



REGULAR MEETING AGENDA

City of Black Hawk City Council
211 Church Street, Black Hawk, CO
October 26, 2016

Budget Work Session
1:00 p.m.

RINGING OF THE BELL:

1. CALL TO ORDER
2. ROLL CALL & PLEDGE OF ALLEGIANCE:
3. ADENDA CHANGES:
4. CONFLICTS OF INTEREST: (Council disclosures are on file w/City Clerk & Sec. of State)
5. PUBLIC COMMENT: *Please limit comments to 5 minutes*
6. APPROVAL OF MINUTES: October 12, 2016
7. PUBLIC HEARINGS
 - A. CB27, An Ordinance Approving a Certain City of Black Hawk Fire Department Standard Operating Guideline
 - B. CB28, An Ordinance Amending Chapter 4 of the Black Hawk Municipal Code to Add a New License Type to the Occupational Tax; Amending Chapter 6 of the Black Hawk Municipal Code to Add a New License Type; Amending Chapter 6 of the Black Hawk Municipal Code to Allow Transfers of Retail Liquor Store and Liquor Licensed Drugstore Licenses and to Enact Other Changes
 - C. CB29, An Ordinance Extending the Electric and Gas Franchise Granted by the City of Black Hawk, Gilpin County, Colorado to Public Service Company of Colorado
8. ACTION ITEMS:
 - A. Resolution 76-2016, A Resolution Authorizing a Change Order for the Installation of a Fire Pump at 911 Miners Mesa Road in an Amount Not to Exceed \$100,000
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.



**City of Black Hawk
City Council**

October 12, 2016

MEETING MINUTES

Randy Beaudette, Weekly Register Call reporter, rang the bell.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, October 12, 2016, at 3:00 p.m. by Mayor Spellman.

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

Absent: Alderman Torres.

Staff present: City Attorney Hoffmann, City Manager Lewis, Police Chief Cole, City Clerk/Administrative Services Director Greiner, Community Planning and Development Administrator Linker, Finance Director Hillis, Public Works Director Isbester, Senior Civil Engineer Ford, Fire Chief Taylor, 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. There were no conflicts 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 COMMENTS:** Deputy City Clerk Martin confirmed that no one had signed up to speak.

6. APPROVAL OF MINUTES

September 28, 2016.

MOTION TO APPROVE

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

MOTION PASSED

There was no discussion and the motion passed unanimously.

7. PUBLIC HEARINGS:

A. CB25-2016, An Ordinance Approving Certain City of Black Hawk Fire Department Standard Operating Guidelines

Mayor Spellman read the title and opened the public hearing.

Fire Chief Taylor described the updated changes to the Fire Department’s guidelines, which occur on a yearly basis. He said the Health and Fitness guideline was updated to reflect the NFPA 1582 adoption; the Respiratory Protection guideline was updated to reflect the new fill station practices; and the Chaplain Guideline is new, as there is no current guideline in place, and the current Chaplain is due to retire next year.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB25, An Ordinance Approving Certain City of Black Hawk Fire Department Standard Operating Guidelines 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 Armbright **MOVED** and was **SECONDED** by Alderman Johnson to Approve CB25, An Ordinance Approving Certain City of Black Hawk Fire Department Standard Operating Guidelines.

MOTION PASSED

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

B. CB26-2016, An Ordinance Adopting the Lexipol Policy Manual System as the City of Black Hawk Police Manual

Mayor Spellman read the title and opened the public hearing.

Police Chief Cole introduced this item and said after working in the system for a year he suggest the adoption of Lexipol as the new Black Hawk Police Department Manual.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB26, An Ordinance Adopting the Lexipol Policy Manual System as the City of Black Hawk Police Manual 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 CB26, An Ordinance Adopting the Lexipol Policy Manual System as the City of Black Hawk Police Manual.

MOTION PASSED

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

8. ACTION ITEMS:

- A. Resolution 75-2016, A Resolution Awarding the Bid and Approving the Contract Between the City of Black Hawk and Arapahoe Roofing for the City Hall and Hidden Valley Water Treatment Plant Roof Replacement Project in an Amount Not to Exceed \$167,413**

Mayor Spellman read the title.

Senior Civil Engineer Ford introduced this item. He said five bids were received with a very broad span between them. He said he consulted the designer of the project who was familiar with all of the bidding companies and he also recommended Arapahoe Roofing, who was the lowest responsible bidder. Ford added that Arapahoe Roofing said they could get it done before winter sets in.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 75-2016, A Resolution Awarding the Bid and Approving the Contract Between the City of Black Hawk and Arapahoe Roofing for the City Hall and Hidden Valley Water Treatment Plant Roof Replacement Project in an Amount Not to Exceed \$167,413.

