>	<u>\$ 5,331,044</u>	<u>\$ 15,331,044</u>

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds (Continued)

Changes in Long-term Debt - Changes in the City's long-term obligations consisted of the following for the year ended December 31, 2013:

Governmental Activities	<u>Outstanding 1/1/2013</u>	<u>Additions</u>	<u>Reductions</u>	<u>Outstanding 12/31/2013</u>	<u>Amounts Due in One Year</u>
2004 Device Tax Revenue Refunding Bonds	\$ 280,000	\$ -	\$ 145,000	\$ 135,000	\$ 135,000
2006 Device Tax Revenue Refunding Bonds - Series A	9,355,000	-	845,000	8,510,000	885,000
2013 Device Tax Revenue Bonds	-	10,000,000		10,000,000	-
	-	-		-	-
Bond premiums	122,704	-	13,761	108,943	-
Bond discounts	(3,043)	-	(619)	(2,424)	-
Bond refunding	(398,217)	-	(51,902)	(346,315)	-
Total Bonds	9,356,444	10,000,000	951,240	18,405,204	1,020,000
Compensated Absences	526,819	477,286	421,280	582,825	62,003
Total Governmental Activities	<u>\$ 9,883,263</u>	<u>\$ 10,477,286</u>	<u>\$ 1,372,520</u>	<u>\$ 18,988,029</u>	<u>\$ 1,082,003</u>
Business-Type Activities					
Compensated Absences	62,576	47,651	60,878	49,349	5,250
Total Business-Type Activities	<u>\$ 62,576</u>	<u>\$ 47,651</u>	<u>\$ 60,878</u>	<u>\$ 49,349</u>	<u>\$ 5,250</u>

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds (Continued)

All bond obligations of the City's governmental activities will be financed through future debt service fund's expendable available financial sources as they become due. All capital lease obligations of the City's governmental activities will be financed through future general fund's expendable available financial sources as they become due. Principal and interest payments related to the City's water enterprise fund are financed from income derived from the operation of the water system. The compensated absences liability will be paid from the fund in which the employees' salaries are paid, generally the general fund and the water fund.

3-G. Pensions

The City sponsors two pension plans presented below.

Defined Contribution Plan - The employees of the City (except for paid firefighters) participate in ICMA Retirement Corporation Prototype Money Purchase Plan, which is a defined contribution plan, which was established by the City and is maintained and administered by ICMA Retirement Corporation. At December 31, 2013, there were 71 plan members. In a defined contribution plan, benefits depend solely on amounts contributed to the plan plus investment earnings. Employees become plan members upon the start of employment. Under this plan, up to 6.00% of the plan members' compensation is withheld and remitted to the Plan Administrator along with the matching payment of 6.00% from the City. The City's contributions plus earnings become fully vested after five years with partial vesting beginning after one year. City contributions for plan members who leave employment before they are fully vested are used to reduce the City's current period contribution requirement. There is no liability for benefits under the plan beyond the City's matching payments. Plan provisions and contribution requirements are established and may be amended by the City's Board of Aldermen.

Contributions actually made by plan members for the years ended December 31, 2013, 2012, and 2011 were \$258,185, \$240,479 and \$247,020 and the City's contributions were \$300,738, \$277,025 and \$281,167 respectively.

State Fire and Police Pension Plan (FPPA Defined Benefit Plan) - The City contributes to the Statewide Defined Benefit Plan, a cost-sharing multiple-employer defined benefit pension plan administered by the Colorado Fire and Police Pension Association (FPPA). The Statewide Defined Benefit Plan provides retirement benefits for members and beneficiaries. Death and disability coverage is provided for members hired prior to January 1, 1997 through the Statewide Death and Disability Plan, which is also administered by FPPA. This is a noncontributory plan. All full-time, paid firefighters of the City are members of the Statewide Defined Benefit Plan and the Statewide Death and Disability Plan. Colorado Statutes assign the authority to establish benefit provision to the state legislature. FPPA issues a publicly available annual financial report that includes financial statements and required supplementary information for both the Statewide Defined Benefit Plan and the Statewide Death and Disability Plan. That report may be obtained by calling FPPA at 303-770-3772 in the Denver metro area and 1-800-332-FPPA (3772) from outside the metro area.

The financial statements of the Statewide Defined Benefit Plan are prepared using the accrual basis of accounting. Plan member contributions are recognized in the period in which the contributions are due. Benefits and refunds are recognized when due and payable in accordance with the terms of the plan. The Statewide Defined Benefit Plan investments are presented at fair value except for short-term investments, which are recorded at cost, which approximates fair value.

The contribution requirements of plan members and the City are established by statute. The contribution rate for plan members is 8.0% of covered salary and for the City is 8.0% of covered salary. The City's contributions to the Statewide Defined Benefit Plan for the years ended December 31, 2013, 2012, and 2011 were \$122,644, \$128,790 and \$116,011 respectively, equal to the City's required contributions for each year. At December 31, 2013, there were 19 plan members.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds (Continued)

3-H. Invested in Capital Assets, Net of Related Debt

The “invested in capital assets, net of related debt” amounts reported on the government-wide statement of net position as of December 31, 2013 are as follows:

	Governmental Activities	Business - Type Activities
Invested in capital assets, net of related debt:		
Cost of capital assets	\$ 102,856,507	\$ 46,168,564
Less accumulated depreciation	25,543,775	12,730,406
Book value	77,312,732	33,438,158
Less capital related debt (net of premiums, (discounts) and (refunding amounts))	712,454	-
	\$ 76,600,278	\$ 33,438,158

3-I. Fund Equity

Fund Balances - Fund Balance are classified as follows:

- **Nonspendable** - The following fund balances are nonspendable because they are not in a spendable form:

General Fund:

Prepaid Items \$ 248,978

Business Improvement District Fund:

Prepaid Items \$ 3,509

- **Restricted** - The following fund balances are legally restricted to specific purposes:

General Fund:

Emergency purposes \$ 806,000

Major Special Revenue Funds:

Preservation and Restoration Fund:

Preservation and restoration purposes \$ 4,332,241

Transportation Device Fee Trust Fund:

Transportation purposes \$59,369

Business Improvement District Fund:

Emergency purposes \$ 6,000

Nonmajor Special Revenue Funds:

Conservation Trust Fund:

Parks, recreation and open space purposes \$ 23,200

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 3 - Detailed Notes on All Funds (Continued)

Major Debt Services Fund:

Debt Service Fund:

Repayment of debt principal and interest \$1,629,639

Major Capital Projects Funds:

Impact Fees Fund:

Parking, Fire and Police purposes \$ 1,492,759

- **Assigned** - The following fund balances are assigned by management for specific purposes:

Major Business Improvement District Funds:

Business Improvement Districts Fund:

District Enhancements \$243,256

Major Capital Projects Funds:

Capital Projects Fund:

Capital purposes \$253,482

Note 4 - Other Notes

4-A. Risk Management

The City is a member of the Colorado Intergovernmental Risk Sharing Agency (CIRSA), a separate and independent governmental and legal entity, which was established pursuant to an intergovernmental agreement authorized by Colorado state statutes. The purposes of CIRSA are to provide property and casualty and workers' compensation insurance coverage and risk management services to its municipal members at a reasonable cost.

Members can participate actively in policy-making through the Board of Directors, which are nominated and elected by members; involvement on a number of board committees; and participation at annual general membership meetings. Operations are funded by individual membership contributions.

It is the intent of the members of CIRSA to create an entity in perpetuity which will administer and use funds contributed by the members to defend and indemnify, in accordance with the by-laws, any member of CIRSA against stated liability or loss, to the limit of the financial resources of CIRSA. Also, it is the intent of the members to have CIRSA provide continuing stability and availability of needed coverage at reasonable costs. All income and assets of CIRSA shall be dedicated to the exclusive benefit of its members. The by-laws shall constitute the substance of the intergovernmental contract among the members. The amount of settlements has not exceeded insurance coverage for any of the three previous years.

The City carries commercial insurance coverage for the other risks of loss including workers compensation and employee health and accident insurance. Settled claims have not exceeded this commercial coverage in any of the past three years.

City of Black Hawk, Colorado
Notes to the Basic Financial Statements
For the Year Ended December 31, 2013

Note 4 – Other Notes (Continued)

4-B. Contingent Liabilities

The City has received federal and state grants for specific purposes that are subject to review and audit by the grantor agencies or their designee. These audits could result in a request for reimbursement to the grantor agency for costs disallowed under terms of the grant. Based on prior experience, the City believes such disallowances, if any, will be minimal.

The City is a defendant in various lawsuits at December 31, 2013. In the opinion of City management, the outcome of these contingencies will not have a material effect on the financial position of the City.

4-C. Subsequent Events

On January 9, 2014, the City issued Device Tax Revenue Bonds, Series 2014A in the amount of \$10,000,000 and Device Tax Revenue Bonds, Series 2014B in the amount of \$2,000,000 for certain infrastructure projects.

City of Black Hawk, Colorado
Required Supplementary Information
General Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance With Final Budget	Actual
Revenues					
Taxes	\$ 9,491,600	\$ 9,491,600	\$ 9,930,337	\$ 438,737	\$ 9,897,871
Intergovernmental	7,121,500	7,121,500	6,887,971	(233,529)	6,863,940
Licenses and permits	25,485	25,485	118,014	92,529	47,674
Charges for services	385,400	385,400	457,016	71,616	422,196
Fines and forfeitures	46,200	46,200	47,523	1,323	61,461
Investment earnings	42,000	42,000	20,390	(21,610)	45,742
Miscellaneous	150,300	150,300	415,977	265,677	199,355
Total Revenues	<u>17,262,485</u>	<u>17,262,485</u>	<u>17,877,228</u>	<u>614,743</u>	<u>17,538,239</u>
Expenditures					
Current:					
General government	4,254,841	4,254,841	4,714,101	(459,260)	4,059,003
Planning	541,886	549,386	602,976	(53,590)	498,587
Public safety	5,743,408	5,743,408	5,801,721	(58,313)	5,558,717
Public works	3,997,158	4,037,158	3,370,214	666,944	3,228,010
Total Expenditures	<u>14,537,293</u>	<u>14,584,793</u>	<u>14,489,012</u>	<u>95,781</u>	<u>13,344,317</u>
Excess of Revenues Over Expenditures	<u>2,725,192</u>	<u>2,677,692</u>	<u>3,388,216</u>	<u>710,524</u>	<u>4,193,922</u>
Other Financing Sources (Uses)					
Transfers in	650,650	650,650	643,000	(7,650)	650,683
Transfers out	(5,875,000)	(5,875,000)	(4,104,523)	1,770,477	(10,530,500)
Device tax bonds issued	-	-	10,000,000	10,000,000	-
Total Other Financing Sources (Uses)	<u>(5,224,350)</u>	<u>(5,224,350)</u>	<u>6,538,477</u>	<u>11,762,827</u>	<u>(9,879,817)</u>
Net Change in Fund Balances	<u>\$ (2,499,158)</u>	<u>\$ (2,546,658)</u>	<u>9,926,693</u>	<u>\$ 12,473,351</u>	<u>(5,685,895)</u>
Fund Balances Beginning of Year			<u>9,349,669</u>		<u>15,035,564</u>
Fund Balances End of Year			<u>\$ 19,276,362</u>		<u>\$ 9,349,669</u>

See accompanying notes to the required supplementary information

City of Black Hawk, Colorado
Required Supplementary Information
Preservation & Restoration Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
 (With Comparative Actual Amounts for the Year Ended December 31, 2012)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance With Final Budget	Actual
Revenues					
Intergovernmental	\$ 3,556,593	\$ 3,556,593	\$ 3,457,536	\$ (99,057)	\$ 3,387,232
Charges for services	100	100	250	150	150
Investment earnings	15,300	15,300	11,039	(4,261)	16,533
Miscellaneous	216,378	216,378	216,377	(1)	216,418
Total Revenues	<u>3,788,371</u>	<u>3,788,371</u>	<u>3,685,202</u>	<u>(103,169)</u>	<u>3,620,333</u>
Expenditures					
Current:					
Grants	919,000	919,000	802,867	116,133	217,221
Capital Outlay	<u>4,518,660</u>	<u>5,452,590</u>	<u>4,866,395</u>	<u>586,195</u>	<u>2,053,793</u>
Total Expenditures	<u>5,437,660</u>	<u>6,371,590</u>	<u>5,669,262</u>	<u>702,328</u>	<u>2,271,014</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	(1,649,289)	(2,583,219)	(1,984,060)	599,159	1,349,319
Other Financing Uses					
Transfers out	-	-	-	-	-
Net Change in Fund Balances	<u>\$ (1,649,289)</u>	<u>\$ (2,583,219)</u>	(1,984,060)	<u>\$ 599,159</u>	1,349,319
Fund Balances Beginning of Year			<u>6,316,301</u>		<u>4,966,982</u>
Fund Balances End of Year			<u>\$ 4,332,241</u>		<u>\$ 6,316,301</u>

See accompanying notes to the required supplementary information

City of Black Hawk, Colorado
Required Supplementary Information
Transportation Device Fee Trust Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance With Final Budget	Actual
Revenues					
Taxes	\$ 650,650	\$ 650,650	\$ 646,520	\$ (4,130)	\$ 650,683
Investment earnings	-	-	586	586	-
Total Revenues	<u>650,650</u>	<u>650,650</u>	<u>647,106</u>	<u>(3,544)</u>	<u>650,683</u>
Expenditures					
Current:					
Public Works	-	-	-	-	-
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Excess (Deficiency) of Revenues Over (Under) Expenditures	650,650	650,650	647,106	(3,544)	650,683
Other Financing Sources (Uses)					
Transfers Out	<u>(650,650)</u>	<u>(650,650)</u>	<u>(643,000)</u>	<u>7,650</u>	<u>(650,683)</u>
Net Change in Fund Balances	<u>\$ -</u>	<u>\$ -</u>	4,106	<u>\$ 4,106</u>	-
Fund Balances Beginning of Year			<u>55,263</u>		<u>55,263</u>
Fund Balances End of Year			<u>\$ 59,369</u>		<u>\$ 55,263</u>

See accompanying notes to the required supplementary information

City of Black Hawk, Colorado
Required Supplementary Information
Business Improvement District Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance With Final Budget	Actual
Revenues					
Taxes	\$ 154,395	\$ 154,395	\$ 155,763	\$ 1,368	\$ 437,776
Special assessments	-	-	-	-	-
Investment earnings	2,000	2,000	194	(1,806)	1,312
Miscellaneous	-	-	-	-	25,000
Total Revenues	156,395	156,395	155,957	(438)	464,088
Expenditures					
Current:					
General government	178,855	178,855	75,787	103,068	56,346
Debt Service:					
Principal	-	-	-	-	525,000
Interest and fiscal charges	-	-	-	-	26,400
Total Expenditures	178,855	178,855	75,787	103,068	607,746
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>\$ (22,460)</u>	<u>\$ (22,460)</u>	80,170	<u>\$ 102,630</u>	(143,658)
Fund Balances Beginning of Year			172,595		316,253
Fund Balances End of Year			<u>\$ 252,765</u>		<u>\$ 172,595</u>

See accompanying notes to the required supplementary information

City of Black Hawk, Colorado
Notes to the Required Supplementary Information
For the Year Ended December 31, 2013

Note 1 – Budgetary Basis of Accounting

The general fund adopts an annual budget on a basis consistent with generally accepted accounting principles (GAAP) except that the inception of capital leases and the related capital outlay are not budgeted. Also, debt service expenditures related to capital leases are budgeted within the public works function budget, rather than separately as debt service expenditures.

