REGULAR MEETING AGENDA
City of Black Hawk City Council
211 Church Street, Black Hawk, CO
April 11, 2018

COMPREHENSIVE PLAN WORKSHOP
1:30 p.m.

REGULAR MEETING
Immediately following Comprehensive Plan Workshop

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)
5. INTRODUCTION OF NEW EMPLOYEE: Joseph Lopez, Fleet Custodian
6. PRESENTATION: Gilpin County Sheriff Bruce Hartman
7. PUBLIC COMMENT: Please limit comments to 5 minutes
8. APPROVAL OF MINUTES: March 14, 2018
9. SWEARING IN OF INCUMBENTS:
10. PUBLIC HEARINGS:
    A. Resolution 22-2018, A Resolution Amending the City of Black Hawk 2017 Budget
    B. Local Liquor Licensing Authority Consideration of a Special Event Liquor Permit for ACF Colorado Chefs Association
11. ACTION ITEMS:
    A. Resolution 23-2018, A Resolution Approving the License Agreement Between the City of Black Hawk and ACF Colorado Chefs Association
    B. Resolution 24-2018, A Resolution Authorizing the Disposal of Surplus City Property
    C. Resolution 25-2018, A Resolution Temporarily Rebating City Use Tax on Construction and Building Materials for Residential Projects within the City’s National Historic Landmark District
    D. Resolution 26-2018, A Resolution Temporarily Rebating City Sales Tax on Retail Items Delivered to City Residential Properties for Personal Consumption and Use
    E. Resolution 27-2018, A Resolution to Encourage Diversification of the City’s Local Economy by Extending the Waiver of Use Tax on Renovation Projects
12. CITY MANAGER REPORTS:
13. CITY ATTORNEY:
14. EXECUTIVE SESSION:
15. ADJOURNMENT:
I began working for the City on October 23rd. Before starting with the City, I worked in maintenance at the southwest plaza mall. I’ve really enjoyed learning my job and my co-workers are great. I am married with one son, Ellis. My wife and I adopted our son when he was 12 months old from Russia. We have 2 horses, a morgan named Poco, and a mini named Cooper. Our son is 13 now and currently in his 1st year of 4H. In my free time I like to fish, ride horses and hike - I’ve climbed 15 of the 14ers in the state.
Officers Joseph Nguyen and Nickolas Steckman and Communications Officer Kelly Logsdon shared in the ringing of the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, March 14, 2018, at 3:00 p.m. by Mayor Spellman.

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

Absent: Alderman Johnson

Staff present: City Attorney Hoffmann, City Manager Lewis, Police Chief Cole, Fire Chief Taylor, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Senior Civil Engineer Ford, Community Planning and 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. INTRODUCTION OF NEW EMPLOYEES: Police Officer Joseph Nguyen
Police Officer Nickolas Steckman
Communications Officer Kelly Logsdon

Police Chief Cole introduced the City’s three newest employees and
gave brief backgrounds on each. He was pleased to report that the
Police Department, at this time, is fully staffed.

6. PUBLIC COMMENT: Deputy City Clerk Martin confirmed that no one had signed up to speak.

7. APPROVAL OF MINUTES: February 28, 2018

   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.

8. PUBLIC HEARINGS:


   Mayor Spellman read the title and opened the public hearing.

   Community Planning and Development Administrator Linker and Fire Chief Taylor introduced this item which was first introduced at the
February 28 meeting where Council set the public hearing date for today. Linker said this amendment is based on SAFEbuilt’s recommendation and the particulars were listed in the packet. Council appreciated all the detailed information explaining the changes.

   PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB3, an Ordinance amending the International Building Code, 2015 Edition, and International Fire Code, 2015 Edition, as adopted by the City of Black Hawk 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  

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

B. CB4, An Ordinance Approving a Memorandum of Understanding Between the Town of Georgetown and the City of Black Hawk for the Design and Construction Management of the Georgetown Lake Lagoon Dredging Project

Mayor Spellman read the title and opened the public hearing.

Senior Civil Engineer Ford explained that the Georgetown Lake, where Black Hawk stores water, is silted in and this Memorandum of Understanding would join forces with the Town of Georgetown to dredge the sediment out. He added that this is part of the IGA agreement the City has with Georgetown for the operation and maintenance of the Lake.

