

**City of Black Hawk
City Council
211 Church Street
April 9, 2014
3:00 p.m.**

RINGING OF THE BELL:

- 1. CALL TO ORDER:**
- 2. ROLL CALL & PLEDGE OF ALLEGIANCE:**
- 3. AGENDA CHANGES:**
- 4. CONFLICTS OF INTEREST: (Council disclosures are on file w/City Clerk & Sec. Of State)**
- 5A. 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**

City of Black Hawk
City Council Minutes
March 26, 2014

DRAFT

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 Armbricht **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:

C. 271 Church Street –
Temporary
Construction
Easement

Mayor Spellman read the title.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbricht 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 Armbricht **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.

Jeanie M. Magno, CMC
City Clerk

David D. Spellman
Mayor

**RESOLUTION 20-2014, A
RESOLUTION AMENDING
THE CITY OF BLACK
HAWK 2013 BUDGET**

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

Resolution No. 20-2014

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

CITY OF BLACK HAWK, COLORADO
 PROPOSED BUDGET AMENDMENT
 2013 ANNUAL BUDGET

Department	Account Number	Account Description	Current Budget	Proposed Adjustment	Proposed Budget	Comments/Notes
PLANNING	201-0000-5017702	PARKING	0	250,000	250,000	WINNERS HAVEN
		TOTAL IMPACT FEE FUND EXPENSE REVISIONS		250,000		
PUBLIC WORKS	305-3101-4317102	LAND PURCHASES	0	1,850,000	1,850,000	WINNERS HAVEN, LOWER MAIN, MISC MINING CLAIMS
		TOTAL CAPITAL FUND EXPENSE REVISIONS		1,850,000		
PUBLIC WORKS	401-0000-4718301	DEBT ISSUANCE COSTS	0	218,555	218,555	COST OF 2013 DEBT ISSUANCE
		TOTAL DEBT SERVICE FUND EXPENSE REVISIONS		218,555		

**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
Staff Report, and applicant’s
application

DOCUMENTS ATTACHED:

Yes No N/A

CITY ATTORNEY REVIEW:

INITIALS _____

SUBMITTED BY:

REVIEWED BY:



03/31/2014

Vincent Harris, Baseline Corporation



Jack D. Lewis, City Manager

Staff Report

STAFF REPORT: Site Development Plan – Church Street Properties City Municipal Complex
For: City Council
Project: Church Street Properties / P-13-28
Property Address: 201, 211, 221 Church Street
Applicants: City of Black Hawk
Zoning: Historic Appreciation and Preservation (HAP)
Prepared by: Zeljko Spiric, Baseline Corporation
Approved by: Vincent Harris, Baseline Corporation 
Reviewed by: Cynthia Linker, CP&D Administrator

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.