The preservation and restoration, the transportation authority and the business improvement district funds adopt annual budget on a basis consistent with generally accepted accounting principles.

City of Black Hawk, Colorado
General Fund
Comparative Balance Sheet
December 31, 2013 and 2012

	<u>2013</u>	<u>2012</u>
Assets		
Cash and cash equivalents	\$ 18,883,178	\$ 8,927,065
Receivables:		
Accounts	80,074	107,680
Property taxes	8,600	9,000
Other taxes	824,731	846,954
Inventory	135,505	114,175
Prepaid items	248,978	187,784
Total Assets	<u>\$ 20,181,066</u>	<u>\$ 10,192,658</u>
Liabilities, Deferred Inflows of Resources and Fund Balances		
Liabilities		
Accounts payable	\$ 525,710	\$ 544,958
Retainage payable	1,650	1,026
Accrued expenditures	367,744	287,505
Refundable deposits	1,000	500
Total Liabilities	<u>896,104</u>	<u>833,989</u>
Deferred Inflows of Resources		
Property taxes	8,600	9,000
Total Deferred Inflows of Resources	<u>8,600</u>	<u>9,000</u>
Fund Balances		
Restricted	806,000	677,000
Nonspendable	248,978	187,784
Assigned	-	-
Unassigned	18,221,384	8,484,885
Total Fund Balances	<u>19,276,362</u>	<u>9,349,669</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balances	<u>\$ 20,181,066</u>	<u>\$ 10,192,658</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
General Fund
Comparative Statement of Revenues, Expenditures and
Changes in Fund Balances
For the Years Ended December 31, 2013 and 2012

	2013	2012
Revenues		
Taxes	\$ 9,930,337	\$ 9,897,871
Intergovernmental	6,887,971	6,863,940
Licenses and permits	118,014	47,674
Charges for services	457,016	422,196
Fines and forfeitures	47,523	61,461
Investment earnings	20,390	45,742
Miscellaneous	415,977	199,355
Total Revenues	17,877,228	17,538,239
Expenditures		
Current:		
General government	4,714,101	4,059,003
Planning	602,976	498,587
Public safety	5,801,721	5,558,717
Public works	3,370,214	3,228,010
Total Expenditures	14,489,012	13,344,317
Excess of Revenues Over Expenditures	3,388,216	4,193,922
Other Financing Sources (Uses)		
Transfers in	643,000	650,683
Transfers out	(4,104,523)	(10,530,500)
Device tax bonds issued	10,000,000	-
Total Other Financing Sources (Uses)	6,538,477	(9,879,817)
Net Change in Fund Balances	9,926,693	(5,685,895)
Fund Balances Beginning of Year	9,349,669	15,035,564
Fund Balances End of Year	\$ 19,276,362	\$ 9,349,669

See accompanying independent auditor's report

City of Black Hawk, Colorado
General Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance with Final Budget	Actual
Revenues					
Taxes					
Property	\$ 9,000	\$ 9,000	\$ 8,740	\$ (260)	\$ 8,835
Specific ownership	500	500	273	(227)	422
Road and bridge	95,000	95,000	93,116	(1,884)	93,920
Sales, use and lodging	2,808,000	2,808,000	3,278,009	470,009	2,964,090
Franchise	155,000	155,000	170,728	15,728	160,027
Device fees	6,384,100	6,384,100	6,349,805	(34,295)	6,634,759
Occupational	40,000	40,000	29,666	(10,334)	35,818
Total Taxes	<u>9,491,600</u>	<u>9,491,600</u>	<u>9,930,337</u>	<u>438,737</u>	<u>9,897,871</u>
Licenses and Permits					
Business licenses	4,485	4,485	6,741	2,256	10,821
Building permits	20,000	20,000	109,823	89,823	36,053
Other	1,000	1,000	1,450	450	800
Total Licenses and Permits	<u>25,485</u>	<u>25,485</u>	<u>118,014</u>	<u>92,529</u>	<u>47,674</u>
Intergovernmental					
Gaming	7,100,000	7,100,000	6,864,191	(235,809)	6,770,143
Highway users	13,000	13,000	12,847	(153)	13,281
Cigarette taxes	8,500	8,500	10,933	2,433	10,497
Public Safety grants	-	-	-	-	70,019
Total Intergovernmental	<u>7,121,500</u>	<u>7,121,500</u>	<u>6,887,971</u>	<u>(233,529)</u>	<u>6,863,940</u>
Charges for Services					
Plan review fees	10,000	10,000	70,630	60,630	30,169
Silver Dollar Metro District	220,000	220,000	215,821	(4,179)	215,821
Black Hawk transportation	-	-	-	-	-
Gilpin Ambulance Authority	35,000	35,000	39,117	4,117	54,373
Rents	120,400	120,400	131,448	11,048	121,833
Total Charges for Services	<u>385,400</u>	<u>385,400</u>	<u>457,016</u>	<u>71,616</u>	<u>422,196</u>
Fines and Forfeitures					
Municipal court	24,000	24,000	28,106	4,106	29,460
County court	7,000	7,000	6,505	(495)	13,935
Parking	6,000	6,000	2,215	(3,785)	6,420
Police department services	1,200	1,200	2,079	879	2,134
Victim service surcharge	8,000	8,000	8,618	618	9,512
Total Fines and Forfeitures	<u>46,200</u>	<u>46,200</u>	<u>47,523</u>	<u>1,323</u>	<u>61,461</u>
Investment Earnings	<u>42,000</u>	<u>42,000</u>	<u>20,390</u>	<u>(21,610)</u>	<u>45,742</u>
Miscellaneous	<u>150,300</u>	<u>150,300</u>	<u>415,977</u>	<u>265,677</u>	<u>199,355</u>
Total Revenue	<u>17,262,485</u>	<u>17,262,485</u>	<u>17,877,228</u>	<u>614,743</u>	<u>17,538,239</u>

(continued)

City of Black Hawk, Colorado
General Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

(continued)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance With Final Budget	Actual
Expenditures					
General Government					
Mayor and Council					
Personal services	\$ 226,544	\$ 226,544	\$ 205,951	\$ 20,593	\$ 199,326
Program services	1,711,100	1,711,100	2,262,924	(551,824)	1,815,063
Total Mayor and Council	1,937,644	1,937,644	2,468,875	(531,231)	2,014,389
Municipal Court					
Personal services	37,788	37,788	37,235	553	36,858
Professional services	8,500	8,500	17,888	(9,388)	11,810
Purchased services	600	600	-	600	200
Program services	6,600	6,600	4,510	2,090	45
Supplies	-	-	-	-	-
Total Municipal Court	53,488	53,488	59,633	(6,145)	48,913
City Manager					
Personal services	406,639	406,639	417,134	(10,495)	368,176
Professional services	528,000	528,000	551,385	(23,385)	459,297
General services	-	-	-	-	-
Purchased services	259,000	259,000	223,225	35,775	206,441
Program services	15,000	15,000	20,940	(5,940)	9,321
Vehicle operation and maintenance	-	-	-	-	-
Supplies	6,200	6,200	7,907	(1,707)	5,872
Total City Manager	1,214,839	1,214,839	1,220,591	(5,752)	1,049,107
City Clerk					
Personal services	164,728	164,728	166,434	(1,706)	158,733
Professional services	2,500	2,500	2,723	(223)	1,094
General services	5,000	5,000	3,435	1,565	3,462
Purchased services	24,180	24,180	28,977	(4,797)	21,331
Program services	11,582	11,582	14,879	(3,297)	10,474
Supplies	11,600	11,600	7,218	4,382	10,376
Total City Clerk	219,590	219,590	223,666	(4,076)	205,470
Total carried forward	3,425,561	3,425,561	3,972,765	(547,204)	3,317,879

(continued)

City of Black Hawk, Colorado
General Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

(continued)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance With Final Budget	Actual
Total brought forward	\$ 3,425,561	\$ 3,425,561	\$ 3,972,765	\$ (547,204)	\$ 3,317,879
Expenditures					
General Government					
MIS					
Personal services	233,025	233,025	213,624	19,401	145,407
Professional services	6,000	6,000	2,652	3,348	3,679
General services	33,000	33,000	25,740	7,260	25,984
Purchased services	97,500	97,500	112,565	(15,065)	143,068
Program services	2,500	2,500	2,651	(151)	2,847
Supplies	50,600	50,600	49,003	1,597	50,671
Total MIS	422,625	422,625	406,235	16,390	371,656
Finance					
Personal services	332,005	332,005	274,304	57,701	306,321
Professional services	67,000	67,000	55,734	11,266	59,271
General services	500	500	62	438	65
Purchased services	2,250	2,250	2,197	53	1,461
Program services	1,500	1,500	681	819	1,019
Supplies	3,400	3,400	2,123	1,277	1,331
Total Finance	406,655	406,655	335,101	71,554	369,468
Total General Government	4,254,841	4,254,841	4,714,101	(459,260)	4,059,003
Planning					
Personal services	172,546	172,546	190,031	(17,485)	167,353
Professional services	350,000	357,500	394,833	(37,333)	321,191
General services	5,040	5,040	5,762	(722)	-
Vehicle operation and maintenance	4,400	4,400	1,807	2,593	1,251
Purchased services	800	800	1,544	(744)	2,093
Program services	2,000	2,000	1,285	715	1,611
Supplies	7,100	7,100	7,714	(614)	5,088
Total Planning	541,886	549,386	602,976	(53,590)	498,587
Public Safety					
Police					
Personal services	3,246,439	3,246,439	3,186,477	59,962	3,078,092
Professional services	26,900	26,900	62,196	(35,296)	30,702
General services	24,000	24,000	8,824	15,176	26,984
Vehicle operation and maintenance	45,000	45,000	38,767	6,233	42,242
Purchased services	22,300	22,300	25,956	(3,656)	23,628
Program services	-	-	-	-	-
Supplies	85,000	85,000	116,938	(31,938)	110,568
Capital outlay	-	-	-	-	-
Total Police	3,449,639	3,449,639	3,439,158	10,481	3,312,216
Total carried forward	8,246,366	8,253,866	8,756,235	(502,369)	7,869,806

(continued)

City of Black Hawk, Colorado
General Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

(continued)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance With Final Budget	Actual
Total brought forward	\$ 8,246,366	\$ 8,253,866	\$ 8,756,235	\$ (502,369)	\$ 7,869,806
Expenditures					
Public Safety					
Fire					
Personal services	2,094,319	2,094,319	2,180,544	(86,225)	2,105,680
Professional services	10,000	10,000	8,139	1,861	9,192
General services	20,500	20,500	11,782	8,718	21,671
Vehicle operation and maintenance	26,200	26,200	39,992	(13,792)	24,388
Purchased services	49,600	49,600	48,212	1,388	22,285
Program services	2,000	2,000	1,312	688	918
Supplies	82,450	82,450	64,970	17,480	50,564
Capital outlay	8,700	8,700	7,612	1,088	11,803
Total Fire	2,293,769	2,293,769	2,362,563	(68,794)	2,246,501
Total Public Safety	5,743,408	5,743,408	5,801,721	(58,313)	5,558,717
Public Works					
Personal services	1,896,058	1,896,058	1,821,785	74,273	1,755,848
Professional services	185,000	185,000	59,227	125,773	116,999
General services	834,000	864,000	650,450	213,550	546,930
Vehicle operation and maintenance	234,500	234,500	166,273	68,227	181,124
Purchased services	57,500	57,500	10,342	47,158	11,991
Program services	634,000	634,000	554,852	79,148	544,935
Supplies	145,100	145,100	98,615	46,485	70,183
Capital outlay	11,000	21,000	8,670	12,330	-
Total Public Works	3,997,158	4,037,158	3,370,214	666,944	3,228,010
Total Expenditures	14,537,293	14,584,793	14,489,012	95,781	13,344,317
Excess of Revenues Over Expenditures	2,725,192	2,677,692	3,388,216	710,524	4,193,922
Other Financing Sources (Uses)					
Transfers in	650,650	650,650	643,000	(7,650)	650,683
Transfers out	(5,875,000)	(5,875,000)	(4,104,523)	1,770,477	(10,530,500)
Device tax bonds issued	-	-	10,000,000	10,000,000	-
Total Other Financing Sources (Uses)	(5,224,350)	(5,224,350)	6,538,477	11,762,827	(9,879,817)
Net Change in Fund Balances	<u>\$ (2,499,158)</u>	<u>\$ (2,546,658)</u>	9,926,693	<u>\$ 12,473,351</u>	(5,685,895)
Fund Balances Beginning of Year			9,349,669		15,035,564
Fund Balances End of Year			<u>\$ 19,276,362</u>		<u>\$ 9,349,669</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
Preservation and Restoration Fund
Comparative Balance Sheet
December 31, 2013 and 2012

	2013	2012
Assets		
Cash and cash equivalents	\$ 5,041,893	\$ 6,855,900
Receivables:		
Accounts	18,031	-
Notes	35,839	244,723
Total Assets	\$ 5,095,763	\$ 7,100,623
 Liabilities, Deferred Inflows of Resources and Fund Balances		
Liabilities		
Accounts payable	\$ 251,300	\$ 315,350
Grant tax payable	280,208	152,637
Retainage payable	196,175	71,611
Total Liabilities	727,683	539,598
 Deferred Inflows of Resources		
Notes receivable	35,839	244,724
Total Deferred Inflows of Resources	35,839	244,724
 Fund Balances		
Restricted	4,332,241	6,316,301
Total Fund Balances	4,332,241	6,316,301
 Total Liabilities, Deferred Inflows of Resources and Fund Balances	\$ 5,095,763	\$ 7,100,623

See accompanying independent auditor's report

City of Black Hawk, Colorado
Transportation Device Fee Trust Fund
Comparative Balance Sheet
December 31, 2013 and 2012