PUBLIC HEARING:  
Mayor Spellman declared a Public Hearing on CB4, an Ordinance approving a Memorandum of Understanding between the Town of Georgetown and the City of Black Hawk for the design and construction management of the Georgetown Lake Lagoon Dredging Project 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 Bennett MOVED and was SECONDED by Alderman Armbright to approve CB4, an Ordinance approving a Memorandum of Understanding between the Town of Georgetown and the City of Black Hawk for the design and construction management of the Georgetown Lake Lagoon Dredging Project.

MOTION PASSED  
There was no discussion and the motion PASSED unanimously.
9. ACTION ITEMS:

A. Resolution 21-2018, A Resolution Approving a Personal Services Agreement Between the City of Black Hawk and M&C Communications

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced this item which extends the Personal Services Agreement with M&C Communications throughout 2018. Greiner explained the set projects that were attached in the packet and how they were to be monitored. She said the goal is to produce positive PR for the City.

MOTION TO APPROVE
Alderman Midcap MOVED and was SECONDED by Alderman Bennett to approve Resolution 21-2018, a Resolution approving a Personal Services Agreement between the City of Black Hawk and M&C Communications.

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

10. CITY MANAGER REPORTS:
City Manager Lewis had nothing to report.

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

12. EXECUTIVE SESSION:
City Attorney Hoffmann recommended item number 2 only for Executive Session for specific legal questions related to potential legislation.

MOTION TO ADJOURN INTO EXECUTIVE SESSION
Alderman Bennett MOVED and was SECONDED by Alderman Armbright to adjourn into Executive Session at 3:15 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).

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

MOTION TO ADJOURN
Alderman Bennett MOVED and was SECONDED by Alderman Moates to adjourn the Executive Session at 3:45 p.m.
**MOTION PASSED**

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

13. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 3:45 p.m.

____________________________
Melissa A. Greiner, CMC
City Clerk

____________________________
David D. Spellman
Mayor
RESOLUTION 22-2018
A RESOLUTION
AMENDING THE CITY OF
BLACK HAWK 2017
BUDGET
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK

Resolution No. 22-2018

TITLE:  A RESOLUTION AMENDING THE CITY OF BLACK HAWK 2017 BUDGET

WHEREAS, upon due and proper notice, published or posted in accordance with the law, a public hearing was held on April 11, 2018 on the proposed amendments to the 2017 budget, and interested persons were given the opportunity to register any objections to the proposed amended budget.

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

Section 1. That the budget as amended and attached hereto, is hereby approved and adopted as the 2017 amended budget of the City of Black Hawk.

Section 2. That the amended budget hereby approved and adopted shall be signed by the Mayor and made a part of the public records of the City.

Section 3. That the sums for 2017, on the attached amended budget, are hereby appropriated from the revenue of each fund, for the purposes stated.

RESOLVED AND PASSED this 11th day of April, 2018.

__________________________________________
David D. Spellman, Mayor

ATTEST:

__________________________________________
Melissa A. Greiner, CMC, City Clerk
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: 2017 Budget Amendment

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

MOTION TO APPROVE: Resolution # 22 -2018, A Resolution amending the City of Black Hawk 2017 Budget.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: See Attached.

AGENDA DATE: April 11, 2018

WORKSHOP DATE: N/A

FUNDING SOURCE: Fund Balance

DEPARTMENT DIRECTOR APPROVAL: [X] Yes [ ] No

STAFF PERSON RESPONSIBLE: Lance Hillis, Finance Director

DOCUMENTS ATTACHED: Amendment Detail by Account

RECORD: [ ] Yes [X] No

CITY ATTORNEY REVIEW: [X] Yes [ ] N/A

SUBMITTED BY: REVIEWED BY:

Lance Hillis, Finance Director Jack D. Lewis, City Manager
<table>
<thead>
<tr>
<th>Department</th>
<th>Account Number</th>
<th>Description</th>
<th>Current Budget</th>
<th>Proposed Adjustment</th>
<th>Proposed Budget</th>
<th>Comments/Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>FINANCE</td>
<td>204-0000-4919500</td>
<td>CITY OVERHEAD TRANSFERS OUT</td>
<td>21,000</td>
<td>52,233</td>
<td>73,233</td>
<td>TRANSFER JAN. 1, 2016 FUND BALANCE TO GENERAL FUND</td>
</tr>
<tr>
<td>TOTAL TRANSPORTATION FUND EXPENSE REVISIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$52,233</td>
</tr>
<tr>
<td>PUBLIC WORKS</td>
<td>305-3101-4317513</td>
<td>ST. CHARLES PARKING STRUCTURE</td>
<td>0</td>
<td>2,142,000</td>
<td>2,142,000</td>
<td>APPROPRIATE FUNDS AUTHORIZED IN PREVIOUS YEAR</td>
</tr>
<tr>
<td>PUBLIC WORKS</td>
<td>305-3101-7514</td>
<td>GREGORY STREET REALIGNMENT</td>
<td>0</td>
<td>4,676,000</td>
<td>4,676,000</td>
<td>APPROPRIATE FUNDS AUTHORIZED IN PREVIOUS YEAR</td>
</tr>
<tr>
<td>TOTAL CAPITAL PROJECTS FUND EXPENSE REVISIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$6,818,000</td>
<td></td>
</tr>
<tr>
<td>FINANCE</td>
<td>401-0000-4718215</td>
<td>SERIES 2016 BOND INTEREST</td>
<td>124,092</td>
<td>1,723</td>
<td>125,815</td>
<td>APPROPRIATE FUNDS TO COVER CURRENT YEAR EXPENSE</td>
</tr>
<tr>
<td>TOTAL DEBT SERVICE FUND EXPENSE REVISIONS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>$1,723</td>
<td></td>
</tr>
</tbody>
</table>
LOCAL LIQUOR LICENSING AUTHORITY
CONSIDERATION OF A SPECIAL EVENT LIQUOR PERMIT FOR ACF COLORADO CHEFS ASSOCIATION
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: City Council acting as the Local Liquor Licensing Authority consideration of a Special Events Liquor Permit for ACF Colorado Chef’s Association for the Black Hawk Casino Chef’s Cook-Off Event and Fundraiser.

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

MOTION TO APPROVE the request for a Special Event Liquor Permit by the ACF Colorado Chef’s Association

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
The City Clerk’s office received an application for a Special Events Permit from the ACF Colorado Chef’s Association for the Black Hawk Casino Chef’s Cook-Off Event and Fundraiser at Crook’s Palace on Thursday, May 3, 2018. The Clerk’s staff has determined the application complete.

A Notice of Public Hearing was posted at Crook’s Palace on March 28, 2018.

AGENDA DATE: April 11, 2018
WORKSHOP DATE: N/A
FUNDING SOURCE: N/A
DEPARTMENT DIRECTOR APPROVAL: [ X ]Yes [ ]No
STAFF PERSON RESPONSIBLE: Melissa A. Greiner, City Clerk
DOCUMENTS ATTACHED: Special Events Permit and supporting documentation
RECORD: [ ]Yes [ X ]No
CITY ATTORNEY REVIEW: [ X ]Yes [ ]N/A
SUBMITTED BY: REVIEWED BY:
Melissa A. Greiner, CMC, City Clerk Jack D. Lewis, City Manager
In order to qualify for a Special Events Permit, You Must Be Nonprofit and One of the Following (See back for details.)

- Social
- Fraternal - Chartered Branch, Lodge Or Chapter
- Patriotic - Of A National Organization Or Society
- Political
- Religious Institution
- Philanthropic Institution
- Political Candidate
- Municipality Owning Arts Facilities

**LIAB**

<table>
<thead>
<tr>
<th>Type of Special Event Applicant is Applying for:</th>
<th>DO NOT WRITE IN THIS SPACE</th>
</tr>
</thead>
<tbody>
<tr>
<td>2110 Malt, Vinous And Spirituous Liquor</td>
<td>Liquor Permit Number</td>
</tr>
<tr>
<td>2170 Fermented Malt Beverage (3.2 Beer)</td>
<td>98-10467-0000</td>
</tr>
</tbody>
</table>

1. Name of Applicant Organization or Political Candidate | State Sales Tax Number (Required)
---|---
ACF Colorado Chefs Association | 98-10467-0000

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP)

   P.O. Box 38
   Evergreen, CO 80437

3. Address of Place to Have Special Event (include street, city/town and ZIP)

   Crooks Palace
   200 Gregory Street
   Black Hawk, CO 80422

4. Pres./Sec'y of Org. or Political Candidate | Date of Birth | Home Address (Street, City, State, ZIP) | Phone Number
---|---|---|---
John Krause | 04/05/84 | 16214 54th Ave, Denver 80239 | (303) 292-3693
Sarah Beatty | 07/24/74 | 8164 S. Niara Ct, Centennial 80112 | (303) 949-2015

5. Event Manager

6. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year?

