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. PRESENTATION:  Senator Jeanne Nicholson

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:  March 26, 2014

7. PUBLIC HEARINGS:
   A. Resolution 20-2014, A Resolution Amending the City of Black Hawk 2013 Budget
   B. Resolution 21-2014, A Resolution Conditionally Approving the Site Development Plan for the Property at 201, 211, and 211 Church Street Known as the Church Street Properties City Annex

8. ACTION ITEMS:
   C. 101 Marchant Street Historic Sheds – Construction Bids
   D. Second Amendment to Scope of Work and PEH Architectural Fees – IT Facility 201 Church Street
   E. Roadway Easement Agreement - Larkins

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
APPROVAL OF MINUTES
FOR MARCH 26, 2014
Community Planning and Development Administrator Linker rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order by Mayor Spellman Wednesday, March 26, 2014 at 3:00 p.m.

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

Staff present: City Attorney Hoffmann, Acting City Manager Police Chief Cole, City Clerk Magno, Community Planning and Development Administrator Linker, IT Support Staff Muhammad, Assistant to City Manager for Administration Greiner, Fire Chief Taylor, 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 Magno 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. Council declared no conflicts.

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 address Council.

6. APPROVAL OF MINUTES for March 12, 2014

MOTION TO APPROVE Alderman Johnson MOVED and was SECONDED by Alderman Torres to approve the Minutes of the March 12, 2014 meeting as presented.

MOTION PASSED There was no discussion and the motion PASSED unanimously.
7. PUBLIC HEARINGS:
   A. Resolution 13-2014,
      A Resolution Conditionally
      Approving a Certificate of
      Appropriateness for
      Reconstruction of the
      Property at 201
      Church Street

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained this resolution was for the reconstruction of the information technology building. It is for the building and rock walls.

Administrator Linker stated the original plan was for rehabilitation; however, that was not possible because of the deterioration of the building.

Administrator Linker explained the portion of Church Street in front of the information technology building would be widened and paved.

Administrator Linker inquired about gutters and down spouts. She stated currently they are commercial grade. Would Council rather have more a residential type? Consensus of Council was residential.

Administrator Linker recommended keeping the outside lights identical to the other buildings.

Administrator Linker stated Staff requests approval with condition that during excavation if something is found in the archeological aspect, the City has a plan in place to handle the artifact.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Resolution 13-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for the Reconstruction of the Property at 201 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.

Alderman Torres inquired about more parking for over flow for the church. Mayor Spellman explained there were no plans to make Church Street a through street.

MOTION TO
APPROVE Alderman Armbright MOVED and was SECONDED by Alderman Johnson to approve Resolution 13-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for the Reconstruction of the Property at 201 Church Street.

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

B. Resolution 18-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for the Site Work, Landscape, for the Property at 301 Chase Street Mayor Spellman read the title.

Jessica Killian, Consilium, went over the Certificate of Appropriateness.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on Resolution 18-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for the Site Work, Landscape for the Property at 301 Chase 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 Cales MOVED and was SECONDED by Alderman Torres to approve Resolution 18-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for the Site Work, Landscape for the Property at 301 Chase Street.

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

8. ACTION ITEMS:
8. C. 271 Church Street – Temporary Construction Easement Mayor Spellman read the title.

MOTION TO APPROVE Alderman Johnson MOVED and was SECONDED by Alderman Armbright to approve 271 Church Street – Temporary Construction Easement.

MOTION PASSED There was no discussion and the motion PASSED unanimously.
D. 121 Marchant Street – Historic Preservation Grant

Mayor Spellman read the title.

**MOTION TO APPROVE**

Alderman Cales **MOVED** and was **SECONDED** by Alderman Bennett to approve 121 Marchant Street – Historic Preservation Grant.

**MOTION PASSED**

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

E. Resolution 19-2014, A Resolution Approving the License Agreement Between the City of Black Hawk and Mardi Gras Casino

Mayor Spellman read the title.

Public Works Director Isbester stated he was contacted by the Mardi Gras with a concern when the coaches and private charters drop off passengers. The process is difficult for the drivers and passengers.

Director Isbester explained Staff evaluated the right-of-way under the bridge. It is plenty wide enough to park another bus.

Director Isbester stated Mardi Gras would pay for new stop. It is in the City’s right-of-way; therefore the City will maintain it.

Director Isbester explained the new stop would free up the main shuttle and bus stop. He stated Mardi Gras had 95 buses scheduled for the month of March.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 19-2014, A Resolution Approving the License Agreement Between the City of Black Hawk and Mardi Gras Casino.

**MOTION PASSED**

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

F. Retitling Current Staff Positions

Mayor Spellman read the title.

Public Works Director Isbester explained as part of the annual evaluation process positions and duties are looked at. Two positions did not align with the comparison cities.
Director Isbester stated the Project Manager and Water Coordinator were more closely aligned to a Senior Engineer position. He explained the positions needed to be adjusted to match their current duties.

**MOTION TO APPROVE**
Alderman Johnson MOVED and was SECONDED by Alderman Cales to approve Retitling Current Staff Positions.