	<u>2013</u>	<u>2012</u>
Assets		
Cash and cash equivalents	\$ 4,857	\$ 1,418
Accounts Receivable - Other taxes	54,512	53,845
Total Assets	<u>\$ 59,369</u>	<u>\$ 55,263</u>
Liabilities and Fund Balances		
Liabilities		
Accounts payable	\$ -	\$ -
Total Liabilities	<u>-</u>	<u>-</u>
Fund Balances		
Restricted	59,369	55,263
Total Liabilities and Fund Balances	<u>\$ 59,369</u>	<u>\$ 55,263</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
Business Improvement District Fund
Comparative Balance Sheet
December 31, 2013 and 2012

	<u>2013</u>	<u>2012</u>
Assets		
Cash and cash equivalents	\$ 242,891	\$ 164,664
Cash and cash equivalents - restricted	6,000	6,000
Receivable - County Treasurer	616	1,712
Prepaid expenses	3,509	3,036
Property taxes receivables	<u>143,738</u>	<u>148,395</u>
Total Assets	<u>\$ 396,754</u>	<u>\$ 323,807</u>
Liabilities, Deferred Inflows of Resources and Fund Balances		
Liabilities		
Accounts payable	<u>\$ 251</u>	<u>\$ 2,817</u>
Total Liabilities	<u>251</u>	<u>2,817</u>
Deferred Inflows of Resources		
Property taxes	<u>143,738</u>	<u>148,395</u>
Total Deferred Inflows of Resources	<u>143,738</u>	<u>148,395</u>
Fund Balances		
Restricted:		
Emergencies	6,000	6,000
Nonspendable	3,509	3,036
Assigned	<u>243,256</u>	<u>163,559</u>
Total Fund Balances	<u>252,765</u>	<u>172,595</u>
Total Liabilities, Deferred Inflows of Resources and Fund Balances	<u>\$ 396,754</u>	<u>\$ 323,807</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
Conservation Fund
Comparative Balance Sheet
December 31, 2013 and 2012

	<u>2013</u>	<u>2012</u>
Assets		
Cash and cash equivalents	<u>\$ 23,200</u>	<u>\$ 21,875</u>
Fund Balances		
Restricted	<u>\$ 23,200</u>	<u>\$ 21,875</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
Conservation Fund
Schedule of Revenues and Changes in Fund Balances - Budget to Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance With Final Budget	Actual
Revenues					
Intergovernmental	\$ 1,100	\$ 1,100	\$ 1,276	\$ 176	\$ 1,191
Investment earnings	70	70	49	(21)	66
Total Revenues	1,170	1,170	1,325	155	1,257
Expenditures					
Current					
Culture and recreation	-	-	-	-	-
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>\$ 1,170</u>	<u>\$ 1,170</u>	1,325	<u>\$ 155</u>	1,257
Fund Balances Beginning of Year			<u>21,875</u>		<u>20,618</u>
Fund Balances End of Year			<u>\$ 23,200</u>		<u>\$ 21,875</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
Debt Service Fund
Comparative Balance Sheet
December 31, 2013 and 2012

	2013	2012
Assets		
Cash and cash equivalents	\$ 4,359	\$ 390
Cash and cash equivalents - restricted	1,625,280	963,500
Total Assets	\$ 1,629,639	\$ 963,890
Fund Balances		
Restricted	\$ 1,629,639	\$ 963,890

See accompanying independent auditor's report

City of Black Hawk, Colorado
Debt Service Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

	<u>2013</u>			<u>2012</u>	
	<u>Original Budget</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Variance With Final Budget</u>	<u>Actual</u>
Revenues					
Investment earnings	\$ 200	\$ 200	\$ 193	\$ (7)	\$ 210
Expenditures					
Debt Service:					
Principal retirement	990,000	990,000	990,000	-	1,745,000
Interest and fiscal charges	480,413	698,968	698,967	1	560,558
Total Expenditures	<u>1,470,413</u>	<u>1,688,968</u>	<u>1,688,967</u>	<u>1</u>	<u>2,305,558</u>
(Deficiency of Revenues (Under) Expenditures)	<u>(1,470,213)</u>	<u>(1,688,768)</u>	<u>(1,688,774)</u>	<u>(6)</u>	<u>(2,305,348)</u>
Other Financing Sources (Uses)					
Transfers in	1,375,000	1,375,000	2,354,523	979,523	1,680,500
Transfers out	-	-	-	-	-
Total Other Financing Sources (Uses)	<u>1,375,000</u>	<u>1,375,000</u>	<u>2,354,523</u>	<u>979,523</u>	<u>1,680,500</u>
Net Change in Fund Balances	<u>\$ (95,213)</u>	<u>\$ (313,768)</u>	665,749	<u>\$ 979,517</u>	(624,848)
Fund Balances Beginning of Year			<u>963,890</u>		<u>1,588,738</u>
Fund Balances End of Year			<u>\$ 1,629,639</u>		<u>\$ 963,890</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
Impact Fee Fund
Comparative Balance Sheet
December 31, 2013 and 2012

	<u>2013</u>	<u>2012</u>
Assets		
Cash and cash equivalents	\$ 1,492,759	\$ 1,739,207
Liabilities		
Accounts payable	\$ -	\$ -
Retainage payable	-	-
Total Liabilities	-	-
Fund Balances		
Restricted	\$ 1,492,759	\$ 1,739,207
Total Liabilities and Fund Balances	<u>\$ 1,492,759</u>	<u>\$ 1,739,207</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
Impact Fee Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance With Final Budget	Actual
Revenues					
Impact fees	\$ -	\$ -	\$ -	\$ -	\$ -
Investment earnings	6,500	6,500	3,552	(2,948)	6,134
Total Revenues	6,500	6,500	3,552	(2,948)	6,134
Expenditures					
Capital Outlay	-	250,000	250,000	-	541,536
Excess (Deficiency) of Revenues Over (Under) Expenditures	<u>\$ 6,500</u>	<u>\$ (243,500)</u>	(246,448)	<u>\$ (2,948)</u>	(535,402)
Fund Balances Beginning of Year			<u>1,739,207</u>		<u>2,274,609</u>
Fund Balances End of Year			<u>\$ 1,492,759</u>		<u>\$ 1,739,207</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
Capital Projects Fund
Comparative Balance Sheet
December 31, 2013 and 2012

	<u>2013</u>	<u>2012</u>
Assets		
Cash and cash equivalents	\$ 605,864	\$ 3,404,505
Accounts Receivable	-	25,200
Prepaid Expenses	-	-
Total Assets	<u>\$ 605,864</u>	<u>\$ 3,429,705</u>
Liabilities and Fund Balances		
Liabilities		
Accounts payable	\$ 101,705	\$ 405,709
Retainage payable	250,677	117,419
Total Liabilities	352,382	523,128
Fund Balances		
Assigned	<u>253,482</u>	<u>2,906,577</u>
Total Liabilities and Fund Balances	<u>\$ 605,864</u>	<u>\$ 3,429,705</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado
Capital Projects Fund
Schedule of Revenues, Expenditures and
Changes in Fund Balances - Budget and Actual
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

	2013			2012	
	Original Budget	Final Budget	Actual	Variance with Final Budget	Actual
Revenues					
Intergovernmental	\$ 328,000	\$ 1,282,000	\$ 1,229,231	\$ (52,769)	\$ 25,200
Investment earnings	1,000	1,000	3,928	2,928	3,294
Miscellaneous	-	-	832,000	832,000	-
Total Operating Revenue	329,000	1,283,000	2,065,159	782,159	28,494
Expenditures					
Capital Outlay	1,327,000	6,765,000	6,468,254	296,746	6,394,549
Excess (Deficiency) of Revenues Over (Under) Expenditures	(998,000)	(5,482,000)	(4,403,095)	1,078,905	(6,366,055)
Other Financing Sources					
Transfers in:					
General fund	1,000,000	1,000,000	1,750,000	750,000	6,850,000
Net Change in Fund Balances	\$ 2,000	\$ (4,482,000)	(2,653,095)	\$ 1,828,905	483,945
Fund Balances Beginning of Year			2,906,577		2,422,632
Fund Balances End of Year			\$ 253,482		\$ 2,906,577

See accompanying independent auditor's report

City of Black Hawk, Colorado
Water Fund
Schedule of Revenues, Expenses and Changes
in Fund Net Position - Budget and Actual (Non-GAAP) Budgetary Basis
For the Year Ended December 31, 2013
(With Comparative Actual Amounts for the Year Ended December 31, 2012)

	2013			Variance With Final Budget	2012
	Original Budget	Final Budget	Actual		Actual
Operating Revenues					
Charges for services	\$ 3,000,200	\$ 3,000,200	\$ 2,984,365	\$ (15,835)	\$ 2,982,990
Miscellaneous	2,500	2,500	15,619	13,119	17,900
Total Operating Revenues	<u>3,002,700</u>	<u>3,002,700</u>	<u>2,999,984</u>	<u>(2,716)</u>	<u>3,000,890</u>
Operating Expenses					
Personal services	838,080	838,080	772,612	65,468	776,187
Professional services	1,005,000	1,005,000	1,145,828	(140,828)	930,719
General services	409,500	409,500	252,090	157,410	248,998
Program services	10,000	10,000	2,029	7,971	4,266
Purchased services	25,400	25,400	17,409	7,991	11,455
Supplies	87,300	87,300	51,112	36,188	43,540
Repairs and maintenance	475,000	475,000	286,532	188,468	255,787
Capital outlay - capitalized and noncapitalized	3,653,000	4,053,000	739,971	3,313,029	7,426,012
Total Operating Expenses	<u>6,503,280</u>	<u>6,903,280</u>	<u>3,267,583</u>	<u>3,635,697</u>	<u>9,696,964</u>
Operating Income (Loss)	<u>(3,500,580)</u>	<u>(3,900,580)</u>	<u>(267,599)</u>	<u>3,632,981</u>	<u>(6,696,074)</u>
Non-Operating Revenues (Expenses)					
Investment earnings	5,000	5,000	1,448	(3,552)	10,658
Total Non-Operating Revenues (Expenses)	<u>5,000</u>	<u>5,000</u>	<u>1,448</u>	<u>(3,552)</u>	<u>10,658</u>
(Loss) Before Transfers In	<u>(3,495,580)</u>	<u>(3,895,580)</u>	<u>(266,151)</u>	<u>3,629,429</u>	<u>(6,685,416)</u>
Transfers in	3,500,000	3,500,000	-	(3,500,000)	2,000,000
Change in Net Position - Budgetary Basis	<u>\$ 4,420</u>	<u>\$ (395,580)</u>	<u>(266,151)</u>	<u>\$ 129,429</u>	<u>(4,685,416)</u>
Reconciliation to GAAP Basis - Change in Net Position					
Deduct:					
Depreciation			(1,005,961)		(974,317)
Add:					
Capitalized capital outlay			708,883		7,309,576
Change in Net Position - GAAP Basis			<u>(563,229)</u>		<u>1,649,843</u>
Net Position Beginning of Year			<u>34,389,001</u>		<u>32,739,158</u>
Net Position End of Year			<u>\$ 33,825,772</u>		<u>\$ 34,389,001</u>

See accompanying independent auditor's report

City of Black Hawk, Colorado

Introduction to Statistical Section

(Unaudited)

This part of the City of Black Hawk's comprehensive annual financial report presents detailed information as a context for understanding this year's financial statements, note disclosures, and supplementary information. This information has not been audited by the independent auditor. In 2007, the Black Hawk Transportation Authority and the Black Hawk Business Improvement District, two City component units, were reclassified from discretely presented to blended pursuant to generally accepted accounting principles. Unless otherwise indicated, the years prior to 2007 have not been restated to reflect this reclassification.

Contents

Exhibit

Financial Trends

These tables contain trend information that may assist the reader in assessing the City's current financial performance by placing it in a historical perspective. Since a significant funding source for the City is state aid relating to the City's share of state gaming taxes, a trend table presenting this revenue has been added.

I - XII

Revenue Capacity

These tables contain information that may assist the reader in assessing the viability of the City's two most significant "own-source" revenue sources, gaming device taxes and sales taxes. Property taxes are not a major revenue for the City, therefore, the tables relating to the City's property taxes are not presented.

XIII - XVI

Debt Capacity

These tables present information that may assist the reader in analyzing the affordability of the City's current levels of outstanding debt and the City's ability to issue additional debt in the future.

XVII - XX

Demographic and Economic Information

These tables offer economic and demographic indicators that are commonly used for financial analysis and that can inform one's understanding the City's present and ongoing financial status. Since the gaming industry is competitive between three authorized gaming cities within the State of Colorado, selected comparison tables are presented for gaming information.

XXI - XXVII

Operating Information

These tables contain service and infrastructure indicators that can inform one's understanding how the information in the City's financial statements relates to the services the City provides and the activities it performs.

XXVIII - XXX

Data Source:

Unless otherwise noted, the information in these tables is derived from the annual financial reports for the relevant years included.

Notes:

The City implemented GASB Statement No. 34 in calendar year 2003, therefore, tables presenting government-wide financial data include only nine years.