   - NO
   - YES
   - HOW MANY DAYS?

7. Is premises now licensed under state liquor or beer code?

   - NO
   - YES
   - TO WHOM?

8. Does Applicant Have Possession or Written Permission for the Use of the Premises to be Licensed?

   - YES
   - NO

List Below the Exact Date(s) for Which Application is Being Made for Permit

<table>
<thead>
<tr>
<th>Date</th>
<th>Hours From</th>
<th>Hours To</th>
</tr>
</thead>
<tbody>
<tr>
<td>05/03/18</td>
<td>18:00 p.m.</td>
<td>22:00 p.m.</td>
</tr>
</tbody>
</table>

**Oath of Applicant**

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.

**Report and Approval of Local Licensing Authority (City or County)**

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 12, Article 48, C.R.S., as amended.

**THEREFORE, THIS APPLICATION IS APPROVED.**

**Liability Information**

<table>
<thead>
<tr>
<th>License Account Number</th>
<th>Liability Date</th>
<th>State</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>-750 (999)</td>
<td>$</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Application Information and Checklist

The following supporting documents must be attached to this application for a permit to be issued:

- [ ] Appropriate fee.
- [ ] Diagram of the area to be licensed (not larger that 8 1/2" X 11" reflecting bars, walls, partitions, ingress, egress and dimensions.
  
  Note: If the event is to be held outside, please submit evidence of intended control, i.e., fencing, ropes, barriers, etc.
- [ ] Copy of deed, lease, or written permission of owner for use of the premises.
- [ ] Certificate of good corporate standing (NONPROFIT) issued by Secretary of State within last two years; or
- [ ] If not incorporated, a NONPROFIT charter; or
- [ ] If a political Candidate, attach copies of reports and statements that were filed with the Secretary of State.

- [ ] Application must first be submitted to the local licensing authority (city or county) at least thirty (30) days prior to the event.
- [ ] The premises to be licensed must be posted at least ten (10) days before a hearing can be held. (12-48-106 C.R.S.)
- [ ] An approved application must be received by the liquor enforcement division at least ten (10) days prior to the event.
- [ ] Check payable to the Colorado Department Of Revenue

(12-48-102 C.R.S.)

A Special Event Permit issued under this article may be issued to an organization, whether or not presently licensed under Articles 46 and 47 of this title, which has been incorporated under the laws of this state for the purpose of a social, fraternal, patriotic, political or athletic nature, and not for pecuniary gain or which is a regularly chartered branch, lodge or chapter of a national organization or society organized for such purposes and being non profit in nature, or which is a regularly established religious or philanthropic institution, and to any political candidate who has filed the necessary reports and statements with the Secretary of State pursuant to Article 45 of Title 1, C.R.S. A Special Event permit may be issued to any municipality owning arts facilities at which productions or performances of an artistic or cultural nature are presented for use at such facilities.

If an event is cancelled, the application fees and the day(s) are forfeited.
OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Wayne W. Williams, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

ACF COLORADO CHEFS' DE CUISINE EDUCATION FUND

is a
Nonprofit Corporation
formed or registered on 01/26/1993 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 19931008545.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 03/06/2018 that have been posted, and by documents delivered to this office electronically through 03/07/2018 @ 18:29:42.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 03/07/2018 @ 18:29:42 in accordance with applicable law. This certificate is assigned Confirmation Number 10765857.

******************************************************************************************************************End of Certificate******************************************************************************************************************

Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, http://www.sos.state.co.us/biz/CertificateSearchCriteria.do entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, http://www.sos.state.co.us click “Businesses, trademarks, trade names” and select “Frequently Asked Questions.”
RESOLUTION 23-2018
A RESOLUTION
APPROVING THE
LICENSE AGREEMENT
BETWEEN THE CITY OF
BLACK HAWK AND ACF
COLORADO CHEF’S
ASSOCIATION
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 23-2018

TITLE:  A RESOLUTION APPROVING THE LICENSE AGREEMENT BETWEEN THE CITY OF BLACK HAWK AND ACF COLORADO CHEF’S ASSOCIATION

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

Section 1. The City Council hereby approves the License Agreement between the City and ACF Colorado Chef’s Association, and authorizes the Mayor to execute the same on behalf of the City.