MOTION PASSED

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

9. CITY MANAGER
REPORTS:

City Manager Lewis introduced the Draft 2017 Annual Budget set before Council's dais. He noted for the record that staff is required to submit a draft budget before October 15. He said it will be uploaded to the City's website tomorrow.

Lewis went on to say the Budget Workshop would be held at 1:00 pm at the next Council meeting on October 26. He recommended holding only one regular Council meeting in November: November 16, which is the 3rd Wednesday of the month, and Council could adopt the budget at that time along with any other business. City Attorney Hoffmann confirmed only the posting of the change of meeting date was required.

Lewis also recommended having only the regularly scheduled December 14th Council meeting and cancelling the second meeting to close out the end of the year. Council was in agreement with the recommendations.

10. CITY ATTORNEY: City Attorney Hoffmann had nothing to report.

11. EXECUTIVE SESSION: No executive session was called.

12. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 3:10 p.m.

Melissa A. Greiner
City Clerk

David D. Spellman
Mayor

COUNCIL BILL 27

ORDINANCE 2016-27

**AN ORDINANCE APPROVING
A CERTAIN CITY OF BLACK
HAWK FIRE DEPARTMENT
STANDARD OPERATING
GUIDELINE**

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

COUNCIL BILL NUMBER: CB27

ORDINANCE NUMBER: 2016-27

**TITLE: AN ORDINANCE APPROVING A CERTAIN CITY OF BLACK HAWK
FIRE DEPARTMENT STANDARD OPERATING GUIDELINE**

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

Section 1. In accordance with Section 2-178 of the Black Hawk Municipal Code, the City Council hereby approves the attached City of Black Hawk Fire Department Standard Operating Guideline, and directs that they be incorporated into the Fire Department's Comprehensive Standard Operating Guidelines.

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 26th day of October, 2016.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: An Ordinance adopting a certain City of Black Hawk Fire Department Standard Operating Guideline

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Ordinance Number 2016-27, An Ordinance approving a certain City of Black Hawk Fire Department Standard Operating Guideline: Swift Water Incident Response Update

SUMMARY AND BACKGROUND OF SUBJECT MATTER: This is to update the existing Swift Water Standard Operating Procedure to include annual training requirements for shore support and swimmers. Also included is a guideline for Vehicle and other item recovery from a swift water environment.

AGENDA DATE: October 26, 2016

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: Yes No

STAFF PERSON RESPONSIBLE: Don Taylor, Fire Chief

DOCUMENTS ATTACHED: Yes

RECORD: Yes No

CITY ATTORNEY REVIEW: Yes N/A

SUBMITTED BY:

REVIEWED BY:



Don Taylor, Fire Chief/Emergency Manager



Jack D. Lewis, City Manager

Swift Water Incident Response (**September 2016 Revision**)

600.10

Swift Water Rescue and Incident Response

Purpose:

To maximize safety during swift water incidents and training for the members of the Black Hawk Fire Department. This guide represents the minimum requirements for the Swift Water program within the Black Hawk Fire Department.

Scope:

This guideline shall apply to all employees of the Black Hawk Fire Department (BHFD).

Guideline:

All personnel must be certified at a minimum of the Awareness level to engage in any swift water operation. Any personnel operating within 10 feet of the water shall be in a department issued PFD (knife and whistle attached), swift water helmet, gloves and uniform or wet suit. **Absolutely no structural gear is to be worn during swift water operations.**

All personnel shall attend annual swift water training to maintain certification. ~~Rescue Swimmers shall attend at least one (1) open water swim annually and complete a rescue swimmer course every three (3) years.~~

Rescue Swimmers will be required to complete the following to maintain their swimmer equipment and status:

- Attend and successfully complete a rescue swimmer class every three (3) years.**
- Participate in two (2) swift water trainings with the Golden Fire Department Swift Water team (or Chief approved equivalent) annually.**
- Complete a controlled water environment (pool) swim evaluation consisting of at least 10 minutes of treading water and 100 yard swim in with PPE, Fins and Boogie Board.**

The IC will determine if the operation is within the scope of the training of the BHFD personnel on scene.

The Reach, Throw, Row, Go method shall be utilized during any operation.

Response:

Additional resources should be requested as early as possible, if necessary.

See 600.03 for response guideline.