City of Black Hawk, Colorado
Changes in Net Position - Governmental Activities
Last Ten Calendar Years
(accrual basis of accounting)

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Expenses:										
General government ¹	\$ 7,912,296	\$ 6,178,636	\$ 11,031,421	\$ 3,578,935	\$ 4,349,581	\$ 4,085,428	\$ 5,072,444	\$ 5,340,343	\$ 4,747,052	\$ 6,163,795
Planning	676,589	722,507	565,561	446,144	368,509	281,256	360,064	277,088	497,010	603,619
Public safety	5,512,157	5,538,941	6,319,260	6,245,176	6,396,298	5,255,467	5,382,877	5,728,980	5,848,069	6,123,994
Public works	2,744,570	3,598,032	3,991,812	5,177,834	7,171,578	5,709,460	5,440,673	4,859,138	4,834,937	5,890,849
Culture and recreation	-	-	-	-	10,940	-	-	-	-	-
Interest and fiscal charges	199,579	202,633	183,006	618,596	524,620	432,372	1,053,198	803,364	1,026,760	708,676
Total Expenses	17,045,191	16,240,749	22,091,060	16,066,685	18,821,526	15,763,983	17,309,256	17,008,913	16,953,828	19,490,933
Program Revenues:										
Charges for services:										
Plan review fees	258,201	318,357	32,757	70,631	11,359	14,896	56,596	10,600	30,169	70,630
Building permits	212,616	169,834	51,312	108,664	19,145	24,518	21,417	16,798	36,053	109,823
Impact fees	60,746	125,086	212,216	14,644	-	62,828	-	-	-	-
Sales of houses - historical preservation	829,163	291,760	189,107	-	-	-	-	-	-	-
Transportation fees	-	-	-	-	582,326	904,469	523,282	-	-	-
Other	63,803	143,695	171,195	670,442	78,961	212,653	706,565	505,944	465,259	442,350
Operating grants and contributions ²	3,856,784	3,703,779	3,993,205	6,554,477	6,230,709	5,141,584	5,377,120	3,740,755	3,496,923	3,471,659
Capital grants and contributions ³	88,791	5,858	-	12,070,480	50,000	-	-	-	-	1,525,291
Total Program Revenues	5,370,104	4,758,369	4,649,792	19,489,338	6,972,500	6,360,948	6,684,980	4,274,097	4,028,404	5,619,753
Net (Expense) Revenue	(11,675,087)	(11,482,380)	(17,441,268)	3,422,653	(11,849,026)	(9,403,035)	(10,624,276)	(12,734,816)	(12,925,424)	(13,871,180)
General Revenues:										
Taxes:										
Property and specific ownership taxes	9,979	9,466	9,756	830,844	467,385	445,187	453,069	457,583	447,033	164,776
Sales and use taxes	2,525,684	2,458,540	4,155,906	1,871,058	1,400,903	1,342,501	2,347,346	2,818,100	2,964,090	3,278,009
Road and bridge taxes	73,719	71,771	80,428	84,792	90,055	89,925	105,460	105,044	93,920	93,116
Device taxes	7,637,917	7,108,203	7,541,870	8,930,631	8,761,539	8,395,345	8,015,456	7,673,775	7,285,442	6,996,325
Franchise taxes	118,676	128,986	132,332	145,338	152,460	138,226	163,040	161,485	160,027	170,728
Other	17,297	13,835	12,971	18,156	15,848	6,345	26,682	50,915	35,818	29,666
Gaming	6,710,104	6,587,172	7,110,170	7,530,055	7,172,188	6,056,663	7,180,228	7,112,195	6,770,143	6,864,191
Investment earnings	239,637	506,585	1,316,836	1,127,219	522,039	119,870	104,440	71,048	73,291	39,931
Miscellaneous ⁴	368,622	2,053,147	621,263	2,557,025	1,320,408	129,041	292,173	393,945	252,552	1,266,402
Total General Revenues	17,701,635	18,937,705	20,981,532	23,095,118	19,902,825	16,723,103	18,687,894	18,844,090	18,082,316	18,903,144
Transfers ⁶	(1,480,915)	(2,683,926)	(3,104,995)	(4,628,642)	(3,371,609)	(15,548,440)	(500,000)	(500,000)	(2,000,000)	-
Total General Revenues and Transfers	16,220,720	16,253,779	17,876,537	18,466,476	16,531,216	1,174,663	18,187,894	18,344,090	16,082,316	18,903,144
Special Item ⁵	-	-	-	-	-	-	-	-	-	-
Change in Net Position	\$ 4,545,633	\$ 4,771,399	\$ 435,269	\$ 21,889,129	\$ 4,682,190	\$ (8,228,372)	\$ 7,563,618	\$ 5,609,274	\$ 3,156,892	\$ 5,031,964

Notes:¹ The 2006 amount includes a payment for land relating to an eminent domain settlement of \$5.3 million.² The 2006 amount includes infrastructure donated by the casinos, primarily a road.³ The majority of these revenues are the City's share of State gaming revenue set aside for historical preservation projects.⁴ The 2007 amount includes a recovery of \$2,221,034 relating to the eminent domain settlement.⁵ The 2003 amount was a write-down to fair value of the cost of historical preservation houses restored by the City and sold in 2004.⁶ The 2009 amount includes the assumption of the business-type activities long-term debt, totaling \$12,066,203.**Data Source:**

Applicable years' annual financial report.

City of Black Hawk, Colorado
Changes in Net Position - Governmental Activities - Percentage of Total
Last Ten Calendar Years
(accrual basis of accounting)

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Expenses:										
General government ¹	46.4%	38.0%	49.9%	22.3%	23.1%	25.9%	29.3%	31.4%	28.0%	31.6%
Planning	4.0%	4.4%	2.6%	2.8%	2.0%	1.8%	2.1%	1.6%	2.9%	3.1%
Public safety	32.3%	34.1%	28.6%	38.9%	34.0%	33.3%	31.1%	33.7%	34.5%	31.4%
Public works	16.1%	22.2%	18.1%	32.2%	38.2%	36.2%	31.4%	28.6%	28.5%	30.2%
Interest and fiscal charges	1.2%	1.2%	0.8%	3.9%	2.8%	2.7%	6.1%	4.7%	6.1%	3.6%
Total Expenses	100.0%									
Program Revenues:										
Charges for services:										
Plan review fees	4.8%	6.7%	0.7%	0.4%	0.2%	0.2%	0.8%	0.2%	0.7%	1.3%
Building permits	4.0%	3.6%	1.1%	0.6%	0.3%	0.4%	0.3%	0.4%	0.9%	2.0%
Impact fees	1.1%	2.6%	4.6%	0.1%	0.0%	1.0%	0.0%	0.0%	0.0%	0.0%
Sales of houses - historical preservation	15.4%	6.1%	4.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Transportation fees	0.0%	0.0%	0.0%	0.0%	8.4%	14.2%	7.8%	0.0%	0.0%	0.0%
Other	1.2%	3.0%	3.7%	3.4%	1.1%	3.3%	10.6%	11.8%	11.5%	7.9%
Operating grants and contributions ²	71.8%	77.8%	85.9%	33.6%	89.4%	80.8%	80.4%	87.5%	86.8%	61.8%
Capital grants and contributions ³	1.7%	0.1%	0.0%	61.9%	0.7%	0.0%	0.0%	0.0%	0.0%	27.1%
Total Program Revenues	100.0%									
General Revenues:										
Taxes:										
Property and specific ownership taxes	0.1%	0.0%	0.0%	3.6%	2.3%	2.7%	2.4%	2.4%	2.5%	0.9%
Sales and use taxes	14.3%	13.0%	19.8%	8.1%	7.0%	8.0%	12.6%	15.0%	16.4%	17.3%
Road and bridge taxes	0.4%	0.4%	0.4%	0.4%	0.5%	0.5%	0.6%	0.6%	0.5%	0.5%
Device taxes	43.1%	37.5%	35.9%	38.7%	44.0%	50.2%	42.9%	40.7%	40.3%	37.0%
Franchise taxes	0.7%	0.7%	0.6%	0.6%	0.8%	0.8%	0.9%	0.9%	0.9%	0.9%
Other	0.1%	0.1%	0.1%	0.1%	0.1%	0.0%	0.1%	0.3%	0.2%	0.2%
Gaming	37.9%	34.8%	33.9%	32.6%	36.0%	36.2%	38.4%	37.7%	37.4%	36.3%
Investment earnings	1.4%	2.7%	6.3%	4.9%	2.6%	0.7%	0.6%	0.4%	0.4%	0.2%
Miscellaneous ⁴	2.1%	10.8%	3.0%	11.1%	6.6%	0.8%	1.6%	2.1%	1.4%	6.7%
Total General Revenues	100.0%									

Notes:

¹ The 2006 amount includes a payment for land relating to an eminent domain settlement of \$5.3 million.

² The 2006 amount includes infrastructure donated by the casinos, primarily a road.

³ The majority of these revenues are the City's share of State gaming revenue set aside for historical preservation projects.

⁴ The 2007 amount includes a recovery of \$2,221,034 relating to the eminent domain settlement.

Data Source:

Applicable years' annual financial report.

City of Black Hawk, Colorado
Changes in Net Position - Business-type Activities
Last Ten Calendar Years
(accrual basis of accounting)

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Expenses:										
Water	\$ 3,390,240	\$ 3,501,744	\$ 2,994,339	\$ 3,250,519	\$ 3,184,682	\$ 3,177,139	\$ 3,136,516	\$ 2,933,612	\$ 3,361,705	\$ 3,564,661
Program Revenues:										
Charges for services - water	523,369	536,025	699,648	729,783	1,427,314	2,782,031	3,047,644	2,981,338	2,982,990	2,984,365
Operating grants and contributions	-	-	-	-	-	-	-	-	-	-
Capital grants and contributions	632,342	118,856	27,356	1,110,941	1,276,201	49,019	-	-	-	-
Total Program Revenues	1,155,711	654,881	727,004	1,840,724	2,703,515	2,831,050	3,047,644	2,981,338	2,982,990	2,984,365
Net (Expense) Revenue	(2,234,529)	\$ (2,846,863)	\$ (2,267,335)	\$ (1,409,795)	\$ (481,167)	\$ (346,089)	\$ (88,872)	\$ 47,726	\$ (378,715)	\$ (580,296)
General Revenues:										
Investment earnings	15,736	-	9,071	83,822	142,859	21,571	14,215	15,036	10,658	1,448
Miscellaneous ²	60,439	23,956	30,991	-	24	64,462	1,790,365	45,003	17,900	15,619
Total General Revenues	76,175	23,956	40,062	83,822	142,883	86,033	1,804,580	60,039	28,558	17,067
Transfers In ¹	1,480,915	2,683,926	3,104,995	4,628,642	3,371,609	15,548,440	500,000	500,000	2,000,000	-
Total General Revenues and Transfers	1,557,090	2,707,882	3,145,057	4,712,464	3,514,492	15,634,473	2,304,580	560,039	2,028,558	17,067
Change in Net Position	\$ (677,439)	\$ (138,981)	\$ 877,722	\$ 3,302,669	\$ 3,033,325	\$ 15,288,384	\$ 2,215,708	\$ 607,765	\$ 1,649,843	\$ (563,229)

Notes:

¹ In 2009, the governmental-activities assumed responsibility for all business-type long-term debt, resulting in a transfer in of \$12,066,203.

² In 2010, the Water Fund Sold \$2,322,000 in Water Rights.

Data Source:

Applicable years' annual financial report.

City of Black Hawk, Colorado
Changes in Net Position - Total
Last Ten Calendar Years
(accrual basis of accounting)

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Expenses:										
Governmental activities ¹	\$ 17,045,191	\$ 16,240,749	\$ 22,091,060	\$ 16,066,685	\$ 18,821,526	\$ 15,763,983	\$ 17,309,256	\$ 17,008,913	\$ 16,953,828	\$ 19,490,933
Business-type activities ²	3,390,240	3,501,744	2,994,339	3,250,519	3,184,682	3,177,139	3,136,516	2,933,612	3,361,705	3,564,661
Total Expenses	20,435,431	19,742,493	25,085,399	19,317,204	22,006,208	18,941,122	20,445,772	19,942,525	20,315,533	23,055,594
Program Revenues:										
Governmental activities ¹	5,370,104	4,758,369	4,649,792	19,489,338	6,972,500	6,360,948	6,684,980	4,274,097	4,028,404	5,619,753
Business-type activities ²	1,155,711	654,881	727,004	1,840,724	2,703,515	2,831,050	3,047,644	2,981,338	2,982,990	2,984,365
Total Program Revenues	6,525,815	5,413,250	5,376,796	21,330,062	9,676,015	9,191,998	9,732,624	7,255,435	7,011,394	8,604,118
Net (Expense) Revenue	(13,909,616)	(14,329,243)	(19,708,603)	2,012,858	(12,330,193)	(9,749,124)	(10,713,148)	(12,687,090)	(13,304,139)	(14,451,476)
General Revenues and Transfers:										
Governmental activities ¹	16,220,720	16,253,779	17,876,537	18,466,476	16,531,216	1,174,663	18,187,894	18,344,090	16,082,316	18,903,144
Business-type activities ²	1,557,090	2,707,882	3,145,057	4,712,464	3,514,492	15,634,473	2,304,580	560,039	2,028,558	17,067
Total General Revenues and Transfers	17,777,810	18,961,661	21,021,594	23,178,940	20,045,708	16,809,136	20,492,474	18,904,129	18,110,874	18,920,211
Change in Net Position	\$ 3,868,194	\$ 4,632,418	\$ 1,312,991	\$ 25,191,798	\$ 7,715,515	\$ 7,060,012	\$ 9,779,326	\$ 6,217,039	\$ 4,806,735	\$ 4,468,735

Data Source:¹ See Exhibit I² See Exhibit III

City of Black Hawk, Colorado
Government-wide Net Position by Category¹
Last Ten Calendar Years
(accrual basis of accounting)

	2004	2005	Restated ⁶ 2006	2007	2008	2009	2010	2011	2012	2013
Governmental Activities										
Invested in capital assets ^{2,3,4}	\$ 13,998,360	\$ 30,536,621	\$ 39,998,733	\$ 44,818,459	\$ 50,752,082	\$ 55,721,389	\$ 58,845,435	\$ 60,544,095	\$ 67,923,663	\$ 76,600,278
Restricted	13,625,132	7,843,324	6,709,556	8,973,493	9,999,900	9,371,846	11,573,438	9,665,887	9,724,273	8,349,208
Unrestricted	5,634,242	6,740,199	706,045	14,061,857	11,784,018	(785,606)	1,452,374	7,270,538	2,989,476	719,890
Total Governmental Activities Net Position	33,257,734	45,120,144	47,414,334	67,853,809	72,536,000	64,307,629	71,871,247	77,480,520	80,637,412	85,669,376
Business-type Activities										
Invested in capital assets ⁶	7,280,187	7,275,369	6,845,299	6,642,322	11,643,353	28,891,370	27,674,445	27,399,977	33,735,236	33,438,158
Restricted	711,669	544,240	1,295,851	1,317,800	1,235,475	934,465	-	-	-	-
Unrestricted	(238,482)	(205,216)	150,157	3,429,661	1,748,473	89,850	4,456,948	5,339,181	653,765	387,614
Total Business-type Activities Net Position	7,753,374	7,614,393	8,291,307	11,389,783	14,627,301	29,915,685	32,131,393	32,739,158	34,389,001	33,825,772
Primary Government										
Invested in capital assets ²	21,278,547	37,811,990	46,844,032	51,460,781	62,395,435	84,612,759	86,519,880	87,944,072	101,658,899	110,038,436
Restricted	14,336,801	8,387,564	8,005,407	10,291,293	11,235,375	10,306,311	11,573,438	9,665,887	9,724,273	8,349,208
Unrestricted	5,395,760	6,534,983	856,202	17,491,518	13,532,491	(695,756)	5,909,322	12,609,719	3,643,241	1,107,504
Total Primary Government Net Position	\$ 41,011,108	\$ 52,734,537	\$ 55,705,641	\$ 79,243,592	\$ 87,163,301	\$ 94,223,314	\$ 104,002,640	\$ 110,219,678	\$ 115,026,413	\$ 119,495,148

Notes:

¹ Accounting standards require that net assets be reported in three components in the financial statements: invested in capital assets, net of related debt; restricted; and unrestricted. Net assets are considered restricted only when (1) an external party, such as the State of Colorado or the federal government, places a restriction on how the resources may be used, or (2) enabling legislation which is enacted by the City. There are no restrictions currently reported as a result of enabling legislation.

