



**City of Black Hawk
City Council**

February 27, 2019

MEETING MINUTES

Gilpin County resident Corey Marshall rang the bell to open the meeting.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, February 27, 2019, at 3:00 p.m. by Mayor Spellman.

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

Staff present: City Attorney Hoffmann, Acting City Manager Cole, Acting Police Chief Lloyd, Fire Chief Woolley, Finance Director Hillis, Public Works Director Isbester, Senior Civil Engineer Reed, City Clerk/Administrative Services Director Greiner, Community Planning & Development Administrator Linker, and Deputy City Clerk Martin.

PLEDGE OF ALLEGIANCE: Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. **AGENDA CHANGES:** Deputy City Clerk Martin confirmed 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. No conflicts were noted from City Council.

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 COMMENT:** John Scarffe, the reporter for The Mountain-Ear Newspaper, had signed up to speak. He wanted to introduce Jacqueline Hart Gibson, the reporter taking over for him as he transitions to a new role for The

Mountain-Ear. Council thanked him for his reporting and welcomed Ms. Gibson.

6. APPROVAL OF
MINUTES:

February 13, 2019

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve the Minutes as presented.

MOTION PASSED

There was no discussion, and the motion passed unanimously.

7. PUBLIC HEARINGS:

None

8. ACTION ITEMS:

A. Resolution 13-2019, A Resolution Awarding the Bid and Approving the Construction Manager/General Contractor (CMGC) Contract Between the City of Black Hawk and Roche Constructors, Inc. in an Amount Not to Exceed \$26,452.00 for Pre-Construction Services Pertaining to the Gregory Street Phase 2 Project

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this item. He said they received seven responses to requests for qualifications, three of which were made finalists and invited to submit a Request for Proposal, one dropped out, and of the two remaining, the City believes that Roche provided the most value based on their overall fee and cost structure. He said this is a Construction Manager/General Contractor (CMGC) contract, which authorizes the pre-construction costs. He added that the goal would be to establish a Guaranteed Maximum Price (GMP) with Roche and come back to Council for approval of the GMP as an amendment to this contract, which could be as early as June with construction to begin this summer.

Mayor Spellman noted that Roche has done the City's EOC building and that there should be fewer change orders if the CMGC is involved from the beginning.

Reed said this contract establishes Roche's fees based on the overall cost of the project; the percentage fees are also built into the contract, as it establishes the specific cost for pre-construction, but it also establishes the percentage of their overhead and profit based on the GMP.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 13-2019, a Resolution awarding the Bid and approving the Construction Manager/General Contractor (CMGC) Contract between the City of Black Hawk and Roche Constructors, Inc. in an amount not to exceed \$26,452.00 for pre-construction services pertaining to the Gregory Street Phase 2 Project.

MOTION PASSED

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

B. Resolution 14-2019, A Resolution Awarding the Bid and Approving the Design-Build Contract Between the City of Black Hawk and Harrison Western Construction Corporation, Inc. in an Amount Not to Exceed \$125,195.00 for Pre-Construction Services Pertaining to the Bobtail Street Sculpted and Stained Shotcrete Project

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this item and said they received qualifications from two companies who were both deemed satisfactory to become finalists, with Harrison Western selected. He said they have experience from recently working on the Canyon Parking Lot project. He said they would prepare a GMP, and he will come back to Council at that time with an amendment to this contract.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 14-2019, a Resolution awarding the Bid and approving the Design-Build Contract between the City of Black Hawk and Harrison Western Construction Corporation, Inc. in an amount not to exceed \$125,195.00 for pre-construction services pertaining to the Bobtail Street Sculpted and Stained Shotcrete Project.

MOTION PASSED

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

C. Resolution 15-2019, A Resolution Authorizing Certain Individuals to Act on Behalf of the City with BOK Financial Securities/BOKF, NA

Mayor Spellman read the title.

Finance Director Hillis explained that the City's current bank, Colorado Business Bank, was purchased by Bank of Oklahoma (BOK) and that this resolution would authorize certain City representatives to work with BOK to set up additional investment opportunities.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 15-2019, a Resolution authorizing certain individuals to act on behalf of the City with BOK Financial Securities/BOKF, NA.

MOTION PASSED

There was no discussion, and the motions **PASSED** unanimously.

9. ACTING CITY
MANAGER
REPORTS:

Acting City Manager Cole had nothing to report.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE
SESSION:

City Attorney Hoffmann recommended items number 2 and 5 only for Executive Session for specific legal issues regarding property acquisition, pending litigation, and legal issues related to Xcel.

MOTION TO ADJOURN INTO EXECUTIVE SESSION

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:10 p.m. to hold a conference with the City's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

MOTION PASSED

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

MOTION TO ADJOURN

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:55 p.m.

MOTION PASSED

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

12. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 3:55 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