RESOLVED AND PASSED this 11th day of April, 2018.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, CMC, City Clerk
SUBJECT: ACF Colorado Chef’s Association License Agreement

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

MOTION TO APPROVE Resolution 23-2018, A Resolution Approving the License Agreement Between the City of Black Hawk and ACF Colorado Chef’s Association

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
The license agreement is required for the ACF Colorado Chef’s Association’s use of Crook’s Palace for the Black Hawk Casino Cook-Off Event and Fundraiser on Thursday, May 3, 2018.

AGENDA DATE: April 11, 2018
WORKSHOP DATE: N/A
FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [ X ]Yes [ ]No

STAFF PERSON RESPONSIBLE: Melissa A. Greiner, City Clerk

DOCUMENTS ATTACHED: License Agreement and Special Event Permit Application

RECORD: [ ]Yes [ X ]No

CITY ATTORNEY REVIEW: [ X ]Yes [ ]N/A

SUBMITTED BY: REVIEWED BY:

Melissa A. Greiner, CMC, City Clerk Jack D. Lewis, City Manager
LICENSE

THIS LICENSE, is made and entered into this 11th day of April, 2018, by and between the CITY OF BLACK HAWK, Colorado whose address is PO Box 68 Black Hawk, CO 80422 (the "City") and ACF Colorado Chefs Association whose address is PO Box 38 Evergreen, CO 80437 ("Licensee").

1. PROPERTY LICENSED. The property that is licensed are the premises located at 200 Gregory Street, generally known as Crook’s Palace (the “Premises”), but shall specifically EXCLUDE any parking on or adjacent to the Premises. This License shall allow use of the Premises on the following date and times:

May 3, 2018, 4:00 p.m. – 10:00 p.m.

2. INSURANCE. Licensee shall obtain for itself, its agents, successors, assigns, lessees, licensees and agents, necessary and adequate workman's compensation insurance, personal injury insurance, and property damage insurance, with limits commensurate with the hazards and risks associated with the use of the Premises, but in no event less than the liability limits established by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, et seq., as now in effect or as hereinafter amended. The Premises shall not be used until Licensee has obtained all insurance required under this section and shall have filed a certificate of insurance or a certified copy of the insurance policy with the City. Each insurance policy shall list the City as an additional named insured and shall contain a clause providing that coverage shall not be canceled by the insurance company without thirty (30) days written notice to the City of intention to cancel.

3. USE. Licensee covenants and agrees that it shall utilize the Premises for Black Hawk Casino Cook-Off Event and Fundraiser and for no other purpose and not to use the Premises or permit it to be used for purposes prohibited by the laws of the applicable United States, State of Colorado, or any political subdivision thereof.

4. RE-ENTRY. Licensee covenants and agrees to permit the City or its duly authorized representatives to inspect the Property Licensed and to do such other acts and things, as it deems necessary for the protection of its interests therein.

5. NO COVENANT OF TITLE OR QUIET POSSESSION. The rights granted herein are without covenant of title or warranty of quiet possession of the Premises.

6. PROPERTY LICENSED TAKEN "AS IS." Licensee understands and agrees that the Premises are licensed "as is." The City makes no warranty, written or implied, that the Premises are fit for any particular purpose.

7. LIABILITY AND INDEMNIFICATION. The City shall not be liable for any loss, injury, death or damage to any person or personal property which may arise from the use or condition of the Premises including, but not limited to, loss, injury, death, or
damage resulting from ice, water, rain, snow, gas, electrical wires, fire, equipment malfunctions, faulty installation, the sale, possession, or consumption of alcohol based on the licensing of the Premises for a special event permit, or theft. Licensee hereby expressly agrees, to the extent permitted by law, to defend, indemnify and hold harmless the City, its officers, agents, employees and insurers against any liability, loss, damage, demand, action, cause of action or expense of whatever nature (including court costs and attorney fees) which may result from any loss, injury, death or damage allegedly sustained by any person, firm, corporation or other entity which arises out of or is caused by reason of Licensee's use of the Premises.

8. TERMINATION. This License Agreement may be terminated by the City at any time upon five (5) days written notice to Licensee.

9. VENUE. For the resolution of any dispute arising hereunder, venue shall be in the courts of Gilpin County, State of Colorado.