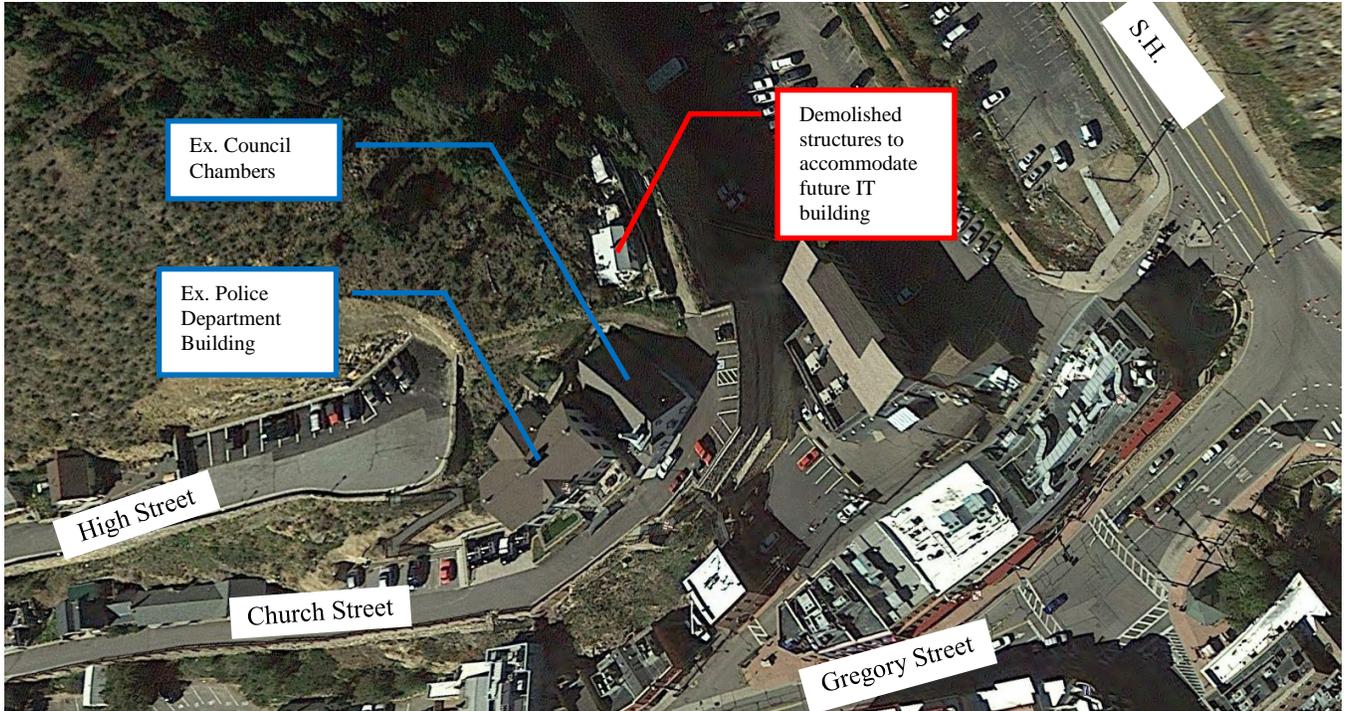
The boundary of the proposed SDP also includes the City of Black Hawk Police Department building and the Council Chambers building. No alterations are proposed at these two buildings.

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.

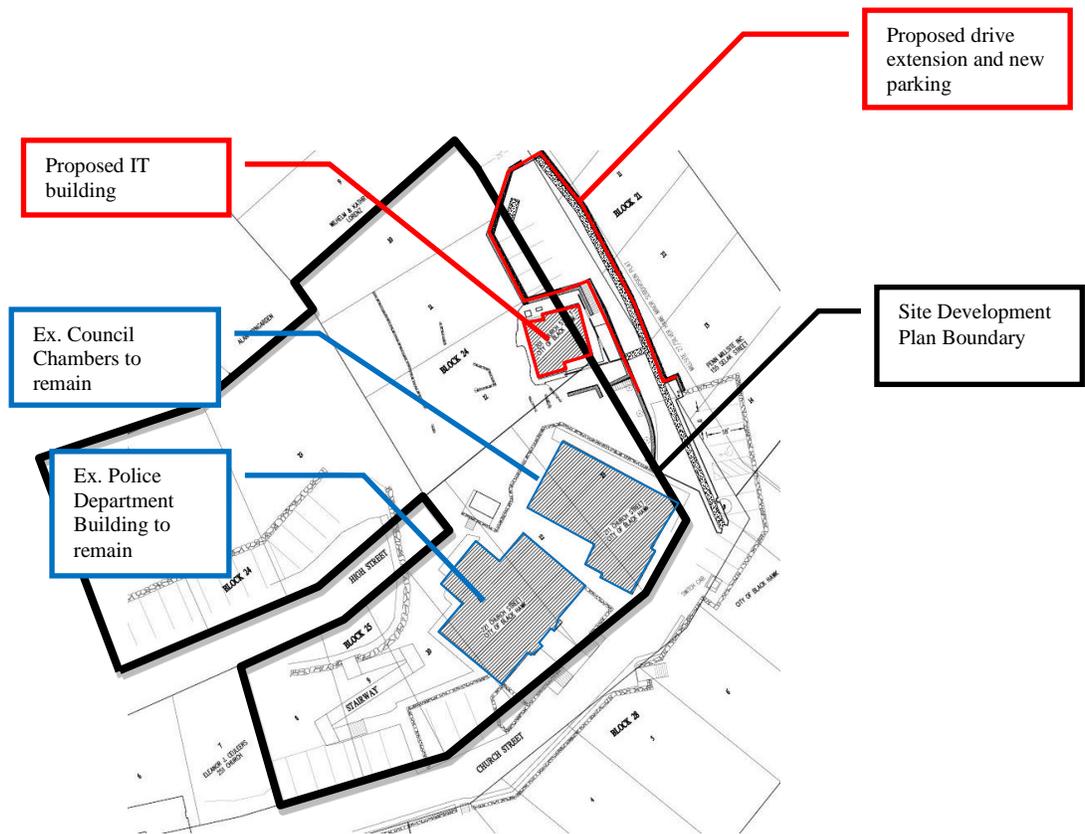
The regulations for a SDP have been reviewed by staff and comments are included below. Attached to this staff report is the SDP document. Excerpts from the SDP are included in the following graphics.