Size up:

- Consider Risk Vs. Benefit analysis
- Number of Victims
- Victim information (age, sex, type of clothing)
- Last known location, approximate time of entry
- Speed (MPH) and Flow (CFS) of water
- Assessment of scene (recovery or rescue)
- Access and egress
- Potential hazards
- Initiate Incident Command and consider IC location

Rescue Operations:

- At no time shall members of BHFD enter the water, with the exception of qualified Rescue Swimmers with appropriate up and downstream safety personnel in place.
- At no time shall ropes be tied to rescuers.
- All persons in the water should be considered candidates for hypothermia.
- Three long blasts on whistle = Danger, stop all operations and look at whistle blower
- Rescue priorities
 - Personal safety
 - Team safety
 - Victim safety
 - Bystanders (Rafters, kayakers, etc.)

Vehicle or other Item Recovery Assistance:

Swift water rescue personnel may at times be requested to assist with recovery of a vehicle or other items from a moving water area. Upon receipt of a request for this assistance the station officer shall do the following:

- Verify the request is not regarding a victim rescue or recovery. If there is the potential that a victim is in the water, the office shall have the communications center dispatch the appropriate resources.
- Once verified there is no victim in the water, the station officer shall report to the requested location and evaluate the scene and determine the necessary resources to accomplish the requested task.

Swift water rescue personnel may be utilized to assist a tow company, law enforcement agency etc with recovery of a vehicle or item to include attached to a tow vehicle. This is to be closely coordinated with the requesting agency or company and to prevent placing non-trained individuals into swift water and potentially causing additional rescues or recoveries.

Issued Swift Water PPE for Shore-based Rescuers:

- PFD (attached knife and whistle)
- Swift water or leather gloves for rope operations
- Swift water helmet
- Throw bags (at least two per rescuer)

Issued Swift Water PPE for Rescue Swimmers:

- Thermal protection (wet suit)
- PFD (attached knife and whistle)
- Swift water helmet
- Booties
- Swift water gloves
- Fins
- Boogie board
- Mask and snorkel (optional)
- Throw bag

Additional equipment for night operations:

- Flashlight with strobe function (waterproof)
- Glow sticks

COUNCIL BILL 28

ORDINANCE 2016-28

**AN ORDINANCE AMENDING
CHAPTER 4 OF THE BLACK
HAWK MUNICIPAL CODE TO
ADD A NEW LICENSE TYPE TO
THE OCCUPATIONAL TAX;
AMENDING CHAPTER 6 OF THE
BLACK HAWK MUNICIPAL
CODE TO ADD A NEW LICENSE
TYPE; AMENDING CHAPTER 6
OF THE BLACK HAWK
MUNICIPAL CODE TO ALLOW
TRANSFERS OF RETAIL LIQUOR
STORE AND LIQUOR-LICENSED
DRUGSTORE LICENSES AND TO
ENACT OTHER CHANGES**

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB28

ORDINANCE NUMBER: 2016-28

TITLE: AN ORDINANCE AMENDING CHAPTER 4 OF THE BLACK HAWK MUNICIPAL CODE TO ADD A NEW LICENSE TYPE TO THE OCCUPATIONAL TAX; AMENDING CHAPTER 6 OF THE BLACK HAWK MUNICIPAL CODE TO ADD A NEW LICENSE TYPE; AMENDING CHAPTER 6 OF THE BLACK HAWK MUNICIPAL CODE TO ALLOW TRANSFERS OF RETAIL LIQUOR STORE AND LIQUOR-LICENSED DRUGSTORE LICENSES AND TO ENACT OTHER CHANGES

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

Section 1. Section 4-192, subsection (b) of the Black Hawk Municipal Code is hereby amended to read as follows:

Sec. 4-192. Occupation taxes.

(b) The following businesses, professions, and occupations shall pay an annual occupation tax as follows:

* * *

(25) Liquor license:

* * *

c. All operators who are licensed to sell beer, wine and spirituous liquors for consumption on the premises either as taverns, ~~or~~ gaming taverns; *or lodging and entertainment facilities*, the sum of seven-hundred dollars (\$700.00).

Section 2. The definition of "Liquor License" in Section 6-51 of the Black Hawk Municipal Code is hereby amended to read as follows:

Liquor license shall include the following classes of licenses:

* * *

i. Arts license; ~~and~~

j. Racetrack license; *and*

k. Lodging and entertainment facility license.