² In 2004, includes additional costs for a maintenance facility (\$318,000), relocate CDOT (\$360,000), drainage at Bobtail (\$930,000) and lower main street (\$519,000) projects.

³ In 2005, includes additional costs for Clear Creek street (\$251,000), relocate CDOT (\$488,000), Church street guardrail (\$461,000), drainage at Bobtail (\$568,000), post office (\$1,040,000), Crooks Palace (\$1,528,000), BLM acquisition (\$1,400,000) and the bank (\$1,870,000) projects. Also, includes a \$7 million prior period adjustment to increase the

⁴ In 2006, includes additional costs for the post office (\$388,000), Crooks Palace (\$1,600,000) and the bank (\$1,127,000) projects. Also, includes a \$6.4 million prior period adjustment to report infrastructure retroactively to construction date.

⁵ Includes the Black Hawk Transportation Authority and the Black Hawk Business Improvement District.

⁶ In 2009, the significant increase in "invested in capital assets, net of related debt" relates to an increase of construction in progress, primarily for the Silver Gulch water tank (\$3.6 million) and the governmental activities assumption of the business-type activities long-term bonded debt in the amount of \$12,066,203.

Data Source:

Applicable years' annual financial report.

Black Hawk, Colorado
General Governmental Revenues by Source
Last Ten Calendar Years
(modified accrual basis of accounting)

Revenue Source	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Taxes	\$ 9,195,399	\$ 10,376,445	\$ 9,785,011	\$ 11,926,812	\$ 11,873,523	\$ 10,879,027	\$ 10,411,184	\$ 11,104,126	\$ 11,258,878	\$ 10,986,330	\$ 10,732,620
Special assessments ⁵	-	-	-	-	1,840,892	1,840,892	1,536,382	1,542,391	-	-	-
Intergovernmental	10,320,024	10,573,715	10,296,741	11,109,826	12,250,936	11,571,168	9,668,210	11,021,884	10,860,974	10,277,563	11,576,014
Licenses and permits	80,378	238,591	197,029	84,352	131,528	37,685	51,679	26,420	23,266	47,674	118,014
Fines and forfeitures	18,377	17,000	20,135	16,917	29,921	32,476	42,788	38,975	54,566	61,461	47,523
Charges for services	390,278	279,029	414,722	153,995	688,288	621,630	1,062,069	1,242,465	455,510	422,346	457,266
Impact and development fees	194,184	60,746	125,086	401,323	14,644	-	62,828	-	-	-	-
Investment earnings	249,841	239,637	506,585	1,316,836	1,127,219	522,039	119,870	104,440	71,048	73,291	39,931
Miscellaneous ⁴	52,654	1,197,785	2,323,097	621,263	2,557,025	344,296	279,077	485,756	582,991	440,773	1,464,354
Total revenues	\$ 20,501,135	\$ 22,982,948	\$ 23,668,406	\$ 25,631,324	\$ 30,513,976	\$ 25,849,213	\$ 23,234,087	\$ 25,566,457	\$ 23,307,233	\$ 22,309,438	\$ 24,435,722
% change from prior year	#REF!	12.1%	3.0%	8.3%	19.0%	-15.3%	-10.1%	10.0%	-8.8%	-4.3%	9.5%
Taxes	44.9%	45.1%	41.3%	46.5%	38.9%	42.1%	44.8%	43.4%	48.3%	49.2%	43.9%
Special assessments	0.0%	0.0%	0.0%	0.0%	6.0%	7.1%	6.6%	6.0%	0.0%	0.0%	0.0%
Intergovernmental	50.3%	46.0%	43.5%	43.3%	40.1%	44.8%	41.6%	43.1%	46.6%	46.1%	47.4%
Licenses and permits	0.4%	1.0%	0.8%	0.3%	0.4%	0.1%	0.2%	0.1%	0.1%	0.2%	0.5%
Fines and forfeitures	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%	0.2%	0.2%	0.2%	0.3%	0.2%
Charges for services	1.9%	1.2%	1.8%	0.6%	2.3%	2.4%	4.6%	4.9%	2.0%	1.9%	1.9%
Impact and development fees	0.9%	0.3%	0.5%	1.6%	0.0%	0.0%	0.3%	0.0%	0.0%	0.0%	0.0%
Investment earnings	1.2%	1.0%	2.1%	5.1%	3.7%	2.0%	0.5%	0.4%	0.3%	0.3%	0.2%
Miscellaneous	0.3%	5.2%	9.8%	2.4%	8.4%	1.3%	1.2%	1.9%	2.5%	2.0%	6.0%
Total revenues	100.0%										

Notes:

¹ In 2003, the Dory Hill Cemetery Fund was reclassified from an expendable trust fund to a special revenue fund. The data is restated and included in all years presented.

² The 2004 amount includes \$829,163 for the sale of City

³ The 2005 amount includes \$297,760 for the sale of City owned restored houses, a \$328,061 reimbursement for excavating, and \$1,448,175 from the sale of land.

⁴ The 2007 amount include a \$2.2 million recovery of an emminent domain settlement paid in 2006.

⁵ In 2011, 2012 or 2013, the BID did not levy a special assessment.

Data Source:

Applicable years' annual financial report.

City of Black Hawk, Colorado
Tax Revenues by Source - Governmental Funds
Last Ten Calendar Years
(modified accrual basis of accounting)

Calendar Year	Amounts						Total
	Property and Ownership	Road and Bridge	Sales and Use ¹	Franchise	Device	Other ²	
2004	\$ 9,979	\$ 73,719	\$ 2,525,684	\$ 118,676	\$ 7,637,917	\$ 10,470	\$ 10,376,445
2005	9,466	71,771	2,458,540	128,986	7,108,203	8,045	9,785,011
2006	9,756	80,428	4,155,906	132,332	7,541,870	6,520	11,926,812
2007 ³	830,844	84,792	1,871,058	145,338	8,930,631	10,860	11,873,523
2008	467,385	90,055	1,400,903	152,460	8,761,539	6,685	10,879,027
2009	445,187	89,925	1,342,501	138,226	8,395,345	-	10,411,184
2010	453,069	105,460	2,347,346	163,040	8,015,456	19,755	11,104,126
2011	457,583	105,044	2,818,100	161,485	7,673,775	42,891	11,258,878
2012	446,789	93,920	2,964,090	160,027	7,285,442	35,818	10,986,086
2013	164,776	93,116	3,278,009	170,728	6,996,325	29,666	10,732,620
Percentage Change							
In Dollars Over							
10 Years	1551.2%	26.3%	29.8%	43.9%	-8.4%	183.3%	3.4%
Percentage of Total							
2004	0.1%	0.7%	24.3%	1.1%	73.6%	0.1%	100.0%
2005	0.1%	0.7%	25.1%	1.3%	72.6%	0.1%	100.0%
2006	0.1%	0.7%	34.8%	1.1%	63.2%	0.1%	100.0%
2007	7.0%	0.7%	15.8%	1.2%	75.2%	0.1%	100.0%
2008	4.3%	0.8%	12.9%	1.4%	80.5%	0.1%	100.0%
2009	4.3%	0.9%	12.9%	1.3%	80.6%	0.0%	100.0%
2010	4.1%	0.9%	21.1%	1.5%	72.2%	0.2%	100.0%
2011	4.1%	0.9%	25.0%	1.4%	68.2%	0.4%	100.0%
2012	4.1%	0.9%	27.0%	1.5%	66.3%	0.3%	100.0%
2013	1.5%	0.9%	30.5%	1.6%	65.2%	0.3%	100.0%

Notes:

¹ The significant increase in 2006 relates to a substantial increase in casino construction.

² Includes occupational taxes, liquor taxes and other taxes.

³ Beginning in 2007, the business improvement district was included as a blended component unit, which affects the property and device tax amounts.

Data Source:

Applicable years' annual financial report.

City of Black Hawk, Colorado
City's Share of State Gaming Taxes ¹
Last Ten Calendar Years
(modified accrual basis of accounting)

Calendar Year	Unrestricted ²	Restricted For Preservation ³ and Restoration	Total	Total Percentage Change
2004	\$ 6,710,174	\$ 3,757,658	\$ 10,467,832	n/a
2005	6,587,172	3,689,180	10,276,352	-1.83%
2006	7,110,170	3,981,695	11,091,865	7.94%
2007	7,530,055	4,216,831	11,746,886	5.91%
2008	7,172,188	4,016,425	11,188,613	-4.75%
2009	6,056,663	3,391,731	9,448,394	-15.55%
2010	7,180,228	3,649,036	10,829,264	14.61%
2011	7,112,195	3,557,150	10,669,345	-1.48%
2012	6,770,143	3,387,232	10,157,375	-4.80%
2013	6,864,191	3,457,536	10,321,727	1.62%
Percentage Change in Dollars Over 10 Years		<u>2.3%</u>	<u>-8.0%</u>	<u>-1.4%</u>

Notes:

¹ The State Constitutional amendment that authorized limited gaming in three Colorado cities requires limited gaming establishments to pay up to 40% of their adjusted gross profits (the total amount of all wagers made by players less all payments to players) to the State of Colorado. A portion of these taxes is returned to the gaming cities.

² The State of Colorado must distribute 10% of their state gaming taxes to the three gaming

cities in Colorado, in proportion to the gaming revenues generated in each respective city.

³ 20% of the state gaming taxes are distributed to the State of Colorado's state historical fund to be used for restoration and preservation of the three gaming cities in Colorado in proportion to the gaming revenues generated in the respective cities.

Data Source:

Applicable years' annual financial report.

City of Black Hawk, Colorado
General Governmental Expenditures by Function
Last Ten Calendar Years
(modified accrual basis of accounting)

Function	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Current:										
General government	\$ 4,979,283	\$ 5,330,439	\$ 5,347,801	\$ 3,165,107	\$ 3,935,814	\$ 3,717,346	\$ 4,665,541	\$ 4,938,760	\$ 4,332,570	\$ 5,592,755
Planning	668,311	700,510	566,361	446,488	376,483	278,414	355,913	273,146	498,587	602,976
Public safety	5,256,946	5,366,116	6,018,337	6,051,813	6,199,634	5,225,582	5,114,851	5,494,572	5,558,717	5,801,721
Public works	3,053,618	3,631,126	2,850,987	3,828,417	4,007,440	3,905,364	3,970,172	3,375,410	3,281,917	3,802,617
Culture and recreation	-	-	-	-	10,940	-	-	-	-	-
Total Current	13,958,158	15,028,191	14,783,486	13,491,825	14,530,311	13,126,706	14,106,477	14,081,888	13,671,791	15,800,069
% Change From Prior Year	n/a	7.7%	-1.6%	-8.7%	7.7%	-9.7%	7.5%	-0.2%	-2.9%	15.6%
Capital Outlay	6,579,654	10,396,919	4,389,185	2,169,020	7,135,470	5,177,599	2,858,093	3,429,946	8,935,971	11,152,246
% Change From Prior Year	n/a	58.0%	-57.8%	-50.6%	229.0%	-27.4%	-44.8%	20.0%	160.5%	24.8%
Debt Service										
Principal	518,840	618,132	543,223	2,298,025	2,485,876	1,993,370	3,392,694	1,904,871	2,270,000	990,000
Interest and fees	307,107	198,356	237,700	495,143	395,543	318,158	816,183	673,756	586,958	698,967
Total Debt Service	825,947	816,488	780,923	2,793,168	2,881,419	2,311,528	4,208,877	2,578,627	2,856,958	1,688,967
% Change From Prior Year	n/a	-1.1%	-4.4%	257.7%	3.2%	-19.8%	82.1%	-38.7%	10.8%	-40.9%
Total Expenditures	\$ 21,363,759	\$ 26,241,598	\$ 19,953,594	\$ 18,454,013	\$ 24,547,200	\$ 20,615,833	\$ 21,173,447	\$ 20,090,461	\$ 25,464,720	\$ 28,641,282
% Change From Prior Year	n/a	22.8%	-24.0%	-7.5%	33.0%	-16.0%	2.7%	-5.1%	26.8%	12.5%
Debt Service as a Percentage of Noncapital Expenditures	5.6%	5.2%	5.0%	17.2%	16.5%	15.0%	23.0%	15.5%	17.3%	9.7%

Data Source:

Applicable years' annual financial report.

City of Black Hawk, Colorado
General Governmental Current Expenditures by Function (Unaudited) ¹
Last Ten Calendar Years
(modified accrual basis of accounting)

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Function										
Current:										
General government	\$ 4,979,283	\$ 5,330,439	\$ 5,347,801	\$ 3,165,107	\$ 3,935,814	\$ 3,717,346	\$ 4,665,541	\$ 4,938,760	\$ 4,332,570	\$ 5,592,755
Planning	668,311	700,510	566,361	446,488	376,483	278,414	355,913	273,146	498,587	602,976
Public safety	5,256,946	5,366,116	6,018,337	6,051,813	6,199,634	5,225,582	5,114,851	5,494,572	5,558,717	5,801,721
Public works	3,053,618	3,631,126	2,850,987	3,828,417	4,007,440	3,905,364	3,970,172	3,375,410	3,281,917	3,802,617
Culture and recreation	-	-	-	-	10,940	-	-	-	-	-
Total Current	\$ 13,958,158	\$ 15,028,191	\$ 14,783,486	\$ 13,491,825	\$ 14,530,311	\$ 13,126,706	\$ 14,106,477	\$ 14,081,888	\$ 13,671,791	\$ 15,800,069
Current:										
General government	35.7%	35.5%	36.2%	23.5%	27.1%	28.3%	33.1%	35.1%	31.7%	35.4%
Planning	4.8%	4.7%	3.8%	3.3%	2.6%	2.1%	2.5%	1.9%	3.6%	3.8%
Public safety	37.7%	35.7%	40.7%	44.9%	42.7%	39.8%	36.3%	39.0%	40.7%	36.7%
Public works	21.9%	24.2%	19.3%	28.4%	27.6%	29.8%	28.1%	24.0%	24.0%	24.1%
Parks and recreation	0.0%	0.0%	0.0%	0.0%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%
Total Current	100.0%									

Notes:

¹ Includes all governmental fund types.

Data Source:

Applicable years' annual financial report.