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

9. CITY MANAGER REPORTS:
No report.

10. CITY ATTORNEY:
City Attorney Hoffmann requested an Executive Session regarding legal issues on property acquisition and potential legislation.

11. EXECUTIVE SESSION:

**MOTION TO ADJOURN**
Alderman Bennett MOVED and was SECONDED by Alderman Johnson to adjourn into Executive Session 3:30 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(b).

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

**MOTION TO RECONVENE**
Alderman Moates MOVED and was SECONDED by Alderman Bennett at 3:50 p.m.

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

**MOTION TO APPROVE**
Alderman Armbright MOVED and was SECONDED by Alderman Moates to authorize the acquisition of the convenience store property for $540,000 and other terms and conditions at City Attorney’s discretion.

**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 3:51 p.m.
RESOLUTION 20-2014, A RESOLUTION AMENDING THE CITY OF BLACK HAWK 2013 BUDGET
TITLE:  A RESOLUTION AMENDING THE CITY OF BLACK HAWK 2013 BUDGET

WHEREAS, upon due and proper notice, published or posted in accordance with the law, a public hearing was held on April 9, 2014 on the proposed amendments to the 2013 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 2013 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 2013, on the attached amended budget, are hereby appropriated from the revenue of each fund, for the purposes stated.

RESOLVED AND PASSED this ______ day of ________________, 2014.

______________________________
David D. Spellman, Mayor

ATTEST:

______________________________
Jeanie M. Magno, CMC, City Clerk
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<th>Account Description</th>
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RESOLUTION 21-2014, A RESOLUTION CONDITIONALLY APPROVING A SITE DEVELOPMENT PLAN FOR THE PROPERTY AT 201, 211, AND 221 CHURCH STREET KNOWN AS THE CHURCH STREET PROPERTIES CITY ANNEX
STATE OF COLORADO  
COUNTY OF GILPIN  
CITY OF BLACK HAWK

Resolution No. 21-2014

TITLE: A RESOLUTION CONDITIONALLY APPROVING A SITE DEVELOPMENT PLAN FOR THE PROPERTY AT 201, 211 AND 221 CHURCH STREET KNOWN AS THE CHURCH STREET PROPERTIES CITY ANNEX

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 conditionally approve a Site Development Plan for the property located at 201, 211 and 221 Church Street known as the Church Street Properties City Annex on satisfaction of the following condition:

All applicable building and electrical permits must be obtained prior to beginning construction

RESOLVED AND PASSED this _______ day of _________________, 2014.

______________________________
David D. Spellman, Mayor

ATTEST:

______________________________
Jeanie M. Magno, CMC, City Clerk
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

CITY COUNCIL MEETING: April 9, 2014

SUBJECT: Site Development Plan – Church Street Properties City Municipal Complex
The City of Black Hawk requests approval of a Site Development Plan for the City properties located at 201, 211, 221 Church Street.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
The City of Black Hawk has received an application (March 2014) for a Site Development Plan (SDP) for the properties located at 201, 211, 221 Church Street, collectively known as the “City Municipal Complex”. This project proposes construction of a new Information Technology (IT) building to serve as the main IT support for the City of Black Hawk services and activities. The new building is proposed at 201 Church Street. Upon completion, the proposed facility will provide technical support for the neighboring City Council Chambers, Community Planning and Development Department, Finance and Police Department.

The City of Black Hawk Municipal Code allows construction of new buildings with the approval of a Certificate of Appropriateness and Site Development Plan. A Certificate of Appropriateness has already been granted. Staff from Baseline Corporation has evaluated the information provided for the Information Technology building of the City Municipal Complex site development plan and find it to be in compliance with sections 16-361 and 16-362 of the City of Black Hawk Municipal Code.

RECOMMENDATION:
Baseline Staff recommends City Council consider a MOTION TO APPROVE WITH ONE CONDITION a Site Development Plan for the Church Street Properties City Municipal Complex, as submitted. The proposed conditions are as follows:

1. All applicable building and electrical permits must be obtained prior to beginning construction.

RESOLUTION DATE: April 9, 2014
ORIGINATED BY: City of Black Hawk
STAFF PERSON RESPONSIBLE: Vincent Harris, Baseline Corporation
DOCUMENTS ATTACHED: Staff Report, and applicant’s application

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

SUBMITTED BY: Vincent Harris, Baseline Corporation
03/31/2014

REVIEWED BY: Jack D. Lewis, City Manager
BACKGROUND:
The City of Black Hawk has received an application (March 2014) for a Site Development Plan (SDP) for the City-owned properties located at 201, 211, and 221 Church Street, collectively known as the “City Municipal Complex”. This project proposes construction of a new Information Technology (IT) building to serve as the main IT support for the City of Black Hawk services and activities. The new building is proposed at 201 Church Street. The application was submitted through the City of Black Hawk Community Development and Planning Department who will oversee the construction and implementation of the proposed facility. A portion of the proposed work involves the demolition (already completed) of the existing 201 Church Street building.

The boundary of the proposed SDP also includes the City of Black Hawk Police Department building and the Council Chambers building. No alterations are proposed at these two buildings.

The intent of the SDP application as regulated by Sec. 16-362 of the City of Black Hawk Municipal Code is to enhance and protect the area’s natural, as well as man-made environments. A SDP allows Staff to review a proposed development for compliance with zoning standards and deem it acceptable for development and provide a recommendation to City Council.

The regulations for a SDP have been reviewed by staff and comments are included below. Attached to this staff report is the SDP document. Excerpts from the SDP are included in the following graphics.

Past Council Action:

- Certificate of Appropriateness for demolition of previous structure at 201 Church Street – Resolution 49-2013 (November 13, 2013)

- Certificate of Appropriateness for the reconstruction of new Information Technology (IT) building at 201 Church Street – Resolution 13-2014 (March 26, 2014)
Existing Facilities at 201, 211, and 221 Church Street

Demolished structures to accommodate future IT building

Proposed drive extension and new parking

Ex. Council Chambers

Ex. Police Department Building

Proposed IT building

Ex. Council Chambers to remain

Ex. Police Department Building to remain

Site Development Plan Boundary
**REVIEW CRITERIA:**

**Applicable City of Black Hawk Regulations**

**Site Development Plan:**

Excerpts from:

City of Black Hawk
Zoning Code
Chapter 16 - Zoning

16-361 Procedures and submittal requirements.

All procedures and submittal requirements for a SDP have been reviewed by staff. All submittal requirements have been satisfied.

Section 16-362: Site development standards and procedures for establishing vested property rights.

Section 16-362(b)(1)c outlines the required submittal items that must accompany an application for a Site Development Plan. The submitted Church Street SDP contains all the items required.

**STAFF COMMENTS:**

Staff from Baseline Corporation has evaluated the information provided for the Church Street Properties City Municipal Complex SDP. The City of Black Hawk Municipal Code allows for construction of new Information Technology building with the approval of a Certificate of Appropriateness and Site Development Plan. A Certificate of Appropriateness for reconstruction of the IT building has been
granted. The proposed facility expands upon a preexisting use and will offer the City an increased capacity to provide services to the community.

In summary, staff has determined that the submittal is in compliance and recommends that a Site Development Plan be approved, subject to the following condition:

1. All applicable building and electrical permits must be obtained prior to beginning construction.

**FINDINGS:**
City Council may approve, conditionally approve, or deny this Site Development Plan. To support this proposal, the following findings can be used:

1. The proposed Church Street Properties will provide a significant asset to the City of Black Hawk as it continues to grow and expand. The proposal meets the criteria outlined in the City of Black Hawk Municipal Code as noted and evaluated in this staff report presented to City Council.

**RECOMMENDATION:**
Baseline Staff recommends City Council consider a **MOTION TO APPROVE WITH ONE CONDITION** a Site Development Plan for the Church Street Properties City Municipal Complex, as submitted. The proposed conditions are as follows:

1. All applicable building and electrical permits must be obtained prior to beginning construction.

**Attachments:**
- Original Land Use Application
- Site Development Plan
Applicant’s Submittal
**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

**PRE-PLANNING APPLICATION**

**DATE:** March 17, 2014

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<th>City of Black Hawk</th>
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<td><strong>APPLICANT ADDRESS:</strong></td>
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**PROJECT DESCRIPTION:** This development plan presents development standards and regulations for the three properties owned by the City of Black Hawk; 201, 211, 221 Church Street.

| **IS PROPERTY WITHIN CITY LIMITS:** | YES ☐ NO ☐ |
| **PRESENT ZONING:** | HAP |
| **CURRENT USE:** | Municipal Government Services |
| **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):** | 183307301008 |

**EXISTING PROPERTY SIZE:** _______________ acres/sq. feet  
(Please attach a copy of survey/plat.)

**EXISTING BUILDING SIZE:** ____________ sq. ft.  
And/or number of existing residential units: ______

**ACTION REQUESTED (COMPLETED BY CITY STAFF):**

- ☐ 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: [Signature] DATE: 3-17-14

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: April 9, 2014 Public Hearing Date:

REVIEW:

☐ City Surveyor

☐ Baseline

☐ Colorado Code

☐ Planning Dept. – Date

☐ Public Works – Date
One legible copy (no faxed copies) of the recorded Warranty Deed(s), or other such recorded documents, reflecting current ownership and any recorded copies of all documents referenced within the Warranty Deed(s).

If dedications to the City are to be made, one legible copy (no faxed copies) of the recorded Deed(s) of Trust, mortgage(s) and/or assignments to any and all lending agencies or individuals, including recorded legible copies of any document(s) referenced within the text.

If the applicant is someone other than the current owner, a notarized letter of authorization empowering the applicant to act on behalf of the owner.

A title commitment guaranteeing clear title, including legible, recorded copies of all documents referenced within the title commitment by book and page or reception number. The title commitment must have an "Effective date" no earlier than two weeks prior to the date of the Land Use Pre-Planning Application.

If the owner or lender is a corporation, a joint venture, or a partnership, an authorization of signatures (official verification that the signatures are authorized to sign up on behalf of the corporation, joint venture or partnership) will be required in the form of:

- A copy of the Articles of Incorporation and/or Corporate Bylaws, or a copy of the Partnership or Operating agreement, which identifies by proper name and title those authorized to sign on the corporation, joint venture or partnership's behalf, or
- A certified corporate resolution by the board of directors specifically identifying and authorizing the signatories.

A written description of the request. Include Structures location, size and general design.

Annexation Petition.

Annexation Plat.

Site Development Plan: prepared in accordance with the Black Hawk Zoning Ordinance.

Planned Unit Development (PUD): prepared in accordance with the Black Hawk Zoning Ordinance or conceptual site plan for rezoning proposals to non-Planned Unit Development zone district.

Preliminary Map: prepared in accordance with the Black Hawk Subdivision Ordinance.

Final Plat: prepared in accordance with the Black Hawk Subdivision Ordinance.

ALTA Survey of property showing the property dimensions, existing structures, existing vegetation, adjacent roadways, etc.

Lot Line Adjustment Plat: prepared in accordance with the Black Hawk Subdivision Ordinance.

One copy of the Traverse Closure Sheet(s) which include the external boundary and all internal lots, and street centerlines.

Preliminary Drainage Report: prepared in accordance with the Black Hawk Regulations.

Final Drainage Report: prepared in accordance with the Black Hawk Regulations.

Geological Report: prepared in accordance with the Black Hawk Subdivision Ordinance.

Final Traffic Study: prepared in accordance with the Black Hawk Transportation Regulations.

Final Grading and Erosion Control Plan; prepared in conformance with the Black Hawk Regulations.

Preliminary Plans for Public Improvements.

Quantities Estimates for Public Improvements including an 8-1/2 x 11" location map.

Subdivision Agreement (SA) Information Sheet, if the SA is to be signed by someone other than the current owner of the property.

A written legal description prepared by a registered land surveyor.

Storm Water Management Plan (SWAMP).

Other forms and applications:
101 MARCHANT STREET
HISTORIC SHEDS –
CONSTRUCTION BIDS
CITY COUNCIL MEETING: April 9, 2014

SUBJECT:
Approval of the total base construction bid and project budget for the outbuilding rehabilitation of the historic property located at 101 Marchant Street.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
On March 27, 2014, Consilium Partners received bids from three pre-qualified general contractors. Attached is the bid analysis summary, which includes a breakdown of costs from Gil-Roy Construction, Inc., David Peterson Construction, Inc., and Rhinotrax Construction. Rhinotrax Construction was the only contractor to submit a complete bid package as directed by the “Instructions to Bidders.” Gil-Roy Construction, Inc. excluded their bid certification form, bid detail and schedule, but provided after the fact. David Peterson Construction, Inc. excluded a schedule, but provided after the fact.

The most significant differences between the bids are total base bid cost and the cost of alternates. The attached bid analysis summary includes cost categories for the total base bid, the cost of alternates to the project, and total base bid including alternates. Please note that certain alternates are the responsibility of the homeowner if selected (Alternates #2 and #3), and certain will be covered under the grant cost (Alternates #1, #4, and #5). Alternate #4 – Sales Tax is dependent upon City Council extending the sales tax abatement resolutions which expired on March 30, 2014. Upon “Notice of Award”, the homeowner shall deposit into a non-interest bearing City escrow account an amount equal to the cost of the alternates selected by the homeowner. Overall project schedule duration provided by all three contractors is approximately one month.

RECOMMENDATION:
Based on the bids received and the attached bid analysis summary, David Peterson Construction, Inc. is the lowest, most responsible and responsive bidder. Consilium Partners has reviewed the bid package with the grant applicant and they concur.

RESOLUTION DATE: April 9, 2014

ORIGINATED BY: Consilium Partners

STAFF PERSON RESPONSIBLE: Cynthia Linker, CP&D Administrator

DOCUMENTS ATTACHED: Bid Analysis Summary

CITY ATTORNEY REVIEW: [ ] Yes [ X ] No [ ] N/A

SUBMITTED BY: Jack D. Lewis, City Manager
Jessica Killian, Senior Project Manager
Consilium Partners

REVIEWED BY:

Jessica Killian, Senior Project Manager
Consilium Partners

Jack D. Lewis, City Manager
City of Black Hawk

S:\700 LU200911 P C\Projects\101 Marchant - Kerr\Council Packets\040914_Outbuildings_Construction Bid\RFCA for 101 Marchant Bid Approval_040914.doc
### 101 Marchant Street Bid Analysis Summary

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<td>$15,725</td>
<td>$14,480</td>
<td>$47,280</td>
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<tr>
<td>Total Base Bid</td>
<td>$60,975</td>
<td>$59,820</td>
<td>$128,100</td>
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<tr>
<td>Alternate #1: Overhead door at Storage Shed</td>
<td>-$850</td>
<td>$1,525</td>
<td>-$4,000</td>
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<td>Alternate #2: Gutters/Downspouts at Storage Shed</td>
<td>$285</td>
<td>$1,125</td>
<td>$750</td>
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<td>Alternate #3: Concrete Floor at Coal Shed</td>
<td>$300</td>
<td>$2,100</td>
<td>$250</td>
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<td>Alternate #4: Sales Tax</td>
<td>-$1,500</td>
<td>-$1,500</td>
<td>-$3,237</td>
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<tr>
<td>Alternate #5: Rock Wall Removal</td>
<td>$2,200</td>
<td>$850</td>
<td>$847</td>
</tr>
<tr>
<td>Total Alternate Costs - Paid by Owner</td>
<td>-$150</td>
<td>$875</td>
<td>-$6,390</td>
</tr>
<tr>
<td>Total Base Bid + Alternates</td>
<td>$60,825</td>
<td>$60,695</td>
<td>$121,710</td>
</tr>
<tr>
<td>Proposed Start Date</td>
<td>4/17/2014</td>
<td>4/30/2014</td>
<td>5/15/2014</td>
</tr>
<tr>
<td>Proposed Completion Date</td>
<td>5/17/2014</td>
<td>5/30/2014</td>
<td>6/12/2014</td>
</tr>
<tr>
<td>Total Number of Calendar Days</td>
<td>30</td>
<td>30</td>
<td>29</td>
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<tr>
<td>Change Order Overhead &amp; Profit</td>
<td>10%</td>
<td>12%</td>
<td>20%</td>
</tr>
</tbody>
</table>
SECOND AMENDMENT TO SCOPE OF WORK AND PEH ARCHITECTURAL FEES – IT FACILITY 201 CHURCH STREET
SUBJECT:
Second Amendment to Scope of Work and PEH Architectural Fees for New IT Facility at 201 Church Street

This is a request to approve a second amendment to the Scope of Work and PEH architectural/consultant construction fees for the new IT Facility at 201 Church Street. This approval will again amend the architectural/consultant construction document fees only and allow PEH Architects and their consultants to complete the amended design and provide construction administration services.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
City Council approved the initial scope of work and design fees on August 14, 2013 in the amount of $60,233.

Since that authorization, the building was approved for full demolition. As a result of that action, the interior design was fine-tuned to maximize the square footage. With the proposed changes to the project scope, PEH amended their design fees only and City Council approved the first amendment February 12, 2014 in the amount of $16,255.

On March 6, 2014, the construction drawing set was reviewed with PEH, City Staff and the Mayor. That meeting resulted in additional revisions to the construction drawings, consequently causing an increase in the PEH design fees by an additional $15,100. The adjusted fee schedule is summarized in the following key notes and attached as Exhibit A:

1. Under floor access system ($1,200).
2. Electrical improvements ($2,800):
   - UPS System: The IT director has worked with a UPS representative to identify a system that will work with the City's equipment. The electrical engineer has incorporated an additional electrical panel and the UPS backup equipment for the server room.
   - Site Lighting & Power: Additional lighting and power have been included for the drive lane based on feedback from the Public Works Department.
4. Drive lane and retaining walls revisions ($7,200).
   A summary of the revisions can be seen in the attached PDF sketch – Exhibit B, but the following is a more concise representation:
   - Lower road elevation (1% slope with 2% cross slope).
   - Gravity stone retaining walls at the road edge.
   - 12 foot wide single lane drive lane.
   - Extend the parking area north for improved turning movements and snow staging.
   - Head-in parking area to have the concrete retaining wall with stone veneer (as designed in the 90% CD submission)
o Request an deduct alternate to omit the concrete/stone retaining wall (in the bid documents)
o Request an add alternate to investigate the excavation site during construction with the Geotech to determine potential for over-excavation with exposed rock hillside (similar to High Street).

It is anticipated that the construction cost savings will be seen at both of the retaining wall revisions:
• Retaining wall at shotcrete savings could be seen in a range of $20K - $30K.
  o Eliminate the concrete structural back-up wall along 110 LF of retaining wall.
  o Eliminate approximately 4 to 5 10” thick concrete counterfort walls.
  o Eliminate approximately 8 to 10 micropiles into bedrock.
• Retaining wall at parking could range in cost of $45K - $80K.
  o Eliminate the concrete structural back-up wall along 800 SF of retaining wall.
  o Eliminate the stone veneer along 800 SF of retaining wall.
  o Eliminate backfill and drainage of 800 SF of retaining wall.

5. The following changes will not impact the design fees:
• Flag pole locations.
• Flooring alternative.
• Lighting selections.

The original fee schedule and incremental fee increases are included in the attached proposal (Exhibit A). This proposal outlines the amended scope of work PEH and their consultants will perform as the design team for this rehabilitation project. PEH has analyzed the project and estimated the fee amounts utilizing the same fee structure approach as previous rehabilitation projects.

RECOMMENDATION
Staff recommends City Council consider a MOTION TO APPROVE the Second Amendment to the Scope of Work and PEH Architectural Fees for the new IT Facility at 201 Church Street in the amount of $15,100.
### Pre-design and administration services:

<table>
<thead>
<tr>
<th>TASK DESCRIPTION</th>
<th>PEH</th>
<th>Proj. Mgr.</th>
<th>Senior CAD</th>
<th>Junior CAD</th>
<th>Tt. Hrs.</th>
<th>Hourly Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Design new concrete foundation, crawl space, ventilation &amp; foundation drainage</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td>Includes travel time</td>
</tr>
<tr>
<td>2. Infill framing at removed stair location and provide code compliant crawl space access</td>
<td>0</td>
<td>3</td>
<td>3</td>
<td>4</td>
<td>10</td>
<td></td>
</tr>
<tr>
<td>3. Frame opening for new wood stair – rise and run shall be residential code standards because of existing low head room at top of stair on Second Floor</td>
<td>1</td>
<td>4</td>
<td>5</td>
<td>5</td>
<td>15</td>
<td>Stairs to comply with commercial code requirements</td>
</tr>
<tr>
<td>4. Sistol replace damaged New floor joists, replace subfloor and reuse historic flooring where feasible – design office live loads.</td>
<td>0</td>
<td>5</td>
<td>2</td>
<td>3</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>5. Insulate between joists or at foundation wall as allowable.</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>6. Provide existing attic access opening to be code compliant.</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>7. Provide existing chimney with new supports above ceiling joists.</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>8. Infill framing at 3 skylight openings</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>9. Remove existing shingle roof</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>10. Infill removed roof area.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>11. Replace existing roof and install new asphalt shingle roof.</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>12. Install new gutters and downspouts at eaves.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>13. Construct hip roof porch with supports/columns.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>14. Infill several window openings with framing and splice in siding, fascias and soffits</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>15. Fill stud cavity of exterior walls with spray foam insulation.</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>16. Remove and replace new concrete sidewalks adjacent to building.</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>17. Demolish/Reconstruct rock retaining wall and stone stair (marked wood stair on site plan) immediately south of house.</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>18. Construct stone retaining between 201 and 211 Church Street. Install (3) 20’ tall flag poles.</td>
<td>0</td>
<td>7</td>
<td>3</td>
<td>3</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>19. Construct stone retaining wall along east edge of Church Street extension.</td>
<td>0</td>
<td>3</td>
<td>2</td>
<td>2</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>20. Excavate earth and construct new stone retaining wall for new parking and site generator.</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>3</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>21. Construct screen wall with parking bollards at generator location.</td>
<td>0</td>
<td>2</td>
<td>7</td>
<td>3</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>22. New three color paint scheme for siding and trim.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>23. New three color paint scheme for siding and trim.</td>
<td>0</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>11</td>
<td>Includes color selection for 1 scheme</td>
</tr>
<tr>
<td>24. Demolish and Reconstruct all existing deteriorated/rotted/missing, siding, trim, fascias and soffits.</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>3</td>
<td>8</td>
<td></td>
</tr>
<tr>
<td>25. Replace exterior doors and frames with period style wood doors.</td>
<td>0</td>
<td>2</td>
<td>1</td>
<td>3</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>26. Replace existing windows with New aluminum clad multi-paned wood windows with screens.</td>
<td>1</td>
<td>6</td>
<td>3</td>
<td>3</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>27. Replace existing interior for 1st and 2nd floor</td>
<td>3</td>
<td>6</td>
<td>8</td>
<td>8</td>
<td>25</td>
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<tr>
<td>28. Install new cabinetry and appliances in WORK AREA.</td>
<td>1</td>
<td>2</td>
<td>4</td>
<td>4</td>
<td>11</td>
<td></td>
</tr>
<tr>
<td>29. Replace existing interior wall and ceiling finishes to be code compliant with gypsum board.</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>3</td>
<td>7</td>
<td></td>
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<tr>
<td>30. Replace floor finishes throughout with wood, tile or carpet.</td>
<td>0</td>
<td>3</td>
<td>1</td>
<td>2</td>
<td>5</td>
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<tr>
<td>31. Replace interior doors with to be period style wood doors.</td>
<td>0</td>
<td>2</td>
<td>2</td>
<td>2</td>
<td>6</td>
<td></td>
</tr>
<tr>
<td>32. Install new HVAC system with commercial grade furnace, with A/C and water heater.</td>
<td>1</td>
<td>6</td>
<td>3</td>
<td>1</td>
<td>11</td>
<td>Coord. w/ Consulting engr.</td>
</tr>
<tr>
<td>33. Install new outdoor/indoor HVAC system for SERVER.</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>0</td>
<td>6</td>
<td>Coord. w/ Consulting engr.</td>
</tr>
<tr>
<td>34. Replace new electrical wiring and fixtures.</td>
<td>0</td>
<td>2</td>
<td>3</td>
<td>0</td>
<td>5</td>
<td>Coord. w/ Consulting engr.</td>
</tr>
<tr>
<td>35. Replace interior plumbing.</td>
<td>0</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>6</td>
<td>Coord. w/ Consulting engr.</td>
</tr>
<tr>
<td>36. Demolish/Reconstruct roof.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>37. Demolish wood deck and foundations.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>38. Demolish the existing wood eaves.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>39. Demolish and reconstruct wood eaves.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>40. Demolish existing 3 trap door clearstory windows on west elevation.</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td></td>
</tr>
</tbody>
</table>

**Total:** $7,500
## Project Fee Estimate - Hourly Basis

### Historic Grant Rehabilitation

201 Church Street - IT Facility
Black Hawk, CO

### Project Details

- **Revised 7/19/2013**
- **Revised 11/26/2013 (approved 12/18/13)**
- **Revised 3/11/2014**

### Task Description

<table>
<thead>
<tr>
<th>Task Description</th>
<th>PEH Proj. Mgr.</th>
<th>Senior CAD</th>
<th>Junior CAD</th>
<th>Ttl. Hrs.</th>
<th>Hourly</th>
<th>Total</th>
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<td>3 part specifications</td>
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<td>8</td>
<td>6</td>
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<td>26</td>
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<td>Update drawings after full demo of interior finishes</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>City/client review meetings</td>
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<td>12</td>
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<td>12</td>
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<tr>
<td>Pre-Bid Meeting with Contractors</td>
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<td>4</td>
<td>0</td>
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<td>4</td>
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</tr>
<tr>
<td>Clarifications/addendum to GCs during bidding</td>
<td>2</td>
<td>4</td>
<td>7</td>
<td>0</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>CONDOC update to include clarification/addendum items</td>
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<td>4</td>
<td>4</td>
<td>6</td>
<td>15</td>
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<tr>
<td>City/client review meetings</td>
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<td>12</td>
<td>0</td>
<td>0</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>City/client Interior design review meetings</td>
<td>12</td>
<td>12</td>
<td>0</td>
<td>0</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>Pre-Bid Meeting with Contractors</td>
<td>0</td>
<td>4</td>
<td>0</td>
<td>0</td>
<td>4</td>
<td></td>
</tr>
<tr>
<td>Clarifications/addendum to GCs during bidding</td>
<td>2</td>
<td>4</td>
<td>7</td>
<td>0</td>
<td>13</td>
<td></td>
</tr>
<tr>
<td>CONDOC update to include clarification/addendum items</td>
<td>1</td>
<td>4</td>
<td>4</td>
<td>6</td>
<td>15</td>
<td></td>
</tr>
</tbody>
</table>

### Total Construction Documents

- **$47,855**
- **Previous Allocation**

### Consultant CONDOC Services

- **Civil**
  - $5,858
  - $2,805
  - $3,300
  - $11,963
  - Includes 2 site visits

- **Structural**
  - $4,180
  - $880
  - $2,000
  - $7,060
  - Includes 1 initial site visit

- **Mechanical & Plumbing**
  - $5,720
  - $1,540
  - $3,200
  - $10,460
  - Includes 1 initial site visit

- **Electrical**
  - $2,640
  - $1,000
  - $2,800
  - $6,440
  - Includes 1 initial site visit

- **Masonry Expert**
  - $0
  - $0
  - $0
  - $0

- **Interior Designer**
  - $3,960
  - $0
  - $3,960
  - Includes 3 meetings

### Total Consultant CONDOC Services

- **$39,983**

### Architectural Construction Administration Phase

- **Pre-construction OAC mtg.**
  - 0
  - 4
  - 0
  - 0
  - Includes travel time

- **Site observations - every other week**
  - 2
  - 11
  - 12
  - 22
  - 47

- **Field Reports**
  - 0
  - 16
  - 16
  - 16
  - 16

- **Clarifications/SK dwgs to GC if req'd**
  - 0
  - 0
  - 0
  - 0

### Total Architectural Construction Administration Phase

- **$16,875**

### Consultant Construction Administration Services

- **Civil**
  - $1,430
  - $0
  - $1,430
  - Includes 2 site visits

- **Structural**
  - $2,640
  - $0
  - $2,640
  - Includes 3 site visits

- **Mechanical & Plumbing**
  - $1,210
  - $650
  - $1,860
  - Includes 2 site visits

- **Electrical**
  - $880
  - $0
  - $880
  - Includes 2 site visits

- **Interior Designer**
  - $0
  - $0
  - $0

### Total Consultant Construction Administration Services

- **$6,810**

### Project Closeout

- **Final Punch List and Record Drawings**
  - 6
  - 6
  - 0
  - 14
  - 26

### Total Project Closeout

- **$2,490**

### Reimbursable Allowance

- **$1,155**
  - Plots, prints, USPS

- **$1,215**
  - 28 Trips of 70 miles at $0.62 per mile

### Total Reimbursable Allowance

- **$2,370**

### ADDSERV 12/18/13

- **$16,255**

### ADDSERV 3/11/14

- **$15,100**
1. OMIT STONE STAIRS.
2. FLAG POLES IN 34" HT. STONE WALL.
3. 10', 25', 60' POLES @ 18'-0" SPACING.
4. LOCATION OF DRY CONDUIT UTILITIES TO BE ADJUSTED IN FIELD, AS REQ'D BY PUBLIC WORKS.
5. REVISED LOCATION OF STONE WALL
   - GRAVITY STONE RET. WALL ON CONC. FOOTING.
6. CONC. RET. WALL WITH STONE VENEER.
7. ASSUMED EDGE OF EXCAVATION FOR RET. WALL.
8. ADD ALT. OVER-EXCAVATION
9. EXPOSED ROCK FACE.

PEH ARCHITECTS
1315 Spruce Street Suite 207
Bozeman, CO 80302
303-442-0408, fax 303-447-1905
email peheinzapeharcitests.com

IT Facility
City of Black Hawk
311 Church Street
Black Hawk, Colorado 80422
ROADWAY EASEMENT AGREEMENT

THIS ROADWAY EASEMENT AGREEMENT (the "Agreement") is made and entered into this 2nd day of April 2014, by and between the City of Black Hawk, Colorado (the "City") and Jeannie L. Larkins (the "Owner").

WITNESSETH:

For and in consideration of the sum of ten dollars ($10.00) to the City paid in hand by the Owner, the receipt of which is hereby acknowledged, the City hereby grants to the owner a roadway easement for use by the Owner, its successors and assigns, lessees, licensees, and agents, of the real property within Church Street described in Exhibit A which is attached hereto and incorporated herein.

Section 1. Grant of Easement by the City. The City does hereby grant to the Owner, its successors and assigns, lessees, licensees, and agents, an easement for that portion of Church Street more particularly described in Exhibit A (the "Easement Property"), attached hereto and incorporated herein by this reference, for the purpose of constructing and maintaining Owner's residential structure (the "Improvement") within and upon the Easement Property according to the design and construction plans approved by the City for the improvement.

Section 2. Covenants of the Owner. The Owner hereby represents, covenants, and warrants in favor of the City as follows:

a. The Owner shall protect the Easement Property and adjacent lands from damage caused in whole or in part by acts or omissions of the Owner, its employees, agents, contractors, subcontractors, assigns, lessees, licensees, agents, patrons, invitees, and visitors.

b. In all activities undertaken on property belonging to the City by the Owner or its employees, agents, contractors, subcontractors, successors, assigns, lessees, or licensees, all work shall be completed in a good and workmanlike manner.

Section 3. Insurance. The Owner shall obtain for itself, its agents, successors, assigns, lessees, licensees, and agents, necessary and adequate property damage insurance with limits commensurate with hazards and risks associated with the use of the Easement Property, but in no event less than the liability limits established by the Colorado Governmental Immunity Act, Colo. Rev. Stat. §24-10-101, et seq., as now in effect or as hereinafter amended.

Section 4. Non-waiver. The failure of the City or the Owner to enforce any provision of this Agreement shall not act as a waiver by the City or the Owner to enforce any other provision of this Agreement.
Section 5. Miscellaneous.

a. Except as otherwise expressly provided herein, all provisions herein contained, including the benefits, burdens, and covenants, are intended to run with the land and shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.

b. This Agreement constitutes all of the agreements, understandings, and promises between the parties hereto with respect to the subject matter hereof.

c. This Agreement shall be of no force and effect until it is duly and validly executed by all parties hereto.

d. The Owner agrees to each and every term, condition, and covenant of this Agreement and hereby waives its rights, either present or future, to contest or challenge the validity, enforceability, or constitutionality of any provision contained herein.

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement by their respective duly authorized officers as of the date and year first above written.

CITY OF BLACK HAWK, COLORADO

By: ___________________________
    David D. Spellman, Mayor

ATTEST:

_______________________________
Jeanie Magno, City Clerk

APPROVED AS TO FORM:

_______________________________
Corey Y. Hoffmann, City Attorney
STATE OF COLORADO
COUNTY OF GILPIN

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 2nd day of April, 2014, by Jeannie L. Larkins

My commission expires: 09/09/2017

(SEAL)

Notary Public
EXHIBIT A

A ROADWAY EASEMENT OVER A PORTION OF CHURCH STREET
CITY OF BLACK HAWK, COUNTY OF GILPIN, STATE OF COLORADO

DESCRIPTION:

A ROADWAY EASEMENT, LOCATED WITHIN CHURCH STREET, BASED UPON THE SURVEY MAP OF BLOCK 25, 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, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 25 AND THE NORTHERLY CHURCH STREET RIGHT-OF-WAY,
THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, N 71°16'29" E, 28.92 FEET, TO THE TRUE POINT OF BEGINNING, WITH ALL
BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE CONTINUING ALONG SAID NORTHERLY RIGHT-OF-WAY,
N 71°16'29" E, 93.55 FEET; THENCE S 18°43'31" E, 2.50 FEET; THENCE S 71°16'29" W, 55.00 FEET; THENCE S 65°29'00" W,
26.95 FEET; THENCE S 48°40'00" W, 12.71 FEET; THENCE N 18°43'31" W, 10.11 FEET TO THE TRUE POINT OF BEGINNING.

NOTE:

THIS EXHIBIT DOES NOT REPRESENT A MONUMENTED LAND SURVEY.
IT IS INTENDED ONLY TO DEPICT THE ATTACHED DESCRIPTION.

C.C.S. CONSULTANTS, INC.
4860 Robb Street, Suite 206
Wheat Ridge, Colorado 80033
Phone: 303-403-4706, Fax: 303-403-0800