IN WITNESS WHEREOF, the parties hereto each herewith subscribe the same in duplicate.

LICENSEE:

________________________________________

By: ______________________________________

Name: ____________________________________

Title: _____________________________________

STATE OF COLORADO  )

 ) ss.
COUNTY OF _________________  )

The foregoing instrument was subscribed, sworn to and acknowledged before me this _______ day of ________________________________, 20____, by __________________________________________ as ____________________________________ of ________________________________.

My commission expires:

(S E A L)

________________________________________
Notary Public
CITY OF BLACK HAWK, COLORADO

By: _____________________________
    David D. Spellman, Mayor

ATTEST:

_______________________________
Melissa A. Greiner, CMC
City Clerk
RESOLUTION 24-2018
A RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS CITY PROPERTY
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 24-2018

TITLE: A RESOLUTION AUTHORIZING THE DISPOSAL OF SURPLUS CITY PROPERTY

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

Section 1. The City Council hereby authorizes the disposal of City-owned surplus property, either by donation or by auction, as determined to be in the best interests of the City by the City Manager or the City Manager’s designee. The surplus property to be disposed of pursuant to this Resolution hereby falls into the following five (5) general categories:

a. Property obtained during a criminal case or stored as found property where the property could not be returned to the rightful owner.

b. Office equipment, which includes lockers currently located at 221 Church Street and miscellaneous furniture, which are no longer used by the police department.

c. Police Surplus Equipment that is unserviceable or no longer needed such expired bullet proof vests and Portable Breath Testers (PBTs). Some items must be destroyed (old Tasers) while other items can be donated to other agencies with an accompanying liability waiver (PBTs).

d. Police, Fire, and Public Works surplus vehicle equipment currently stored by Public Works, which is no longer needed.

e. Computer equipment, which has been removed from service by IT and no longer capable of supporting the City’s operations.

RESOLVED AND PASSED this 11th day of April, 2018.

___________________________________
David D. Spellman, Mayor

ATTEST:

___________________________________
Melissa A. Greiner, CMC, City Clerk
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Resolution authorizing the disposal of surplus City owned property currently held by the City of Black Hawk.

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

MOTION TO APPROVE Resolution 24-2018, a Resolution authorizing the disposal of surplus City property.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: Public Works, Police, Fire and the IT Department have surplus equipment that is no longer used by the City, but is being stored at different locations within the City. Some of the items may have a nominal value by themselves, but collectively may have significant value to the City when sold at auction. Many local government entities are using companies to dispose of unneeded surplus equipment and it is our intention to utilize the auction process to dispose of surplus items. Auctions can ensure the City receives fair market value for the items. The City can also mandate the buyer disassemble, remove and/or transport large items relieving the City of that responsibility. The city also receives an itemized list of the items sold to ensure accountability.

In addition to the items sold at auction, it may be desirable to donate some equipment to other government agencies. In those situations, a waiver would be required to release the City of any liability. Some items that cannot be sold or have no substantive value would be destroyed. The list of disposable surplus equipment tends to grow every day and supplying a current list of surplus items would be challenging. It is our desire for the Board of Aldermen to authorize the City Manager or his designee to review and approve the surplus equipment being auctioned, donated, and/or destroyed.

The Police Department, for example, has surplus department equipment and unclaimed property held in its evidence vault it wishes to sell at auction or donate to another agency. Public Works seeks to sell miscellaneous auto parts such as old police vehicle seats; overhead light bars with controllers; vehicle storage boxes; vehicle tool boxes; center police vehicle dividers; and tires and rims, which is no longer needed. Public Works, in consultation with Chief Taylor, seeks to donate some of the surplus emergency vehicle equipment to small volunteer fire departments that may need the equipment. Chief Taylor would like to also donate a Chauvet Hurricane 1700 Fog machine to Timberline FPD. The IT Department wishes to dispose of miscellaneous computer parts and equipment that is no longer needed. Unserviceable items having no substantive value will be destroyed. Again, any government agencies receiving donated items will be required to sign a waiver of liability. The property fits into five (5) general categories:

- **Property** obtained during a criminal case or stored as found property where the property could not be returned to the rightful owner.
- **Office equipment**, which includes lockers currently located at 221 Church Street and miscellaneous furniture, which are no longer used by the police department.
- **Police Surplus Equipment** that is unserviceable or no longer needed such expired bullet proof vests and Portable Breath Testers (PBT’s). Some items must be destroyed (old
Tasers) while other items can be donated to other agencies with an accompanying liability waiver (PBT’s).