City of Black Hawk, Colorado
Summary of Changes in Fund Balances - Governmental Funds
Last Ten Calendar Years
(modified accrual basis of accounting)

Source	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Total Revenues	\$ 22,982,948	\$ 23,668,406	\$ 25,631,324	\$ 30,513,976	\$ 25,849,213	\$ 23,234,087	\$ 25,566,457	\$ 23,307,233	\$ 22,309,438	\$ 24,435,722
Total Expenditures	21,363,759	26,241,598	19,953,594	18,454,013	24,547,200	20,615,833	21,173,447	20,090,461	25,464,720	28,641,282
Excess (Deficiency) of Revenues Over (Under) Expenditures	1,619,189	(2,573,192)	5,677,730	12,059,963	1,302,013	2,618,254	4,393,010	3,216,772	(3,155,282)	(4,205,560)
Other Financing Sources										
Inception of capital lease obligation	524,075	232,055	265,400	-	-	-	-	-	-	-
Issuance of bonds	1,031,250	-	1,327,000	-	-	-	-	-	-	10,000,000
Bond premium	-	-	31,346	-	-	-	-	-	-	-
Payment to refunded bond escrow agent	(991,626)	-	(1,330,000)	-	-	-	-	-	-	-
Transfers in	3,394,872	2,383,522	1,661,579	3,726,595	6,524,426	655,000	2,286,913	3,198,000	9,181,183	4,747,523
Transfers out	(4,875,787)	(5,045,638)	(4,766,574)	(8,355,237)	(9,896,035)	(4,137,237)	(2,786,913)	(3,698,000)	(11,181,183)	(4,747,523)
Total Other Financing Sources	(917,216)	(2,430,061)	(2,811,249)	(4,628,642)	(3,371,609)	(3,482,237)	(500,000)	(500,000)	(2,000,000)	10,000,000
Net Change in Fund Balances	701,973	(5,003,253)	2,866,481	7,431,321	(2,069,596)	(863,983)	3,893,010	2,716,772	(5,155,282)	5,794,440
Fund Balances, Beginning of Year	18,857,664	19,559,637	14,556,384	12,884,856	23,004,456	20,934,860	20,070,877	23,963,887	26,680,659	21,525,377
Other Changes¹	-	-	(4,538,009)	2,688,279	-	-	-	-	-	-
Fund Balances, End of Year	<u>\$ 19,559,637</u>	<u>\$ 14,556,384</u>	<u>\$ 12,884,856</u>	<u>\$ 23,004,456</u>	<u>\$ 20,934,860</u>	<u>\$ 20,070,877</u>	<u>\$ 23,963,887</u>	<u>\$ 26,680,659</u>	<u>\$ 21,525,377</u>	<u>\$ 27,319,817</u>

Notes:

¹ Consists primarily of restatements and special items. The 2006 special item relates to an eminent domain settlement.

Data Source:

Applicable years' annual financial report.

City of Black Hawk, Colorado
Fund Balances - Governmental Funds
Last Ten Calendar Years
(modified accrual basis of accounting)

	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
General Fund										
Reserved	\$ 684,000	\$ 581,000	\$ 475,000	\$ 467,364	\$ 511,906	\$ 474,780	\$ 354,111	\$ 399,204	\$ 387,620	\$ 509,839
Unreserved	2,429,503	331,718	2,065,894	4,799,376	6,275,828	6,073,465	9,950,863	7,628,780	9,381,452	11,520,703
Subtotal General Fund	<u>3,113,503</u>	<u>912,718</u>	<u>2,540,894</u>	<u>5,266,740</u>	<u>6,787,734</u>	<u>6,548,245</u>	<u>10,304,974</u>	<u>8,027,984</u>	<u>9,769,072</u>	<u>12,030,542</u>
General Fund Percentage										
Change From Prior Year	<u>-18.3%</u>	<u>-70.7%</u>	<u>178.4%</u>	<u>107.3%</u>	<u>28.9%</u>	<u>-3.5%</u>	<u>57.4%</u>	<u>-22.1%</u>	<u>21.7%</u>	<u>23.1%</u>
All Other Governmental Funds										
Reserved ¹	10,448,832	11,961,081	11,733,422	10,787,404	4,389,565	1,178,921	5,260,021	6,593,301	6,460,366	8,374,197
Unreserved										
Special Revenue Funds	1,994,944	2,476,242	106,565	143,009	195,453	148,365	2,333,520	(1,078,886)	(880,771)	263,356
Capital Projects Funds	3,200,401	3,444,065	4,476,783	3,362,484	3,416,965	5,009,325	5,105,941	7,392,461	4,722,210	3,295,792
Subtotal All Other										
Governmental Funds	<u>15,644,177</u>	<u>17,881,388</u>	<u>16,316,770</u>	<u>14,292,897</u>	<u>8,001,983</u>	<u>6,336,611</u>	<u>12,699,482</u>	<u>12,906,876</u>	<u>10,301,805</u>	<u>11,933,345</u>
Total Governmental Funds										
Reserved	11,132,832	12,542,081	12,208,422	11,254,768	4,901,471	1,653,701	5,614,132	6,992,505	6,847,986	8,884,036
Unreserved	<u>7,624,848</u>	<u>6,252,025</u>	<u>6,649,242</u>	<u>8,304,869</u>	<u>9,888,246</u>	<u>11,231,155</u>	<u>17,390,324</u>	<u>13,942,355</u>	<u>13,222,891</u>	<u>15,079,851</u>
Total Governmental Funds	<u>\$ 18,757,680</u>	<u>\$ 18,794,106</u>	<u>\$ 18,857,664</u>	<u>\$ 19,559,637</u>	<u>\$ 14,789,717</u>	<u>\$ 12,884,856</u>	<u>\$ 23,004,456</u>	<u>\$ 20,934,860</u>	<u>\$ 20,070,877</u>	<u>\$ 23,963,887</u>
All Governmental Funds										
Percentage Change	<u>53.1%</u>	<u>0.2%</u>	<u>0.3%</u>	<u>3.7%</u>	<u>-24.4%</u>	<u>-12.9%</u>	<u>78.5%</u>	<u>-9.0%</u>	<u>-4.1%</u>	<u>19.4%</u>

Notes:

¹ For consistency, the fund balance in the debt service fund was reclassified from unreserved to reserved for years 2001 - 2010.

² The 2000 - 2003 fund balance for the preservation restoration fund have been reclassified from unreserved to reserved to be consistent with the 2004 - 2010 reporting.

³ The City implemented GASB 54 in 2011, which requires significantly different Fund Balance classifications. Please refer to the following page for current information.

Data Source:
 Applicable years' annual financial report.

City of Black Hawk, Colorado
Fund Balances - Governmental Funds (Unaudited)
(modified accrual basis of accounting)

	<u>December 31,</u>	<u>December 31,</u>	<u>December 31,</u>
	<u>2011</u>	<u>2012</u>	<u>2013</u>
General Fund:			
Assigned to:			
Emergencies	\$ 512,000	\$ 677,000	\$ 806,000
Subsequent years' expenditures	-	187,784	248,978
Unassigned	14,523,564	8,484,885	18,221,384
Total General Fund	<u>15,035,564</u>	<u>9,349,669</u>	<u>19,276,362</u>
All Other Governmental Funds			
Nonspendable:			
Prepaid items	7,903	3,036	3,509
Restricted for:			
Preservation and Restoration	4,966,982	6,316,301	4,332,241
Debt Service	1,588,738	963,890	1,629,639
Transportation	55,263	55,263	59,369
Parking Impact	2,274,609	1,739,207	1,492,759
Business Improvement District	302,940	6,000	6,000
Cemetery	20,618	21,875	23,200
Assigned to:			
Capital projects	2,417,632	2,906,577	253,482
Business Improvement District	10,410	163,559	243,256
Unassigned:			
Total All Other Governmental Funds	<u>11,645,095</u>	<u>12,175,708</u>	<u>8,043,455</u>
Total Governmental Funds	<u>\$ 26,680,659</u>	<u>\$ 21,525,377</u>	<u>\$ 27,319,817</u>

Notes:

The City implemented GASB Statement No. 54, *Fund Balance Reporting and Governmental Fund Definitions*, in Fiscal Year 2011. The City did not restate the prior years.

Data Source:

Applicable years' comprehensive annual financial report.

Black Hawk, Colorado
Number of Devices - By Casino^{1,2}
 Last Ten Calendar Years

Major Casino	For the Calendar Years December 31,																			
	2004		2005		2006		2007		2008		2009		2010		2011		2012		2013	
	Amount	% of Total	Amount	% of Total	Amount	% of Total	Amount	% of Total	Amount	% of Total	Amount	% of Total	Amount	% of Total	Amount	% of Total	Amount	% of Total	Amount	% of Total
Isle of Capri	1,099	11.7%	1,408	14.5%	1,424	14.1%	1,403	14.2%	1,387	14.2%	1,327	14.3%	1,165	13.5%	1,114	13.0%	1,108	13.1%	1,113	13.0%
Ameristar	1,030	11.0%	902	9.3%	1,662	16.4%	1,664	16.8%	1,634	16.8%	1,581	17.1%	1,548	17.9%	1,519	17.7%	1,519	18.0%	1,529	17.9%
Lodge	949	10.1%	721	7.4%	943	9.3%	998	10.1%	976	10.0%	1,018	11.0%	1,006	11.6%	1,023	11.9%	1,017	12.0%	1,039	12.1%
Riviera	1,012	10.8%	960	9.9%	842	8.3%	870	8.8%	829	8.5%	767	8.3%	753	8.7%	789	9.2%	722	8.5%	698	8.2%
Mardi Gras	703	7.5%	721	7.4%	743	7.3%	679	6.9%	706	7.2%	655	7.1%	676	7.8%	677	7.9%	661	7.8%	822	9.6%
Lady Luck Casino	662	7.1%	810	8.3%	685	6.8%	663	6.7%	668	6.9%	613	6.6%	520	6.0%	537	6.2%	515	6.1%	494	5.8%
Bullwhackers	688	7.3%	687	7.1%	692	6.8%	687	6.9%	664	6.8%	598	6.5%	310	3.6%	290	3.4%	282	3.3%	288	3.4%
Fitzgeralds	599	6.4%	605	6.2%	600	5.9%	595	6.0%	911	9.3%	752	8.1%	734	8.5%	673	7.8%	606	7.2%	563	6.6%
Canyon/Grand Plateau	589	6.3%	559	5.8%	433	4.3%	448	4.5%	419	4.3%	419	4.5%	407	4.7%	410	4.8%	309	3.7%	301	3.5%
Gilpin	448	4.8%	457	4.7%	457	4.5%	458	4.6%	446	4.6%	416	4.5%	405	4.7%	386	4.5%	386	4.6%	383	4.5%
Total Major Casinos ⁴	7,779	82.9%	7,830	80.7%	8,481	83.7%	8,465	85.5%	8,640	88.6%	8,146	87.9%	7,524	87.0%	7,418	86.3%	7,125	84.3%	7,230	84.5%
All Other Casinos	1,609	17.1%	1,872	19.3%	1,649	16.3%	1,439	14.5%	1,111	11.4%	1,125	12.1%	1,120	13.0%	1,180	13.7%	1,328	15.7%	1,325	15.5%
Total All Casinos ⁵	9,388	100.0%	9,702	100.0%	10,130	100.0%	9,904	100.0%	9,751	100.0%	9,271	100.0%	8,644	100.0%	8,598	100.0%	8,453	100.0%	8,555	100.0%

Notes:

¹ The City adopted an ordinance imposing an occupational tax (i.e., a device fee) on gaming devices used within the City. The fee is paid on all gaming devices for which the State of Colorado has issued a device tax stamp.

² Based upon the number of devices at December 31 of each year.

Data Source:

⁴ City Finance Department

⁵ Colorado Department of Revenue, Division of Gaming,
<http://www.revenue.state.co.us/Gaming/wrap.asp?incl=abstract>

City of Black Hawk, Colorado
Annual Device Fee Rates
Last Ten Calendar Years

Year	Regular ^{1,3}	Main Street Improvements Fee ²	Transportation Fee	Total
2004	\$ 750	\$ 89	\$ 77	\$ 916
2005	750	89	77	916
2006	750	89	77	916
2007	750	89	77	916
2008	750	89	77	916
2009	750	89	77	916
2010	750	89	77	916
2011	750	89	77	916
2012	750	-	77	827
2013	945	-	77	1,022

Notes:

¹ From 2001 - 2006, the City waved the regular device fee for the first 50 machines within each casino.

² On June 1, 2012, the City repealed the Main Street Improvement Fee.

³ On Nov 5, 2013, the City electors approved an increase of \$195 to offset new debt issuances.

Data Source :

City Finance Department

City of Black Hawk, Colorado
Principal General Device Fee Payers
For the Calendar Years Ended December 31, 2013 and 2004 ¹

2013			
Principal Device Fee Payers - Casinos	Total Fees ^{1, 2}	Rank	Percentage of Total Fees
Ameristar	\$ 1,142,250	1	18.02%
Isle of Capri	831,125	2	13.11%
Lodge	762,625	3	12.03%
Riviera	539,313	4	8.51%
Mardi Gras	537,875	5	8.48%
Fitzgeralds	412,000	6	6.50%
Lady Luck	377,750	7	5.96%
Gilpin	288,000	8	4.54%
Canyon/Grand Plateau	231,125	9	3.65%
Golden Gates	217,625	10	3.43%
Total Principal Fee Payers	5,339,688		84.22%
All Other Fee Payers	1,000,812		15.78%
Total	\$ 6,340,500		100.00%

2004			
Principal Device Fee Payers - Casinos	Total Fees ^{1, 2}	Rank	Percentage of Total Fees
Isle of Capri	\$ 792,000	1	12.61%
Ameristar (formerly Mountain High)	734,498	2	11.70%
Riviera	701,726	3	11.18%
Lodge	671,188	4	10.69%
Mardi Gras	492,125	5	7.84%
Colorado Central	487,063	6	7.76%
Bullwhackers	472,813	7	7.53%
Fitzgeralds	413,688	8	6.59%
Canyon/Grand Plateau	409,688	9	6.52%
Gilpin	293,363	10	4.67%
Total Principal Fee Payers	5,468,152		87.09%
All Other Fee Payers	810,897		12.91%
Total	\$ 6,279,049		100.00%

Notes:

¹ Total fees based upon the amount of billings for each calendar year for regular device fees.

² The device fees do not include the Transportation Fee or the Main Street Improvement fees.

Data Source:

City Finance Department.

City of Black Hawk, Colorado
Direct and Overlapping Sales Tax Rates
Last Ten Calendar Years

Calendar Year	Direct City ¹	Overlapping State of Colorado	Total Direct and Overlapping
2004	4.00%	2.90%	6.90%
2005	4.00%	2.90%	6.90%
2006	4.00%	2.90%	6.90%
2007	4.00%	2.90%	6.90%
2008	4.00%	2.90%	6.90%
2009 ¹	5.50%	2.90%	8.40%
2010	5.50%	2.90%	8.40%
2011	5.50%	2.90%	8.40%
2012	5.50%	2.90%	8.40%
2013	5.50%	2.90%	8.40%

Notes:

¹ The additional 1.5% City tax is a dedicated sales tax levied for the school district.