Section 3. Section 6-51 of the Black Hawk Municipal Code is hereby amended by the addition of the following new definition, to be inserted alphabetically:

Lodging and entertainment facility means an establishment that is either: (a) lodging facility, the primary business of which is to provide the public with sleeping rooms and meeting facilities; or (b) an entertainment facility, the primary business of which is to provide the public with sports or entertainment activities within its licensed premises; and incidental to its primary business, sells and serves alcohol beverages at retail for consumption on the premises, and has sandwiches and light snacks available for consumption on the premises.

Section 4. Section 6-55, subsection (c) of the Black Hawk Municipal Code is hereby amended to read as follows:

(c) The City Clerk shall have the authority to issue a temporary permit to any applicant under this Section who has also satisfied the applicable provisions of Section 12-47-303, C.R.S., and the provision of such statute shall apply to both the issuance and administration of such a temporary permit. ***Except that no temporary permit shall be issued to a liquor-licensed drugstore that has acquired ownership of licensed retail liquor stores in accordance with Section 12-47-408(1)(b), C.R.S.*** The City Clerk shall not charge a fee for a temporary permit if the application for the temporary permit is filed with the City Clerk at the same time as the application to transfer ownership of a license. Otherwise, the City Clerk shall charge a fee pursuant to the Fee Schedule as determined by the Colorado Department of Revenue for a temporary permit.

Section 5. Section 6-58, subsection (a) of the Black Hawk Municipal Code is hereby amended to read as follows:

(a) The local licensing authority may issue only the following malt, vinous and spirituous liquor licenses upon payment of the fee specified in Section 6-72 and Section 12-47-505, C.R.S.:

* * *

(10) Optional premises license; ~~and~~

(11) Retail gaming tavern license; ***and***

(12) Lodging and entertainment facility license.

Section 6. Section 6-67, subsection (b) of the Black Hawk Municipal Code is hereby amended to read as follows:

(b) Subsection (a) does not apply to:

* * *

(4) A liquor license in effect and actively doing business before the principal campus was constructed; ~~or~~

(5) Any club located within the principal campus of any college, university or seminary, as defined in Section 12-47-103, C.R.S., which limits its membership to the faculty or staff of such institution; *or*

(6) The conversion of a tavern license to a lodging and entertainment facility license or to another license granted under the provisions of this Article, if any, for which the person qualifies.

Section 7. Section 6-68 of the Black Hawk Municipal Code is hereby amended to read as follows:

Sec. 6-68. Transfer.

No liquor license granted under the provisions of this Article shall be transferable, except as provided *by Article 47 of Title 12 of the Colorado Revised Statutes and* in Section 6-55 of this Article. When a license has been issued to a husband and wife, or to general or limited partners, the death of a spouse or partner shall not require the surviving spouse or partner to obtain a new license. All rights and privileges granted under the original license shall continue in full force and effect as to the survivors for the balance of the license.

Section.8 Safety Clause. The City Council 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 City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 9. 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 10. 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 26th day of October, 2016.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Amend the Black Hawk Municipal Code to account for new Liquor Bills recently signed into Law.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Council Bill 28, An Ordinance Amending Chapter 4 of the Black Hawk Municipal Code to Add a New License Type to the Occupational Tax; Amending Chapter 6 of the Black Hawk Municipal Code to Add a New License Type; Amending Chapter 6 of the Black Hawk Municipal Code to Allow Transfers of Retail Liquor Store and Liquor Licensed Drugstore Licenses and to Enact Other Changes

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Colorado Legislature recently passed several new Liquor Laws which require the City of Black Hawk to amend our Municipal Code to address: SB16-197 Liquor Licensed Drug Store, effective July 1, 2016, and HB16-1439 New Liquor License – Lodging and Entertainment, effective August 10, 2016.

AGENDA DATE: October 26, 2016

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: Yes N/A

STAFF PERSON RESPONSIBLE: Melissa Greiner, City Clerk
Administrative Services Director

DOCUMENTS ATTACHED: Ordinance

RECORD: Yes No

CITY ATTORNEY REVIEW: Yes N/A

SUBMITTED BY:

REVIEWED BY:



Melissa A. Greiner
City Clerk/Administrative Services Director

Jack D. Lewis
City Manager

COUNCIL BILL 29
ORDINANCE 2016-29
AN ORDINANCE EXTENDING
THE ELECTRIC AND GAS
FRANCHISE GRANTED BY
THE CITY OF BLACK HAWK,
GILPIN COUNTY,
COLORADO TO PUBLIC
SERVICE COMPANY OF
COLORADO

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

COUNCIL BILL NUMBER: CB29

ORDINANCE NUMBER: 2016-29

TITLE: AN ORDINANCE EXTENDING THE ELECTRIC AND GAS FRANCHISE GRANTED BY THE CITY OF BLACK HAWK, GILPIN COUNTY, COLORADO TO PUBLIC SERVICE COMPANY OF COLORADO

WHEREAS, the electric and gas franchise granted by the City of Black Hawk, Gilpin County, Colorado, to Public Service Company of Colorado (“Public Service”) by Ordinance No. 91-23 expired on October 6, 2016 (“Franchise Agreement”);

WHEREAS, Public Service and the City of Black Hawk have been actively negotiating the terms of a new or renewal franchise agreement but have not concluded those negotiations;

WHEREAS, Public Service and the City of Black Hawk mutually agree that an extension of the existing franchise is in the public interest to allow Public Service Company and the City of Black Hawk to conclude franchise negotiations and adopt a new or renewal franchise;

WHEREAS, the City Council of the City of Black Hawk believes that the current Franchise Agreement should be extended to and including January 5, 2017;

WHEREAS, the City Council finds that such an extension of the Franchise Agreement will allow for adequate consideration of the franchise currently being negotiated and will allow time for completion of franchise negotiations and City evaluation of the new or renewal franchise; and

WHEREAS, the City Council finds that such an extension of the Franchise Agreement is appropriate for the successful conclusion of franchise negotiations, review, consideration and adoption of a new or renewal franchise by Council members.

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

Section 1. The current franchise between the City of Black Hawk and Public Service Company of Colorado, which was set to expire on October 6, 2016, as set forth in Article 2, section two, of the current franchise, is hereby extended, *nunc pro tunc*, to January 5, 2017.

Section 2. Safety Clause. The City Council 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 City Council 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 26th day of October, 2016.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Extend the Xcel Franchise.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Council Bill 29, An Ordinance Extending the Electric and Gas Franchise Granted by the City of Black Hawk, Gilpin County, Colorado to Public Service Company of Colorado

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Electric and Gas Franchise Agreement granted by the City of Black Hawk to Public Service Company of Colorado expired on October 6, 2016, negotiations are still ongoing, and this Ordinance would extend their current Franchise Agreement to and including January 5, 2017.

AGENDA DATE: October 26, 2016

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: Yes N/A

STAFF PERSON RESPONSIBLE: Melissa Greiner, City Clerk
Administrative Services Director

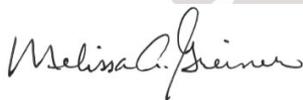
DOCUMENTS ATTACHED: Ordinance

RECORD: Yes No

CITY ATTORNEY REVIEW: Yes N/A

SUBMITTED BY:

REVIEWED BY:



Melissa A. Greiner
City Clerk/Administrative Services Director

Jack D. Lewis
City Manager

RESOLUTION 76-2016
A RESOLUTION
AUTHORIZING A CHANGE
ORDER FOR THE
INSTALLATION OF A FIRE
PUMP AT 911 MINERS
MESA ROAD IN AN
AMOUNT NOT TO
EXCEED \$100,000

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

Resolution No. 76-2016

**TITLE: A RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE
INSTALLATION OF A FIRE PUMP AT 911 MINERS MESA ROAD IN
AN AMOUNT NOT TO EXCEED \$100,000**

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

Section 1. The City Council hereby approves a change order in an amount not to
exceed \$100,000 for the installation of a fire pump for the City facilities located at 911
Miners Mesa Road, and authorizes the Mayor to execute the same on behalf of the City.

RESOLVED AND PASSED this 26th day of October, 2016.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk



CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Approve Resolution 76-2016, a Resolution authorizing the expenditure and authorizing the Mayor to execute the change order for the fire pump for 911 Miners Mesa Road.

RECOMMENDATION: If City Council chooses to approve Resolution 76-2016, the recommended motion is as follows: "Approve Resolution 76-2016, a Resolution to authorizing a Change Order for the installation of a Fire Pump at 911 Miners Mesa Road in an amount not to exceed \$100,000."

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
Fire pump is necessary.

FUNDING SOURCE: 305-3101-431-7506

WORKSHOP DATE: October 26, 2016

ORIGINATED BY: Thomas Isbester/Matt Reed

STAFF PERSON RESPONSIBLE: same

PROJECT COMPLETION DATE: December 31, 2016

DOCUMENTS ATTACHED: n/a

CITY ATTORNEY REVIEW: [] Yes [] No [] N/A INITIALS _____

SUBMITTED BY:

Thomas Isbester, Public Works Director

REVIEWED BY:

Jack Lewis, City Manager