Past Council Action:

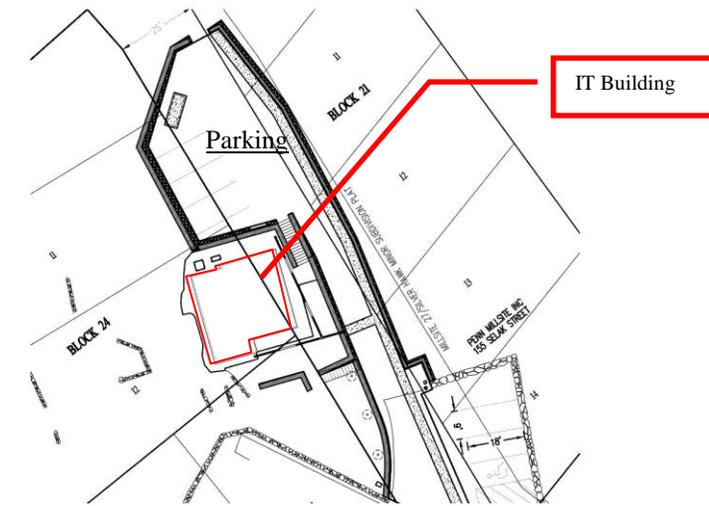
- Certificate of Appropriateness for demolition of previous structure at 201 Church Street – Resolution 49-2013 (November 13, 2013)
- Certificate of Appropriateness for the reconstruction of new Information Technology (IT) building at 201 Church Street – Resolution 13-2014 (March 26, 2014)



Existing Facilities at 201, 211, and 221 Church Street



Proposed Information Technology Building



Facility Close Up



Proposed Facility Renderings

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



BLACK HAWK

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

**LAND USE
PRE-PLANNING
APPLICATION**

DATE: March 17, 2014

APPLICANT NAME: City of Black Hawk

APPLICANT ADDRESS: 211 Church Street, Black Hawk, CO 80422

APPLICANT MAILING ADDRESS: 211 Church Street, Black Hawk, CO 80422

APPLICANT CONTACT NUMBER: 303-582-0615

EMAIL ADDRESS: clinker@cityofblackhawk.org

PROPERTY OWNER NAME: City of Black Hawk

PROPERTY OWNER ADDRESS: 211 Church Street, Black Hawk, CO 80422

PROPERTY OWNER MAILING ADDRESS: 211 Church Street, Black Hawk, CO 80422

PROPERTY OWNER CONTACT NUMBER: 303-582-0615

EMAIL ADDRESS: clinker@cityofblackhawk.org

PROJECT NAME: Church Street Properties City Annex SDP

PROJECT ADDRESS: 201,211,221 Church Street

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): Black Hawk

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):

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

ANNEXATION OF _____ ACRES OF LAND AND _____ ACRES OF RIGHT-OF-WAY

ZONING/REZONING: FROM: _____ TO: _____

PLANNED UNIT DEVELOPMENT (AMENDMENT)

FINAL PLAT: _____ EXISTING LOTS _____ PROPOSED LOTS

MINOR PLAT

SPECIAL USE PERMIT

VACATION OF EASEMENT: _____ RIGHT-OF-WAY: _____

VARIANCE

SITE DEVELOPMENT PLAN

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

PLEASE READ THE FOLLOWING

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

CERTIFICATION:

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

SIGNATURE OF APPLICANT: *Cynthia L. Luhn* 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



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

**POTENTIAL DOCUMENT
 SUBMITTAL
 REQUIREMENTS**

PROJECT NAME: _____

REQUIRED ITEMS SELECTED BY CITY STAFF

- 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 references 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**



BLACK HAWK

**CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION**

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 No N/A

INITIALS _____

SUBMITTED BY:

REVIEWED BY:

Jessica Killian 04/02/14
Jessica Killian, Senior Project Manager
Consilium Partners

Jack D. Lewis
Jack D. Lewis, City Manager
City of Black Hawk

101 Marchant Street Bid Analysis Summary

	Gil-Roy Construction	David Peterson Construction, Inc.	Rhinotrax Construction
Exterior Direct Cost Subtotal (Divisions 1-50)	\$45,250	\$45,340	\$80,820
General Conditions Subtotal	\$15,725	\$14,480	\$47,280
Total Base Bid	\$60,975	\$59,820	\$128,100
Alternate #1: Overhead door at Storage Shed	-\$850	\$1,525	-\$4,000
Alternate #2: Gutters/Downspouts at Storage Shed	\$285	\$1,125	\$750
Alternate #3: Concrete Floor at Coal Shed	\$300	\$2,100	\$250
Alternate #4: Sales Tax	-\$1,500	-\$1,500	-\$3,237
Alternate #5: Rock Wall Removal	\$2,200	\$850	\$847
Total Alternate Costs - Paid by Owner	-\$150	\$875	-\$6,390
Total Base Bid + Alternates	\$60,825	\$60,695	\$121,710
Proposed Start Date	4/17/2014	4/30/2014	5/15/2014
Proposed Completion Date	5/17/2014	5/30/2014	6/12/2014
Total Number of Calendar Days	30	30	29
Change Order Overhead & Profit	10%	12%	20%

**SECOND AMENDMENT TO
SCOPE OF WORK AND
PEH ARCHITECTURAL
FEES – IT FACILITY 201
CHURCH STREET**



BLACK HAWK

**CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION**

CITY COUNCIL MEETING:

April 9, 2014

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.
3. Snow Melt for exterior walking surfaces (\$3,900).
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)

- Request an deduct alternate to omit the concrete/stone retaining wall (in the bid documents)
- 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.
 - Eliminate the concrete structural back-up wall along 110 LF of retaining wall.
 - Eliminate approximately 4 to 5 10" thick concrete counterfort walls.
 - Eliminate approximately 8 to 10 micropiles into bedrock.
 - Retaining wall at parking could range in cost of \$45K - \$80K.
 - Eliminate the concrete structural back-up wall along 800 SF of retaining wall.
 - Eliminate the stone veneer along 800 SF of retaining wall.
 - 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.

RESOLUTION DATE:

April 9, 2014

ORIGINATED BY:

Community Planning and Development

STAFF PERSON RESPONSIBLE:

Cynthia L. Linker

DOCUMENTS ATTACHED:

Staff Report, Exhibit A - PEH Scope of Work with Architectural Fees, Exhibit B – PDF Sketch

CITY ATTORNEY REVIEW:

[] Yes [X] No [] N/A

SUBMITTED BY:

INITIALS _____

REVIEWED BY:





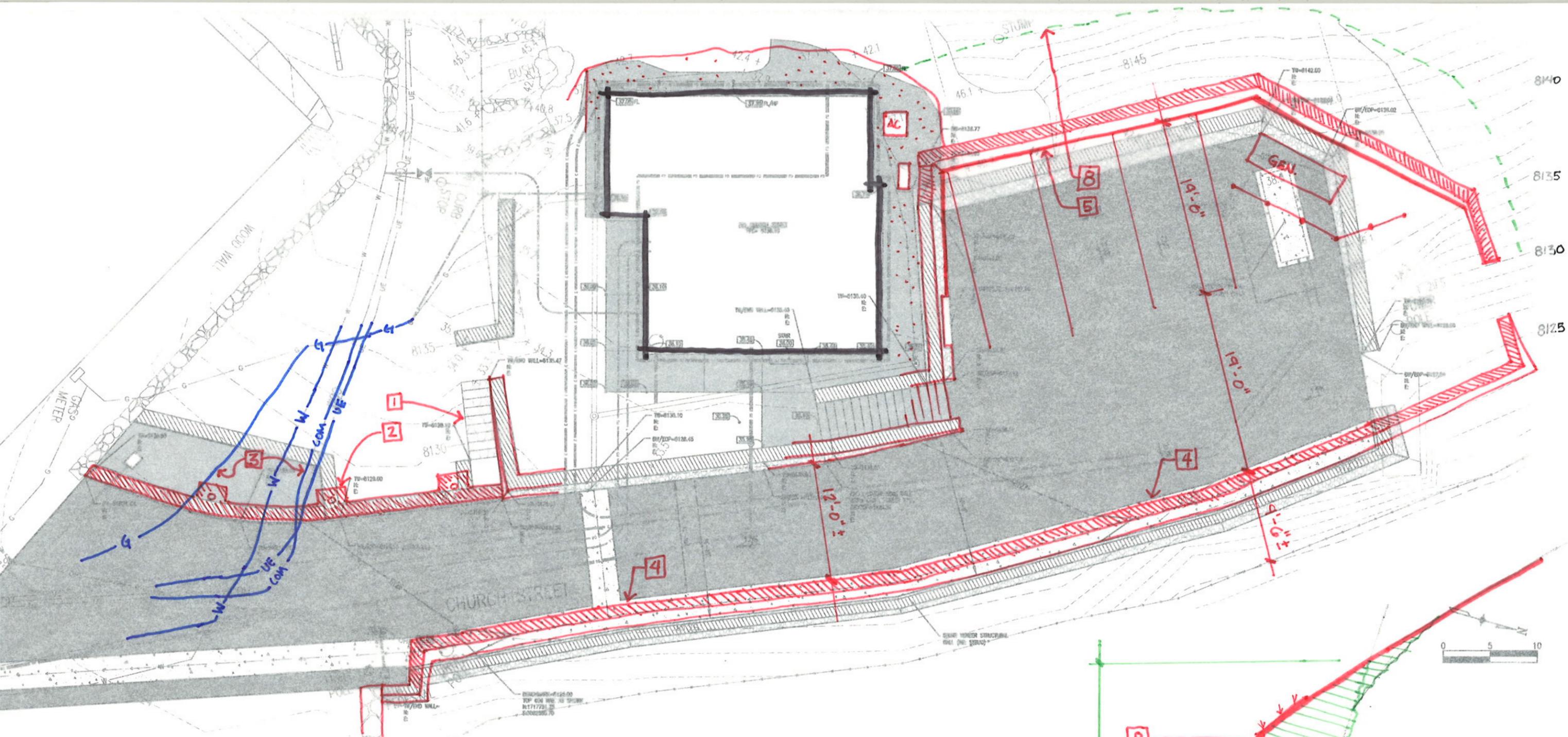
04/03/14

Cynthia L. Linker, CP&D

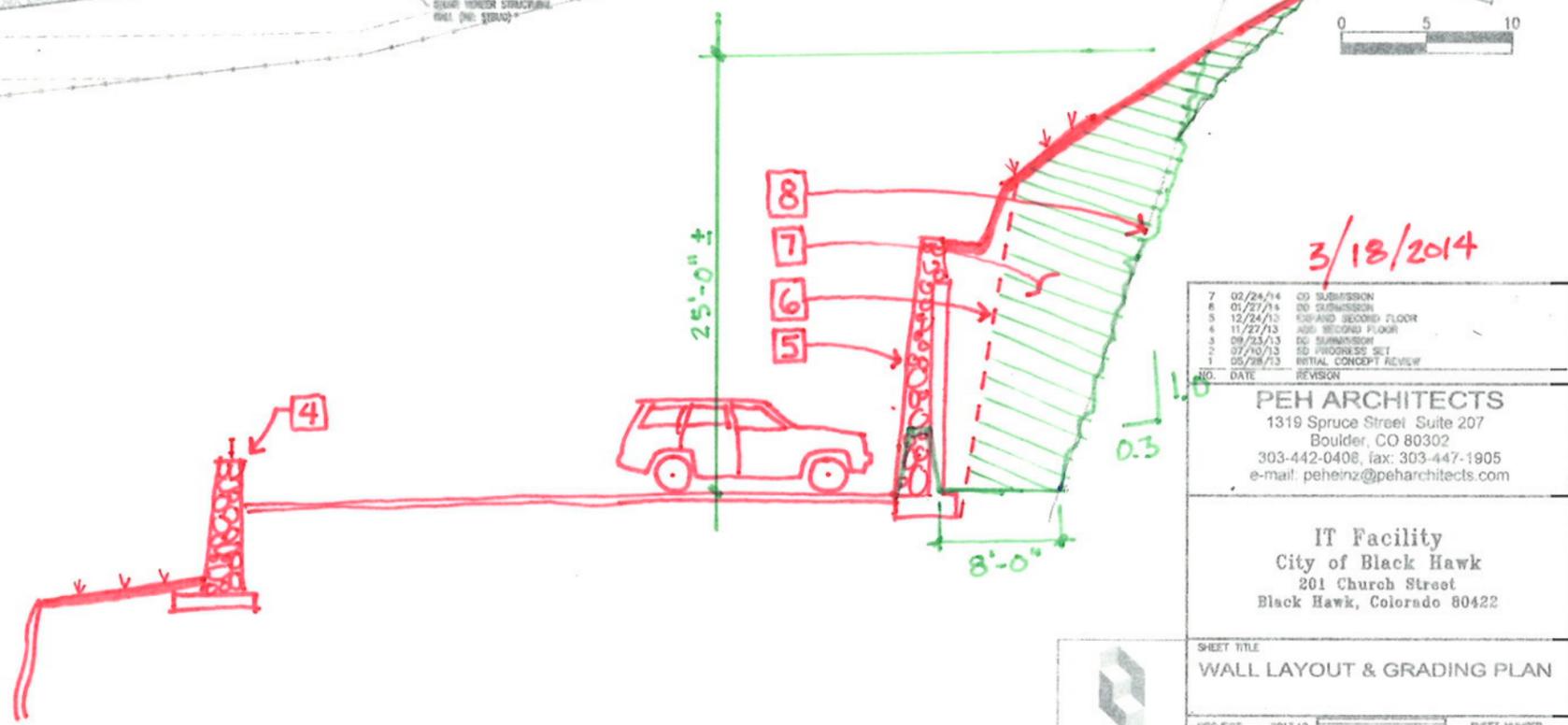
Jack D. Lewis, City Manager

PEH ARCHITECTS

PROJECT FEE ESTIMATE -HOURLY BASIS							
6/26/2013							
Revised 7/19/2013							
Revised 11/26/2013 (approved 12/18/13)							
Revised 3/11/2014							
Historic Grant Rehabilitation							
201 Church Street - IT Facility							
Black Hawk, CO							
TASK DESCRIPTION	PEH	Proj. Mgr.	Senior CAD	Junior CAD	Ttl. Hrs.	Hourly	Remarks
Rate:	\$135	\$105	\$90	\$75	Total		
Pre-design and administration services:							
Scope Review Meetings	4	0	0	0	4		Includes travel time
Initial Site Visit walk through	4	0	0	0	4		Includes travel time
Site visit for As-Built Measurements	0	0	4	4	8		Verify As-Built drawings
As-Built Drafting	2	0	6	6	14		Draft existing plans and elevations
Scope development	0	0	0	0	0		no charge
Concept sketches	10	0	13	12	35		1/8" scale sketches
Concept Plan Review Meetings	8	0	0	0	8		Includes travel time
	28	0	23	22	73		
	\$3,780	\$0	\$2,070	\$1,650			
PRE-DESIGN AND ADMINISTRATION SERVICES						\$7,500	This portion complete & Paid
Document research, design development, drafting, specifications and coordination with consultants:							
1. Design new concrete foundation, crawl space, ventilation & foundation drainage.	2	8	6	6	22		
2. Infill framing at removed stair location and provide code compliant crawl space access.	0	3	3	4	10		
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.	1	4	5	5	15		Stairs to comply with commercial code requirements
4. Sister/replace damaged New floor joists, replace subfloor and reuse historic flooring where feasible – design office live loads.	0	5	2	3	10		
5. Insulate between joists or at foundation wall as allowable.	0	3	2	3	8		
6. Modify existing attic access opening to be code compliant.	0	2	3	3	8		
7. Provide existing chimney with new supports above ceiling joists.	1	3	4	4	12		
8. Infill framing at 3 skylight openings.	0	0	0	0	0		
9. Remove skylight on west shed roof.	0	0	0	0	0		
10. Infill removed vent openings.	0	0	0	0	0		
11. Remove existing roof and install new asphalt shingle roof.	0	2	3	3	8		
12. Install new gutters and downspouts at eaves.	0	3	3	2	8		
13. Construct hip roof porch with supports/ columns.	0	0	0	0	0		
14. Infill several window openings with framing and splice in siding to match existing.	0	0	0	0	0		
15. Fill stud cavity of exterior walls with spray foam insulation	0	2	2	3	7		
16. Remove and replace new concrete sidewalks adjacent to building.	0	1	1	1	3		
17. Deconstruct/Reconstruct rock retaining wall and stone stair (marked wood stair on site plan) immediately south of house.	1	3	4	4	12		
18. Construct stone retaining between 201 and 211 Church Street. Install (3) 20' tall flag poles.	0	7	3	3	13		
19. Construct stone retaining wall along east edge of Church Street extension.	0	3	2	2	7		
20. Excavate earth and construct new stone retaining walls for new parking and site generator.	1	3	2	3	9		
21. Construct screen wall with parking bollards at generator location.	0	2	7	3	12		
22. Pour new asphalt paving along Church Street and at new parking.	0	2	2	1	5		
23. Provide new access via new perforated steel stair with guardrail at south end of new parking.	0	9	7	8	24		concrete stair
24. Remove and Replace all existing deteriorated/ rotted/ missing siding, trim, fascias and soffits.	0	2	3	3	8		
25. New three color paint scheme for siding and trim.	0	3	4	4	11		Includes color selection for 1 scheme
26. Replace exterior doors and frames with period style wood doors.	0	2	1	3	6		
27. Replace vinyl windows with New aluminum clad multi-paned wood windows with screens.	1	6	3	3	13		
28. Design new interior plan for 1 st and 2 nd floor.	3	6	8	8	25		
29. Install new cabinetry and appliances in WORK AREA.	1	2	4	4	11		
30. Replace existing interior wall and ceiling finishes with to be gypsum board.	0	2	2	3	7		
31. Replace floor finishes throughout with wood, tile or carpet.	0	2	1	2	5		
32. Replace interior doors with to be period style wood doors.	0	2	2	2	6		
33. Install new HVAC system with commercial grade furnace, with A/C and water heater.	1	6	3	1	11		Coord. w/ Consulting engr.
34. Install new outdoor/ indoor HVAC system for SERVER.	1	3	2	0	6		Coord. w/ Consulting engr.
35. Replace New electrical wiring and fixtures.	0	2	3	0	5		Coord. w/ Consulting engr.
36. Replace New interior plumbing.	0	3	2	1	6		Coord. w/ Consulting engr.
37. Demolish wood deck and foundations.	0	0	0	0	0		
38. Demolish the (3) existing wood sheds.	0	0	0	0	0		
39. Demolish current entry portico, shutters, second story deck, outbuilding.	0	0	0	0	0		
40. Demo existing 3 trapezoid clearstory windows on west elevation.	0	0	0	0	0		
Add services for adjustment in scope							
41. Design new basement floor plan layout.	3	8	7	7	25		
42. Design new basement stair.	2	7	5	7	21		
43. Design new second floor addition with new access stair.	3	12	10	9	34		



- 1 OMIT STONE STAIRS
- 2 FLAG POLES IN 36" HT. STONE WALL.
20', 25', 20' POLES @ 13'-0" SPACING.
- 3 LOCATION OF DRY CONDUIT UTILITIES TO
BE ADJUSTED IN FIELD, AS REQ'D BY
PUBLIC WORKS
- 4 REVISED LOCATION OF STONE WALL.
GRAVITY STONE RET WALL ON CONC. FOOTING.
- 5 CONC. RET. WALL WITH STONE VENEER.
- 6 ASSUMED EDGE OF EXCAVATION FOR RET. WALL.
- 7 ADD ALT. OVER-EXCAVATION
- 8 EXPOSED ROCK FACE



3/18/2014

NO.	DATE	REVISION
7	02/24/14	CD SUBMISSION
6	01/27/14	DD SUBMISSION
5	12/24/13	3RD AND SECOND FLOOR
4	11/27/13	ADD SECOND FLOOR
3	09/23/13	EC SUBMISSION
2	07/10/13	SD PROGRESS SET
1	05/28/13	INITIAL CONCEPT REVIEW

PEH ARCHITECTS
 1319 Spruce Street Suite 207
 Boulder, CO 80302
 303-442-0408, fax: 303-447-1905
 e-mail: pehinz@peharchitects.com

IT Facility
 City of Black Hawk
 201 Church Street
 Black Hawk, Colorado 80422

SHEET TITLE
WALL LAYOUT & GRADING PLAN

PROJECT: 2013.12 SHEET NUMBER

**ROADWAY EASEMENT
AGREEMENT - LARKINS**

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

OWNER

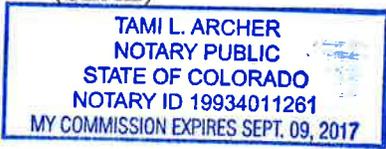
By: Jeannie Larkins
Jeannie L. Larkins

STATE OF COLORADO)
) ss.
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

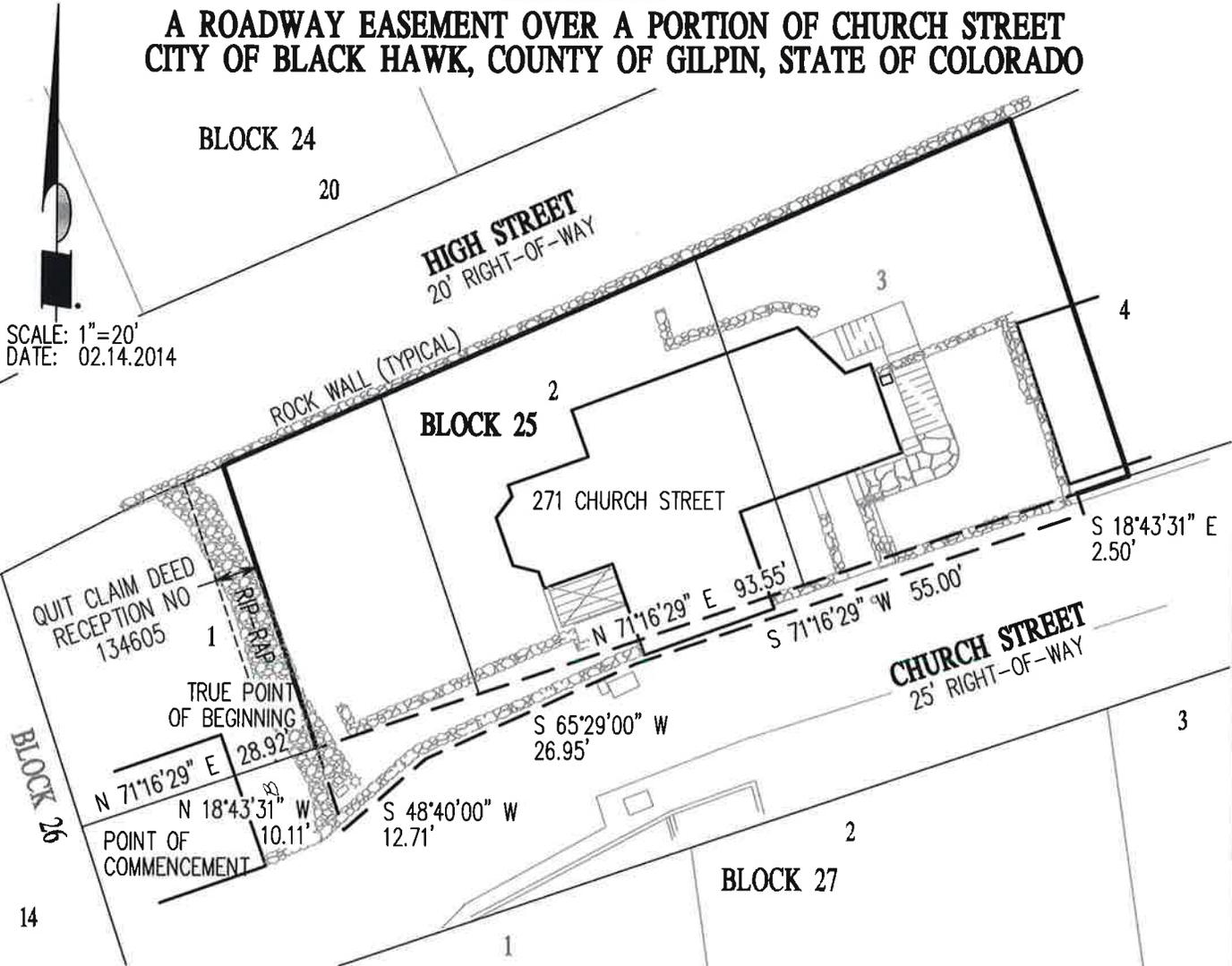
(SEAL)



Tami L. Archer
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

PROJECT NO.: CCS-BLH\9081H25\LOTS 1-2-3\EASEMENTS - EXHIBITS\ROADWAY EASEMENT