Data Source : Colorado Department of Revenue, Sales Tax Information Division,
<http://www.taxview.state.co.us/>

City of Black Hawk, Colorado
Ratios of Total Debt Outstanding by Type
Last Ten Calendar Years

Calendar Year	Governmental Activities					Business-type Activities			Total ¹	Estimated Population ²	Total Debt Per Capita ³	Total Debt Per Gaming Device ^{4, 5}
	Device Tax Revenue Bonds	General Obligation Bonds	Special Assessment Bonds	Capital Leases	Total	Device Tax Revenue Bonds	General Obligation Bonds	Total				
2004	3,230,000	-	-	451,485	3,681,485	12,660,000	3,220,000	15,880,000	19,561,485	111	176,230	2,084
2005	2,752,500	-	-	542,908	3,295,408	12,387,500	2,890,000	15,277,500	18,572,908	111	167,323	1,914
2006	2,398,250	-	-	616,335	3,014,585	13,021,750	2,540,000	15,561,750	18,576,335	111	167,354	1,834
2007 ⁶	2,028,250	1,425,000	4,965,000	403,310	8,821,560	12,816,750	2,170,000	14,986,750	23,808,310	111	214,489	2,404
2008	1,935,250	1,215,000	3,005,000	180,434	6,335,684	12,354,750	1,825,000	14,179,750	20,515,434	111	184,824	2,104
2009 ⁷	13,210,000	2,395,000	1,525,000	72,564	17,202,564	-	-	-	17,202,564	111	154,978	1,856
2010	12,080,000	1,715,000	-	14,870	13,809,870	-	-	-	13,809,870	111	124,413	1,598
2011	10,890,000	1,015,000	-	-	11,905,000	-	-	-	11,905,000	115	103,522	1,385
2012	9,635,000	-	-	-	9,635,000	-	-	-	9,635,000	115	83,783	1,140
2013	18,645,000	-	-	-	18,645,000	-	-	-	18,645,000	100	186,450	2,179

Notes:

³ Because of the City's small population, the debt per capita is extremely high. However, because of gaming, the City's daily population is in the range of 10,000 - 15,000.

⁴ Using percentage of personal income or percentage of actual taxable value of property would not be meaningful since the City receives an immaterial amount of property taxes. A better measure for the City is the debt per gaming device within the City.

⁶ Beginning in 2007, includes debt related to the Black Hawk Business Improvement District. Years prior to 2007 have not been restated.

⁷ In 2009, all business-type long-term bonded debt was transferred to governmental activities.

Data Source:

¹ Applicable years' annual financial report.

² Are estimated counts by City management and the Colorado Department of Local Affairs, Division of Local Government.

⁵ Number of gaming devices. Colorado Department of Revenue, Gaming Division, <http://www.revenue.state.co.us/Gaming/wrap.asp?incl=abstract>

City of Black Hawk, Colorado
Ratios of General Bonded Debt Outstanding ¹
Last Ten Calendar Years

Calendar Year	General Obligation Bonds ¹	Estimated Population	Debt Per Capita	Total G.O. Debt Per Gaming Device ^{2,3}
2004	3,220,000	111	29,009	343
2005	2,890,000	111	26,036	298
2006	2,540,000	111	22,883	251
2007	3,595,000	111	32,387	363
2008	3,040,000	111	27,387	312
2009	2,395,000	111	21,577	258
2010	1,715,000	111	15,450	198
2011	1,015,000	115	8,826	118
2012	-	115	-	-
2013	-	100	-	-

Notes:

² Using percentage of personal income or percentage of actual taxable value of property would not be meaningful since the City receives an immaterial amount of property taxes. A better measure for the City is debt per gaming device within the City.

Data Source:

¹ Applicable years' annual financial report.

³ Number of gaming devices. Colorado Department of Revenue, Gaming, Division, <http://www.revenue.state.co.us/Gaming/wrap.asp?incl=abstract>

City of Black Hawk, Colorado
Direct and Overlapping Governmental Activities Debt
December 31, 2013

<u>Governmental Unit</u>	<u>Debt Outstanding</u>	<u>Estimated Percentage Applicable³</u>	<u>Estimated Share of Overlapping Debt</u>
City Direct Debt:			
City:			
Device tax revenue bonds	\$ 18,645,000		
General obligation refunding bonds	-		
Capital leases	-		
Black Hawk Business Improvement District: ¹			
General obligation refunding bonds	-		
Total direct debt	<u>\$ 18,645,000</u>	100.00%	<u>\$ 18,645,000</u>
Overlapping Debt^{2, 3, 5, 6}			
General Obligation Bonds:⁴			
Gilpin County RE-1 School District			
General obligation bonds	\$ 1,745,000	74.45%	1,299,120
Miners Mesa Commercial Metropolitan District			
General obligation bonds	6,291,000	100.00%	6,291,000
Silver Dollar Metropolitan District			
General obligation bonds	20,260,000	100.00%	<u>20,260,000</u>
Total			<u>27,850,120</u>
Total Direct and Overlapping Debt			<u><u>\$ 46,495,120</u></u>

Notes:

¹ The Black Hawk Business Improvement District is a blended component unit of the City.

² Overlapping governments are those that coincide, at least in part, with the geographic boundaries of the City.

³ For debt repaid with property taxes, the percentage of overlapping debt applicable is estimated using assessed property values. Applicable percentages were estimated by determining the portion of another government unit's assessed value that is within the City's boundaries and dividing it by each unit's total assessed value.

⁴ Debt as of most current data available.

⁵ Although overlapping the City's boundaries, both Black Hawk-Central City Sanitation District and Gilpin County do not have any outstanding governmental activities debt.

Data Source:

⁶ Each specific government.

City of Black Hawk, Colorado
Legal Debt Margin
Last Ten Calendar Years

	For the Calendar Year Ended December 31,									
	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Assessed Value ¹	\$ 174,912,530	\$ 190,933,200	\$ 204,515,190	\$ 216,585,941	\$ 223,438,722	\$ 256,051,781	\$ 253,557,450	\$ 226,863,054	\$ 224,650,824	\$ 217,657,989
Legal Debt Margin										
Debt limit (10% of assessed value)	\$ 17,491,253	\$ 19,093,320	\$ 20,451,519	\$ 21,658,594	\$ 22,343,872	\$ 25,605,178	\$ 25,355,745	\$ 22,686,305	\$ 22,465,082	\$ 21,765,799
Debt applicable to limit:										
General obligation bonds	3,220,000	2,890,000	2,540,000	3,595,000	3,040,000	2,395,000	1,715,000	1,015,000	-	-
Less: Amount reserved for repayment of general obligation debt	-	-	-	-	-	-	-	-	-	-
Total debt applicable to limit	3,220,000	2,890,000	2,540,000	3,595,000	3,040,000	2,395,000	1,715,000	1,015,000	-	-
Legal debt margin	\$ 14,271,253	\$ 16,203,320	\$ 17,911,519	\$ 18,063,594	\$ 19,303,872	\$ 23,210,178	\$ 23,640,745	\$ 21,671,305	\$ 22,465,082	\$ 21,765,799
As a percentage of debt limit	81.59%	84.86%	87.58%	83.40%	86.39%	90.65%	93.24%	95.53%	100.00%	100.00%

Data Source:

¹ Gilpin County Assessor

City of Black Hawk, Colorado
Demographic and Economic Statistics
Last Ten Calendar Years

Calendar Year	County Population ^{1, 2}	(thousands of dollars) County Personal Income ^{1, 2}	County Per Capita Income ^{1, 2}	County Per Capita Personal Income % of U.S. ²	County Median Age ³	Unemployment Rate		
						Gilpin County ⁴	State of Colorado ⁴	United States ⁵
2004	4,861	176,024	36,211	107%	N/A	4.9%	5.4%	5.5%
2005	4,939	194,002	39,280	111%	N/A	5.0%	4.8%	5.1%
2006	5,034	209,058	41,529	110%	N/A	3.5%	3.9%	4.6%
2007	5,070	210,715	41,561	106%	N/A	4.4%	4.3%	4.6%
2008	5,238	217,408	41,506	103%	N/A	5.6%	5.9%	5.8%
2009	5,412	224,313	41,447	103%	N/A	6.3%	7.7%	9.3%
2010	5,604	228,689	40,808	103%	N/A	7.7%	8.9%	9.6%
2011	5,467	229,609	41,999	106%	N/A	6.5%	8.3%	8.9%
2012	5,441	237,511	43,652	105%	N/A	6.0%	7.5%	7.8%
2013	5,491	243,662	44,375	101%	N/A	4.4%	5.6%	6.7%

Notes:

¹ Information available for Gilpin County, not for the City.

Data Source:

² Gilpin County - 2004 - 2013 - U.S. Bureau of Economic Analysis - <http://www.bea.gov/bea/regional/reis/drill.cfm>.

³ Gilpin County - U.S. Census Bureau - <http://factfinder.census.gov>

⁴ Colorado Department of Labor and Employment, <http://www.coworkforce.com/lmi/ali/lfp.asp>, December of each year.

⁵ United States Department of Labor, Bureau of Labor Statistics, <http://www.bls.gov/cps/cpsaat1.pdf>

City of Black Hawk, Colorado¹
Principal Employers
For the Calendar Years 2007 and 2005²

2007				
Employer	Product or Service	Number of Employees	Rank	Percentage of Total
Isle of Capri	Casino/Hotel	579	1	17.16%
The Lodge	Casino/Hotel	508	2	15.05%
Ameristar	Casino/Hotel	500	3	14.81%
Fortune Valley Hotel and Casino	Casino/Hotel	340	4	10.07%
Mardi Gras	Casino	322	5	9.54%
Rivera	Casino/Hotel	261	6	7.73%
Fitzgerald's	Casino	261	7	7.73%
Colorado Central Station	Casino	224	8	6.64%
Bullwhackers	Casino	194	9	5.75%
Gilpin County	Government	186	10	5.51%
Total Principal Employers		3,375		100.00%

2005				
Employer	Product or Service	Number of Employees	Rank	Percentage of Total
Isle of Capri	Casino/Hotel	650	1	20.24%
The Lodge	Casino/Hotel	520	2	16.19%
Rivera	Casino/Hotel	357	3	11.12%
Mardi Gras	Casino	350	4	10.90%
Fitzgerald's	Casino	319	5	9.93%
Colorado Central Station	Casino	315	6	9.81%
Bullwhackers	Casino	240	7	7.47%
The Canyon	Casino	160	8	4.98%
Gilpin County	Government	160	9	4.98%
The Gilpin	Casino	140	10	4.36%
Total Principal Employers		3,211		100.00%

Notes:

¹ Total number of employees within the City is not available, therefore County information is presented.

² 2007 and 2005 is the only information available for the County.

Data Source :

Individual employers

City of Black Hawk, Colorado¹
Average Number of Employees - By Industry²
Calendar Years 2004 - 2013

Industry	2004	2005	2006	2007	2008	2009	2010	2011
Mining & Logging	-	5	10	9	24	16	-	-
Construction	96	121	128	90	100	61	57	54
Manufacturing	8	10	11	13	12	8	10	-
Trade, Retail & Wholesale	56	52	43	40	45	45	24	31
Information Tech	14	11	6	8	11	7	4	3
Financial Activities	11	16	17	15	13	8	11	6
Professional & Business Services	54	71	76	59	55	88	43	51
Education & Health Services	172	123	119	122	129	140	52	63
Leisure & Hospitality	4,524	4,669	4,555	4,219	4,012	4,358	4,574	4,648
Other Services	27	32	42	36	37	37	35	20
Public Administration	303	326	322	319	321	306	296	310
Total	5,265	5,436	5,329	4,930	4,759	5,074	5,106	5,186

Notes:

¹ Information is only available for Gilpin County

Data Source:

² State of Colorado, Department of Labor and Employment, LMI Gateway,

City of Black Hawk, Colorado
Comparison of the Average Number of Gaming Devices by Gaming City
Last Ten Calendar Years

Calendar Year	Black Hawk, Colorado		Cripple Creek, Colorado		Central City, Colorado		Total	
	Number of Devices	Percentage of Total	Number of Devices	Percentage of Total	Number of Devices	Percentage of Total	Number of Devices	Percentage of Total
2003	9,602	62.1%	4,247	27.5%	1,610	10.4%	15,459	100.0%
2004	9,462	60.3%	4,654	29.7%	1,565	10.0%	15,681	100.0%
2005	9,543	58.0%	4,795	29.2%	2,105	12.8%	16,443	100.0%
2006	10,160	59.5%	4,785	28.0%	2,134	12.5%	17,079	100.0%
2007	10,036	59.6%	4,591	27.3%	2,210	13.1%	16,837	100.0%
2008	9,816	58.6%	4,799	28.6%	2,146	12.8%	16,761	100.0%
2009	9,386	58.2%	4,679	29.0%	2,071	12.8%	16,136	100.0%
2010	8,906	58.0%	4,364	28.4%	2,085	13.6%	15,355	100.0%
2011	8,570	58.3%	3,879	26.4%	2,240	15.2%	14,689	100.0%
2012	8,527	57.0%	4,089	27.3%	2,347	15.7%	14,963	100.0%
2013	8,589	58.8%	3,998	27.4%	2,008	13.8%	14,595	100.0%
Percentage Change Over 10 Years	<u>-10.5%</u>		<u>-5.9%</u>		<u>24.7%</u>		<u>-5.6%</u>	

Notes:

Data Source:

Colorado Department of Revenue, www.revenue.state.co.us/Gaming/wrap.asp?publications.

City of Black Hawk, Colorado
Comparison of the Average Number of Casinos by Gaming City
Last Ten Calendar Years

Calendar Year	Black Hawk, Colorado		Cripple Creek, Colorado		Central City, Colorado		Total	
	Number of Casinos	Percentage of Total	Number of Casinos	Percentage of Total	Number of Casinos	Percentage of Total	Number of Casinos	Percentage of Total
2004	21	46.7%	19	42.2%	5	11.1%	45	100.0%
2005	21	45.7%	19	41.3%	6	13.0%	46	100.0%
2006	19	43.2%	19	43.2%	6	13.6%	44	100.0%
2007	20	46.5%	17	39.5%	6	14.0%	43	100.0%
2008	19	46.3%	16	39.0%	6	14.6%	41	100.0%
2009	18	45.0%	16	40.0%	6	15.0%	40	100.0%
2010	18	45.0%	15	37.5%	7	17.5%	40	100.0%
2011	18	45.0%	14	35.0%	8	20.0%	40	100.0%
2012	18	43.9%	15	36.6%	8	19.5%	41	100.0%
2013	18	46.2%	14	35.9%	7	17.9%	39	100.0%

Data Source:

Colorado Department of Revenue, www.revenue.state.co.us/Gaming/wrap.asp?publications.