- **Police, Fire, and Public Works surplus vehicle equipment** currently stored by Public Works, which is no longer needed.
- **Computer equipment**, which has been removed from service by IT and no longer capable of supporting the City’s operations.

**AGENDA DATE:** April 11, 2018

**WORKSHOP DATE:** N/A

**FUNDING SOURCE:** N/A

**DEPARTMENT DIRECTOR APPROVAL:** [X] Yes [ ] No

**STAFF PERSON RESPONSIBLE:** Chief Stephen Cole

**DOCUMENTS ATTACHED:** N/A

**RECORD:** [ ] Yes [ X ] No

**CITY ATTORNEY REVIEW:** [ X ] Yes [ ] N/A

**SUBMITTED BY:** [ X ] Yes [ ] N/A

**REVIEWED BY:**

Stephen Cole, Police Chief

Jack D. Lewis, City Manager
RESOLUTION 25-2018
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. 25-2018

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. The Mayor and Board of Aldermen hereby resolve to temporarily rebate City use tax of four percent (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, 2020.

RESOLVED AND PASSED this 11th day of April, 2018.

_______________________________  
David D. Spellman, Mayor

ATTEST:

______________________________  
Melissa A. Greiner, CMC, City Clerk
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Temporarily Rebating the City’s Use Tax on Certain Residential Properties.

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

MOTION TO APPROVE: Resolution 25-2018, A Resolution Temporarily Rebating City Use Tax on Construction and Building Materials for Residential Projects within the City’s National Historic Landmark District.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: In the spring of 2016, the Black Hawk City Council approved a resolution temporarily rebating Use Tax on Residential properties located within the National Historic Landmark District. The temporary rebate is set to expire in April 2018. This resolution would extend this rebate until April 4, 2020.

AGENDA DATE: April 11, 2018

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [X] Yes [ ] No

STAFF PERSON RESPONSIBLE: Lance Hillis, Finance Director

DOCUMENTS ATTACHED: Resolution

RECORD: [ ] Yes [X] No

CITY ATTORNEY REVIEW: [X] Yes [ ] N/A

SUBMITTED BY: REVIEWED BY:

Lance Hillis, Finance Director Jack D. Lewis, City Manager
RESOLUTION 26-2018
A RESOLUTION TEMPORARILY REBATING CITY SALES TAX ON RETAIL ITEMS DELIVERED TO CITY RESIDENTIAL PROPERTIES FOR PERSONAL CONSUMPTION AND USE
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 26-2018

TITLE: A RESOLUTION TEMPORARILY REBATING CITY SALES TAX ON RETAIL ITEMS DELIVERED TO CITY RESIDENTIAL PROPERTIES FOR PERSONAL CONSUMPTION AND USE

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

Section 1. The Mayor and Board of Aldermen hereby resolve to temporarily rebate City sales tax on retail items delivered to City residential properties from out-of-City vendors for personal consumption and use, including the amount paid to the Gilpin County School District RE-1, for a total rebate amount of six percent (6%), subject to the following conditions:

A. Said rebate shall only be provided to City residents who can provide proof in the form of a receipt that such sales tax was actually paid;

B. Said receipt shall be submitted to the City for the rebate during the same calendar year in which the sales tax was paid or within thirty (30) days of delivery, whichever is later; and


RESOLVED AND PASSED this 11th day of April, 2018.

_______________________________
David D. Spellman, Mayor

ATTEST:

______________________________
Melissa A. Greiner, CMC, City Clerk
SUBJECT: Temporarily Rebating the City’s Sales Tax on Retail items Delivered to Residential Properties.

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

MOTION TO APPROVE: Resolution 26-2018, A Resolution Temporarily Rebating City Sales Tax on Retail Items Delivered to City Residential Properties for Personal Consumption and Use.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: In the spring of 2016, the Black Hawk City Council approved a resolution temporarily rebating Sales Tax on Retail Items delivered to residential properties. The temporary rebate is set to expire in April 2018. This resolution would extend this rebate until April 4, 2020.

AGENDA DATE: April 11, 2018

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [X] Yes [ ] No

STAFF PERSON RESPONSIBLE: Lance Hillis, Finance Director

DOCUMENTS ATTACHED: Resolution

RECORD: [ ] Yes [X] No

CITY ATTORNEY REVIEW: [ X ] Yes [ ] N/A

SUBMITTED BY: Reviewed By:

Lance Hillis, Finance Director  
Jack D. Lewis, City Manager
RESOLUTION 27-2018
A RESOLUTION TO ENCOURAGE DIVERSIFICATION OF THE CITY’S LOCAL ECONOMY BY EXTENDING THE WAIVER OF USE TAX ON RENOVATION PROJECTS
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK  

Resolution No. 27-2018  

TITLE: A RESOLUTION TO ENCOURAGE DIVERSIFICATION OF THE CITY’S LOCAL ECONOMY BY EXTENDING THE WAIVER OF USE TAX ON RENOVATION PROJECTS  

WHEREAS, the local purpose of limited stakes gaming continues to be the restoration of the City of Black Hawk (the "City"), and continuing the economic vitality on a long-term basis in the City;  

WHEREAS, the City believes its current financial success is the best evidence that working with the gaming industry is the surest way to continue to have strong, sustainable revenues;  

WHEREAS, in anticipation of and with a strong desire for a successful gaming industry, the City has issued debt to pay for the rebuilding of the City, which debt is to be repaid over the next several years from revenues generated from the City's primary industry, which is gaming;  

WHEREAS, the City has a proactive history of encouraging and promoting the continued growth and development of the gaming industry to advance its goal of becoming a resort destination;  

WHEREAS, the City therefore seeks to encourage the updating of existing amenities within the City, to reinforce the City’s desire to be a resort destination; and  

WHEREAS, to further achieve the long-term goals described in this Resolution, the City therefore desires to continue to encourage the renovation and updating of existing amenities within the City of Black Hawk as set forth below.  

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

Section 1. On a temporary basis as set forth herein, the Mayor and Board of Aldermen resolve to forever waive and forego the payment of any use tax otherwise due and payable for any commercial project that is for the renovation and/or upgrading of an existing licensed gaming premises, including by way of example gaming space, gaming support space, restaurant and restaurant support space, or entertainment space as determined at the sole discretion of the City Council, provided that a completed permit application is received on or before April 4, 2020. Such waiver shall be for renovating and upgrading of existing space, but maintenance projects that do not include renovation of existing space shall not be eligible for the use tax waiver provided herein.
Section 2. In order to be eligible to receive the incentives set forth in this Resolution, any applicants must be included within the boundaries of the Silver Dollar Metropolitan District and the Black Hawk Business Improvement District. In the event a property is not included within the boundaries of either or both such districts, inclusion in each such district must be accomplished prior to receiving the applicable incentives set forth above.

Section 3. No project shall be entitled to receive any of the incentives set forth herein if necessary building permits are not obtained in advance of the work requiring the issuance of such permits, in conformance with the uniform building codes as adopted by the City from time to time.

Section 4. Nothing in this Resolution shall be deemed to apply to the expansion of an existing licensed gaming premises, as opposed to a renovation or upgrade, nor shall this Resolution be deemed to apply to any new hotel project.

RESOLVED AND PASSED this 11th day of April, 2018.

_______________________________
David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, CMC, City Clerk
SUBJECT: Temporarily waiving the Use Tax on the Renovation and Upgrading of Existing Gaming Facilities.

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

MOTION TO APPROVE: Resolution 27-2018, A Resolution to Encourage Diversification of the City’s Local Economy by Extending the Waiver of Use Tax on Renovation Projects.

SUMMARY AND BACKGROUND OF SUBJECT MATTER: In the spring of 2016, the Black Hawk City Council approved a resolution waiving the Use Tax on the renovation of gaming facilities. The temporary waiver is set to expire in April 2018. This resolution would extend this waiver until April 4, 2020.

AGENDA DATE: April 11, 2018

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [X] Yes  [ ] No

STAFF PERSON RESPONSIBLE: Lance Hillis, Finance Director

DOCUMENTS ATTACHED: Resolution

RECORD:  [ ] Yes  [X] No

CITY ATTORNEY REVIEW:  [ X ] Yes  [ ] N/A

SUBMITTED BY:  

REVIEWED BY:  

Lance Hillis, Finance Director  Jack D. Lewis, City Manager