City of Black Hawk, Colorado
Comparison of the Average Number of Casino Employees by Gaming City ¹
Last Ten Calendar Years

Calendar Year	Black Hawk, Colorado		Cripple Creek, Colorado		Central City, Colorado		Total	
	Number of Employees	Percentage of Total	Number of Employees	Percentage of Total	Number of Employees	Percentage of Total	Number of Employees	Percentage of Total
2004	4,368	56.7%	2,812	36.5%	523	6.8%	7,703	100.0%
2005	4,449	55.4%	2,787	34.7%	793	9.9%	8,029	100.0%
2006	4,379	55.9%	2,702	34.5%	748	9.6%	7,829	100.0%
2007	4,453	55.4%	2,699	33.6%	886	11.0%	8,038	100.0%
2008	5,309	58.5%	2,953	32.5%	811	8.9%	9,073	100.0%
2009	4,276	50.8%	3,261	38.7%	888	10.5%	8,425	100.0%
2010	5,080	53.0%	3,542	36.9%	967	10.1%	9,589	100.0%
2011	4,993	53.9%	3,330	35.9%	941	10.2%	9,264	100.0%
2012	5,165	54.9%	3,236	34.4%	1,001	10.6%	9,402	100.0%
2013	5,339	55.4%	3,296	34.2%	997	10.4%	9,632	100.0%
Percentage Change In Employees Over 10 Years	<u>22.23%</u>		<u>17.21%</u>		<u>90.63%</u>		<u>25.04%</u>	

Notes:

¹ Includes licensed and non-licensed employees.

Data Source:

Colorado Department of Revenue, www.revenue.state.co.us/Gaming/wrap.asp?publications.

City of Black Hawk, Colorado
Comparison of Adjusted Gross Proceeds (AGP) by Gaming City ¹
Last Ten Calendar Years

Calendar Year	Black Hawk, Colorado			Cripple Creek, Colorado			Central City, Colorado			Total		
	Annual AGP	Percentage of Total	Percentage Change	Annual AGP	Percentage of Total	Percentage Change	Annual AGP	Percentage of Total	Percentage Change	Annual AGP	Percentage of Total	Percentage Change
2004	524,035,343	72.2%	n/a	148,689,335	20.5%	n/a	53,178,879	7.3%	n/a	725,903,556	100.0%	n/a
2005	531,878,276	70.4%	1.5%	151,011,042	20.0%	1.6%	72,610,402	9.6%	36.5%	755,499,720	100.0%	4.1%
2006	554,484,627	70.9%	4.3%	153,075,257	19.6%	1.4%	74,538,934	9.5%	2.7%	782,098,818	100.0%	3.5%
2007	581,385,160	71.2%	4.9%	154,962,066	19.0%	1.2%	79,782,553	9.8%	7.0%	816,129,779	100.0%	4.4%
2008	508,685,618	71.1%	-12.5%	140,081,962	19.6%	-9.6%	67,112,131	9.4%	-15.9%	715,879,711	100.0%	-12.3%
2009	529,976,828	72.1%	4.2%	140,356,304	19.1%	0.2%	64,257,223	8.7%	-4.3%	734,590,354	100.0%	2.6%
2010	559,445,467	73.6%	5.6%	134,437,711	17.7%	-4.2%	65,727,144	8.7%	2.3%	759,610,322	100.0%	3.4%
2011	550,883,660	73.4%	-1.5%	131,405,587	17.5%	-2.3%	67,819,656	9.0%	3.2%	750,108,903	100.0%	-1.3%
2012	558,542,208	72.9%	1.4%	133,160,559	17.4%	1.3%	74,551,241	9.7%	9.9%	766,254,008	100.0%	2.2%
2013	553,082,797	73.9%	-1.0%	128,032,315	17.1%	-3.9%	67,592,801	9.0%	-9.3%	748,707,913	100.0%	-2.3%
Percentage Change												
In Dollars Over												
10 Years												
	<u>5.5%</u>			<u>-13.9%</u>			<u>27.1%</u>			<u>3.1%</u>		

Notes:

¹ AGP is the amount of money wagered minus the amount paid out in prizes. It is the tax base used by the State of Colorado for taxing gaming.

Data Source:

Colorado Department of Revenue, www.revenue.state.co.us/Gaming/wrap.asp?publications.

City of Black Hawk, Colorado
City Employees by Function/Program
Last Ten Calendar Years

<u>Function/program</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
City Clerk's Office	3.00	2.75	1.75	1.75	1.00	1.25	1.50	2.00	2.00	2.00
City Manager/Administratration	2.00	3.00	2.75	3.00	3.00	2.75	3.00	3.00	3.00	3.00
Community Planning & Development	5.00	5.00	5.00	3.00	3.00	1.00	1.50	2.00	2.00	2.00
Facilities Maintenance	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00	3.00
Finance	2.75	2.50	2.00	2.50	2.50	3.00	2.50	3.00	3.00	2.00
Fire Department	24.00	24.00	24.00	23.00	23.00	18.00	18.00	19.00	19.00	19.00
Fleet	5.00	5.00	5.00	5.00	5.00	5.00	6.00	6.00	6.00	6.00
Human Resources	1.00	1.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
IT	0.00	0.00	0.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Municipal Court Fund	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25	1.25
Parks	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Police	38.00	38.00	38.00	40.00	38.75	30.75	31.75	33.75	33.75	33.75
Public Works Administration	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00	4.00
Streets	8.00	8.00	8.00	8.00	8.00	6.00	6.00	7.00	7.00	7.00
Preservation & Restoration	0.00	0.00	0.00	0.00	0.00	0.00	1.00	0.00	0.00	0.00
Water	9.00	9.00	9.00	9.00	9.00	9.00	9.00	10.00	10.00	10.00
Total	106.00	107.00	103.75	104.50	#####	86.00	89.50	95.00	95.00	94.00
Percentage Change Over Prior Year	n/a	0.9%	-3.0%	0.7%	-1.9%	-16.1%	4.1%	6.1%	0.0%	-1.1%

Data Source:

City of Black Hawk departmental records

City of Black Hawk, Colorado
Operating Statistics by Function/Program
2009-2013 ¹

<u>Function/program</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
Fire					
Rescue & emergency medical service incidents	995	974	900	824	495
Fire incidents	15	5	9	14	17
False alarm & false call incidents	131	135	155	136	138
All other incidents	46	40	43	38	43
Police					
Number of traffic related contacts	2,583	2,243	2352	2678	1488
Number of annual police reports	984	1,075	1147	1301	1166
Dispatch					
Police communications	6,618	6,557	6400	6682	5447
Fire communications	989	1,223	1104	1021	921
EMS communications	793	968	862	841	827

Notes:

¹ The City began to collect operating statistics in 2009.

Data Source :

Fire Department, Police Department

City of Black Hawk, Colorado
Capital Asset and Infrastructure Statistics by Function/Program
Last Ten Calendar Years ¹

Capital Assets	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Buildings and related structures	-	35	38	38	40	40	44	44	44	46
Number of vehicles	-	97	101	104	106	106	109	109	113	123
Works of art	-	12	12	14	16	16	16	17	17	17
Street lights	434	434	434	434	449	449	499	499	499	499
Streets:										
Asphalt	14	14	14	16	16	16	17	17	17	17
Concrete	2	2	2	2	2	2	2	2	2	2
Gravel, Dirt or Aggregate	3	3	3	3	3	3	2	2	2	2
Bridges	6	6	6	6	6	6	6	6	6	6
Traffic signals	22	22	22	30	30	30	30	30	30	30

Notes:

¹ If the number is blank, this information is not available.

Data Source :

City capital asset records.



**JOHN CUTLER
& ASSOCIATES**

To The City Council
City of Black Hawk, Colorado

**REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS
BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED
IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS***

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, business-type activities, each major fund, and the aggregate remaining fund information of the City of Black Hawk, Colorado as of and for the year ended December 31, 2013, and the related notes to the financial statements, which collectively comprise the City of Black Hawk, Colorado's basic financial statements, and have issued our report thereon dated July 16, 2014.

Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Black Hawk, Colorado's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Black Hawk's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Black Hawk, Colorado's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a *material weakness*, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Black Hawk, Colorado's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

John Luttler & Associates, LLC

July 16, 2014



JOHN CUTLER & ASSOCIATES

To The City Council
Black Hawk, Colorado

REPORT ON COMPLIANCE FOR EACH MAJOR FEDERAL PROGRAM, REPORT ON INTERNAL CONTROL OVER COMPLIANCE AS REQUIRED BY OMB CIRCULAR A-133

Report on Compliance for Each Major Federal Program

We have audited the City of Black Hawk, Colorado's compliance with the types of compliance requirements described in the *OMB Circular A-133 Compliance Supplement* that could have a direct and material effect on each of the City of Black Hawk, Colorado's major federal programs for the year ended December 31, 2013. The City of Black Hawk, Colorado's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the City of Black Hawk, Colorado's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City of Black Hawk, Colorado's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program. However, our audit does not provide a legal determination of the City of Black Hawk, Colorado's compliance.

Opinion on Each Major Federal Program

In our opinion, the City of Black Hawk, Colorado complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended December 31, 2013.

Report on Internal Control Over Compliance

Management of the City of Black Hawk, Colorado is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City of Black Hawk, Colorado's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City of Black Hawk, Colorado's internal control over compliance.

A *deficiency in internal control* over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of OMB Circular A-133. Accordingly, this report is not suitable for any other purpose

John Luthr & Associates, LLC

July 16, 2014

CITY OF BLACK HAWK, COLORADO

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

Year Ended December 31, 2013

Summary of Auditors- Results

Financial Statements

Type of auditors' report issued: unqualified

Internal control over financial reporting:

- Material weaknesses identified? _____ yes x no
- Significant deficiencies noted? _____ yes x none reported

Noncompliance material to financial statements noted?

_____ yes x no

Federal Awards

Internal control over major programs:

- Material weaknesses identified? _____ yes x no
- Significant deficiencies identified? _____ yes x none reported

Type of auditor's report issued on compliance for major programs: unqualified

Any audit findings disclosed that are required to be reported in accordance with section 510(a) of Circular A-133?

_____ yes x no

Identification of major program:

97.067 State Homeland Security Program

Dollar threshold used to distinguish between type A and type B programs: \$300,000

Auditee qualified as low-risk auditee?

_____ yes x no

Findings Related to Financial Statements

The audit of the financial statements did not disclose any significant deficiencies in internal control that would be considered a material weakness, and did not disclose any instances of noncompliance with requirements of certain provisions of laws, regulations, and grants that were material to those financial statements.

Findings and Questioned Costs for Federal Awards

The audit of federal awards did not disclose any significant deficiencies in internal control that would be considered a material weakness, and did not disclose any instances of noncompliance with requirements of certain provisions of laws, regulations, and grants that were material to those federal awards.

City of Black Hawk, Colorado
Schedule of Expenditures of Federal Awards
For the Year Ended December 31, 2013

	<u>Major Program ?</u>	<u>C DFA #</u>	<u>Total Expenditures</u>
U.S. Department of Homeland Security			
Passed through Arapahoe County, Colorado			
State Homeland Security Grant Program - 2010	Yes	97.067	232,632
State Homeland Security Grant Program - 2011	Yes	97.067	499,041
Total U.S. Department of Homeland Security			<u>731,673</u>
U.S. Department of Transportation, Federal Transit Administration			
Passed through Colorado Department of Transportation			
5309 - State of Good Repair Grant Program	No	20.509	164,000
Total U.S. Department of Transportation, Federal Transit Administration			<u>164,000</u>
Total Federal Financial Assistance			<u>\$ 895,673</u>

NOTES

1. Basis of Presentation

The Schedule of Expenditures of Federal Awards includes the federal grant activity of the City and is presented on the modified accrual basis of accounting. The information in this schedule is presented in accordance with the requirements of OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Therefore, some amounts presented in this schedule may differ from amounts presented in or used in the preparation of the purpose financial statements.

The public report burden for this information collection is estimated to average 380 hours annually.

LOCAL HIGHWAY FINANCE REPORT		City or County: City of Black Hawk
		YEAR ENDING : December 2013
This Information From The Records Of (example - City of _ or County of) City of Black Hawk	Prepared By: Phone:	Lance Hillis 303-582-2283

I. DISPOSITION OF HIGHWAY-USER REVENUES AVAILABLE FOR LOCAL GOVERNMENT EXPENDITURE

ITEM	A. Local Motor-Fuel Taxes	B. Local Motor-Vehicle Taxes	C. Receipts from State Highway-User Taxes	D. Receipts from Federal Highway Administration
1. Total receipts available				
2. Minus amount used for collection expenses				
3. Minus amount used for nonhighway purposes				
4. Minus amount used for mass transit				
5. Remainder used for highway purposes				

II. RECEIPTS FOR ROAD AND STREET PURPOSES		III. DISBURSEMENTS FOR ROAD AND STREET PURPOSES	
ITEM	AMOUNT	ITEM	AMOUNT
A. Receipts from local sources:		A. Local highway disbursements:	
1. Local highway-user taxes		1. Capital outlay (from page 2)	351,334
a. Motor Fuel (from Item I.A.5.)		2. Maintenance:	96,028
b. Motor Vehicle (from Item I.B.5.)		3. Road and street services:	
c. Total (a.+b.)		a. Traffic control operations	
2. General fund appropriations	1,530,867	b. Snow and ice removal	49,584
3. Other local imposts (from page 2)	93,389	c. Other	
4. Miscellaneous local receipts (from page 2)	36,826	d. Total (a. through c.)	49,584
5. Transfers from toll facilities		4. General administration & miscellaneous	
6. Proceeds of sale of bonds and notes:		5. Highway law enforcement and safety	1,176,983
a. Bonds - Original Issues		6. Total (1 through 5)	1,673,929
b. Bonds - Refunding Issues		B. Debt service on local obligations:	
c. Notes		1. Bonds:	
d. Total (a. + b. + c.)	0	a. Interest	
7. Total (1 through 6)	1,661,082	b. Redemption	
B. Private Contributions		c. Total (a. + b.)	0
C. Receipts from State government (from page 2)	12,847	2. Notes:	
D. Receipts from Federal Government (from page 2)	0	a. Interest	
E. Total receipts (A.7 + B + C + D)	1,673,929	b. Redemption	
		c. Total (a. + b.)	0
		3. Total (1.c + 2.c)	0
		C. Payments to State for highways	
		D. Payments to toll facilities	
		E. Total disbursements (A.6 + B.3 + C + D)	1,673,929

IV. LOCAL HIGHWAY DEBT STATUS
(Show all entries at par)

	Opening Debt	Amount Issued	Redemptions	Closing Debt
A. Bonds (Total)				0
1. Bonds (Refunding Portion)				
B. Notes (Total)				0

V. LOCAL ROAD AND STREET FUND BALANCE

	A. Beginning Balance	B. Total Receipts	C. Total Disbursements	D. Ending Balance	E. Reconciliation
		1,673,929	1,673,929		0

Notes and Comments:

