



## REGULAR MEETING AGENDA

City of Black Hawk City Council  
211 Church Street, Black Hawk, CO

October 12, 2022  
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)
5. INTRODUCTION OF  
NEW EMPLOYEE: Police Officer Cameron Martinez
6. PUBLIC COMMENT: *Please limit comments to 5 minutes*
7. APPROVAL OF MINUTES: September 14, 2022
8. PUBLIC HEARINGS:

None

### 9. ACTION ITEMS:

- A. Resolution 60-2022, A Resolution Ratifying the Approval of the Proposal from the Colorado Intergovernmental Risk Sharing Agency for 2023 Property Casualty Coverage
- B. Resolution 61-2022, A Resolution Ratifying the Approval of the License Agreement Between the City of Black Hawk, Colorado and Boulder Mountainbike Alliance
- C. Resolution 62-2022, A Resolution Authorizing the City Manager to Administratively Approve General License Agreements for City Property for Events of Ten Days or Less
- D. Resolution 63-2022, A Resolution Authorizing the Repair of Mountain Supply Line Wells #2 and #4 by Boulder Water Well Service and Supply, Inc. in the Total Amount Not to Exceed \$85,500.00
- E. Resolution 64-2022, A Resolution Authorizing the Mayor to Execute a Quitclaim Deed on Behalf of the City to a Newly Registered Elector Qualified to Serve on the Silver Dollar Metropolitan District

10. CITY MANAGER REPORT: Distribution of the 2023 Proposed Budget

11. CITY ATTORNEY REPORT:

### 12. EXECUTIVE SESSION:

Executive Session to hold a conference with the City's Attorney to receive legal advice on specific legal questions regarding the Gilpin Ambulance Authority and regarding City-owned buildings pursuant to C.R.S § 24-6-402(4)(b), and to instruct negotiators regarding City-owned land on Gregory Hill, the Gregory Street HARD District, and other City-owned property, pursuant to C.R.S § 24-6-402(4)(e).

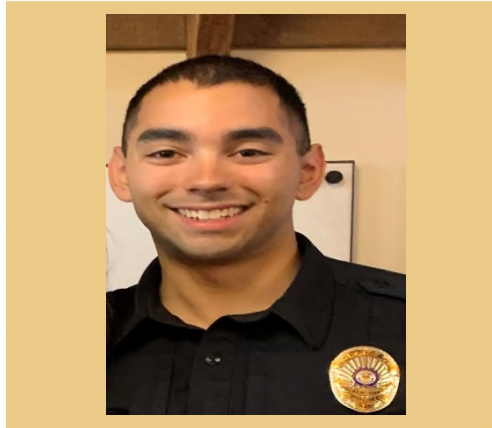
### 13. ADJOURNMENT:

### MISSION STATEMENT

The mission of the City of Black Hawk is to progressively provide cost effective programs and services of the highest quality to the community



# City of Black Hawk New Employee Introduction



Cameron Martinez  
Police Officer

My name is Cameron Martinez and I recently began my career at the Black Hawk Police Department as an Officer. A little about myself, I was born and raised in Colorado by my mother and my father. I also grew up with a sister. I was raised in the suburbs and all of my schools, even through High School were less than three miles away from my childhood home. While attending High School I did multiple extra-curricular activities such as football, track and field, assisting the sports medicine trainer with other sports games, and earning my rank as an Eagle Scout. After graduating High School, I attended a university in Arizona. While I was studying in Arizona, I studied multiple subjects such as sports medicine, construction management, and criminal justice. I ended up making criminal justice my main field of study. The reason for that was because I truly enjoyed studying people, there environments, and understanding why people commit crimes. After two years in Arizona I decided to move back to Colorado and transfer myself to a College closer to home. I continued my studies in Criminal Justice. While continuing my major, I became part of the Criminal Justice Association and a Power Lifting Club. In May of 2019, I graduated with a Bachelor's Degree in Criminal Justice. However, before I graduated I completed my application process with the Lakewood Police Department and was offered a full time position at the department as a recruit to go through their Police Academy to become a POST certified Police Agent. I began the Jefferson County Sheriff's Office and Lakewood Combined Regional Law Enforcement Academy in July of 2019 and graduated in December of the same year. I went through field training and graduated that as well. I was on my own for a while and learned that I enjoyed protecting and serving the community. I then wanted to travel for work so I was able to get a job as an executive protector with a Private Security Firm. There, I was protecting executives and had the opportunity to travel. However, I began to miss law enforcement and I began to do research about different Departments in Colorado. That was how I found the Black Hawk Police Department. In doing more research of the Department, I learned that it would be a great fit for me. After the application process and meeting with the Chief, I was proud to call myself an Officer with the Black Hawk Police Department.



**City of Black Hawk  
City Council**

**September 14, 2022**

**MEETING MINUTES**

Candidate Gail Maxwell Crawford, running for the County Clerk and Recorder position, rang the bell to open the meeting.

1. **CALL TO ORDER:** Mayor Spellman called the regular meeting of the City Council to order on Wednesday, September 14, 2022 at 3:00 p.m.

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

**Staff Present:** City Attorney Hoffmann, City Manager Cole, Police Chief Moriarty, Police Commander Jantz, Fire Chief Woolley, Finance Director Hillis, Public Works Director Isbester, City Engineer Reed, Community Planning & Development Director Linker, and Deputy City Clerk Martin.

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

3. **AGENDA CHANGES:** City Attorney Hoffmann slightly modified the Executive Session section of the agenda, where it should have read “to receive legal advice on specific legal questions related to potential legislation.”

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. City Council noted no conflicts.

City Attorney Hoffmann asked the audience if there were any objections to any member of the Council voting on any issue on the agenda this afternoon. There were no objections noted.

5. PUBLIC COMMENT: Deputy City Clerk Martin stated that Gail Crawford had signed up to speak. Ms. Crawford introduced herself for the record, living on East Dory Hill Road. She had come to the meeting to say hello and to let Council know that she was running for the County Clerk and Recorder position as an unaffiliated candidate and would appreciate their vote.

6. APPROVAL OF  
MINUTES: August 24, 2022

**MOTION TO  
APPROVE**

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

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

7. PUBLIC HEARINGS:

**A. CB22, An Ordinance Approving the Intergovernmental Agreement Between the City of Black Hawk and the Gilpin Ambulance Authority Regarding Maintenance of the Authority's Ambulances**

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester introduced the annual maintenance agreement. He said it was supposed to be signed by the Ambulance Authority this morning at their meeting, but it missed making it to their agenda so it will be on their next meeting agenda in October.

PUBLIC HEARING: Mayor Spellman declared Public Hearings on CB22, an Ordinance approving the Intergovernmental Agreement between the City of Black Hawk and the Gilpin Ambulance Authority regarding maintenance of the Authority's ambulances open and invited anyone wanting to address the Board either "for" or "against" the proposed Ordinance to come forward.

No one wished to speak, and Mayor Spellman declared the Public Hearing closed.

**MOTION TO  
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve CB22, an Ordinance approving the Intergovernmental Agreement between the City of Black Hawk and the Gilpin Ambulance Authority regarding maintenance of the Authority's ambulances.

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

8. ACTION ITEMS:

**A. Resolution 54-2022, A Resolution Approving the Agreement for Professional Services for Holiday Decorations with Alpine Artisan Studios in the Amount Not to Exceed \$214,730.00**

Mayor Spellman read the title.

Public Works Director Isbester explained that Alpine Artisan would be adding some garland and bows along Bobtail Road, lit boxes for the plaza, additional lights for the trees, and a few other items.

**MOTION TO APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 54-2022, a Resolution approving the Agreement for Professional Services for holiday decorations with Alpine Artisan Studios in the amount not to exceed \$214,730.00.

**MOTION PASSED**

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

**B. Resolution 55-2022, A Resolution Approving a Historic Preservation Easement for Excavation, Wet and Dry Utility Construction, and Rock Wall Reconstruction for the Property Located at 171 Marchant Street**

Mayor Spellman read the title.

Community Planning & Development Director Linker introduced the Historic Preservation easement as the funding source for the 171 Marchant Street project. She explained that the funds are earmarked for the project, the homeowner enters into this agreement, the agreement gets recorded, and the agreement stays with the property in perpetuity; this guarantees that the homeowner will always maintain the wall. She noted that this is not considered an emergency grant, but the homeowner has not been able to use the house since December 2021, when the water was shut off. She added that this property has six different owners, so it has been challenging to get everything in place to start the project.

**MOTION TO APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 55-2022, a Resolution approving a Historic Preservation Easement for excavation, wet and dry utility construction, and rock wall reconstruction for the property located at 171 Marchant Street.

**MOTION PASSED**

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

- C. Resolution 56-2022, A Resolution Awarding the Bid and Approving the Contract Between the City of Black Hawk and JD Masonry, LLC in the Amount Not to Exceed \$149,497.00 for the 171 Marchant Street Retaining Wall Reconstruction Project**
- D. Resolution 57-2022, A Resolution Awarding the Bid and Approving the Contract Between the City of Black Hawk and Grapes & Sons Excavating, LLC in the Amount Not to Exceed \$48,500.00 for Site and Utility Work Related to the 171 Marchant Street Retaining Wall Reconstruction Project**

Mayor Spellman combined these items and read the titles.

City Engineer Reed followed up on the previous agenda item and attested that the wall was failing. He solicited three bid requests, and only JD Masonry submitted a bid. If approved, JD Masonry will replace the entire retaining wall along the street frontage, and Grapes & Sons will assist in the demolition and excavating work. They will also relocate utility lines behind the new retaining wall.

**MOTION TO  
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 56-2022, a Resolution awarding the bid and approving the contract between the City of Black Hawk and JD Masonry, LLC in the amount not to exceed \$149,497.00 for the 171 Marchant Street Retaining Wall Reconstruction Project, and Resolution 57-2022, a Resolution awarding the bid and approving the contract between the City of Black Hawk and Grapes & Sons Excavating, LLC in the Amount Not to Exceed \$48,500.00 for Site and Utility Work Related to the 171 Marchant Street Retaining Wall Reconstruction Project.

**MOTION PASSED**

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

- E. Resolution 58-2022, A Resolution Awarding the Bid and Approving the Contract Between the City of Black Hawk and Grapes & Sons Excavating, LLC in the Amount Not to Exceed \$57,500.00 for Rockslide Repairs in Upper Chase Gulch**

Mayor Spellman read the title.

City Engineer Reed introduced this item. He said over the last month, a section of the historical retaining wall collapsed onto the trail; it is still passable but hazardous, and another wall is on the verge of collapsing. He explained that Grapes would install a laid back wall, not a vertical wall representing what was there historically, and will put mortar into it to stabilize it; the mortar will be blind so as not to be exposed. He noted they would also repair the drainage features to mitigate the water that caused the issue in the first place.



**MOTION TO  
APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 58-2022, a Resolution awarding the bid and approving the contract between the City of Black Hawk and Grapes & Sons Excavating, LLC in the Amount Not to Exceed \$57,500.00 for rockslide repairs in Upper Chase Gulch.

**MOTION PASSED**

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

**F. Resolution 59-2022, A Resolution Approving an Agreement with Arborist Prime Tree Service for the Removal of Trees Adjacent to Highway 119 Within the Black Hawk City Limits in the Amount Not to Exceed \$75,000.00**

Mayor Spellman read the title.

Fire Chief Woolley began by stating that the City has seen a drastic increase in the degradation of trees since last year's tree removal along the Highway 119 corridor. Chief Woolley went on to say they solicited three bids and wish to award the bid to Arborist Prime Tree Service. Mayor Spellman added that most of the trees are located on the highway right-of-way, so it should be CDOT's responsibility. Chief Woolley said the reality is that all of those trees will die due to the magnesium chloride and the beetle kill. He said this project would increase the width of the corridor, help reduce wildfire fuels, make the forest healthier, and provide a better view of the City.

Alderman Armbright asked about the dead trees high up in the mountain, and Chief Woolley replied they are working with Xcel, but the phone and cable company is up there too, and they are separate from one another, plus there are multiple property owners involved, so it is a process. He assured Council they are working on a remedy for the future and are trying to stay on top of it.

**MOTION TO  
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 59-2022, a Resolution approving an agreement with Arborist Prime Tree Service for the removal of trees adjacent to Highway 119 within the Black Hawk City limits in the amount not to exceed \$75,000.00.

**MOTION PASSED**

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

**9. CITY MANAGER  
REPORT:**

City Manager Cole had nothing to report.

10. CITY ATTORNEY  
REPORT:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE  
SESSION:

City Attorney Hoffmann recommended item number 2 only for Executive Session and the specific legal issues related to potential legislation.

**MOTION TO ADJOURN  
INTO EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:20 p.m. to hold a conference with the City's attorney to receive legal advice on specific legal questions pursuant to C.R.S. § 24-6-402(4)(b).

**MOTION PASSED**

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

**MOTION TO  
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:45 p.m.

**MOTION PASSED**

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

12. ADJOURNMENT:

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

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Michele Martin, CMC  
Deputy City Clerk

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David D. Spellman  
Mayor



**RESOLUTION 60-2022**  
**A RESOLUTION**  
**RATIFYING THE**  
**APPROVAL OF THE**  
**PROPOSAL FROM THE**  
**COLORADO**  
**INTERGOVERNMENTAL**  
**RISK SHARING AGENCY**  
**FOR 2023 PROPERTY**  
**CASUALTY COVERAGE**

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

**Resolution No. 60-2022**

**TITLE:       A RESOLUTION RATIFYING THE APPROVAL OF THE PROPOSAL  
FROM THE COLORADO INTERGOVERNMENTAL RISK SHARING  
AGENCY FOR 2023 PROPERTY CASUALTY COVERAGE**

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

**Section 1.**       The City Council hereby ratifies the approval of the proposal from the  
Colorado Intergovernmental Risk Sharing Agency (“CIRSA”) for 2023 Property Casualty  
Coverage in the approximate amount (after credits) of \$355,791.04.

RESOLVED AND PASSED this 12th day of October, 2022.

\_\_\_\_\_  
David D. Spellman, Mayor

ATTEST:

\_\_\_\_\_  
Melissa A. Greiner, CMC, City Clerk

# CITY OF BLACK HAWK

## REQUEST FOR COUNCIL ACTION

**SUBJECT:** Acceptance of the Preliminary 2023 Quote for Renewal for Property Casualty Insurance with Colorado Intergovernmental Risk Sharing Agency (CIRSA).

**RECOMMENDATION:** Staff recommends the following motion to the City Council:

**MOTION TO APPROVE** Resolution 60-2022, A Resolution Ratifying the Approval of the Proposal from the Colorado Intergovernmental Risk Agency for 2023 Property Casualty Coverage.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

CIRSA presented a preliminary quote of \$344,236.03 for the annual renewal of the 2023 Property Casualty Insurance. The impact of loss experience increased the quote by \$16,575.02 bringing the amount of the 2023 Preliminary Quotation before credits to \$360,811.04. The City of Black Hawk actively works to control our losses and this year earned \$5,020.00 in Loss Control Credits. This credit will be used to reduce the 2023 contribution to \$355,791.04 which results in a 17% increase over 2022 coverage.

The following factors contributed to the increase in the City's annual contribution:

- The City reported \$24.5 million in Total Operating Expenditures and had a 10% increase in experience modification rating.
- On the liability side, municipalities face an increasingly hostile legal and social climate, particularly in law enforcement liability coverage. State legislation has significantly increased law enforcement liability exposure, and defending and settling law enforcement claims grows more costly and challenging each year.
- On the property side, the property market continues to raise deductibles and increase the cost of insurance. Conditions around the county (and globally) have a significant impact on the availability and cost of property coverage. For this reason CIRSA does not expect an easy excess/reinsurance renewal on the property side.

One benefit of being a CIRSA pool member with substantial membership equity is that the City of Black Hawk will experience less of an impact from the market rate increases newer members, who have less equity in the pool will receive.

**AGENDA DATE:** October 12, 2022

**FUNDING SOURCE:** 010-1302-413-5101

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

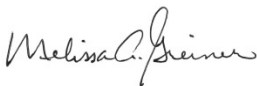
**STAFF PERSON RESPONSIBLE:** Melissa Greiner, CMC, City Clerk/Administrative Services Director

**DOCUMENTS ATTACHED:** N/A

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

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

**SUBMITTED BY:**



Melissa Greiner, CMC  
City Clerk/Administrative Services Director

**REVIEWED BY:**



Stephen N. Cole  
City Manager

**RESOLUTION 61-2022**  
**A RESOLUTION**  
**RATIFYING THE**  
**APPROVAL OF THE**  
**LICENSE AGREEMENT**  
**BETWEEN THE CITY OF**  
**BLACK HAWK,**  
**COLORADO AND**  
**BOULDER**  
**MOUNTAINBIKE**  
**ALLIANCE**

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

**Resolution No. 61-2022**

**TITLE:                   A RESOLUTION RATIFYING THE APPROVAL OF THE  
LICENSE AGREEMENT BETWEEN THE CITY OF BLACK  
HAWK, COLORADO AND BOULDER MOUNTAINBIKE  
ALLIANCE**

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

**Section 1.**     The approval of the License Agreement by and between the City of Black  
Hawk and the Boulder Mountainbike Alliance, attached hereto as **Exhibit A**, is hereby ratified,  
and the Mayor is authorized to execute the same on behalf of the City.

RESOLVED AND PASSED this 12<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
David D. Spellman, Mayor

ATTEST:

\_\_\_\_\_  
Melissa A. Greiner, CMC, City Clerk

# CITY OF BLACK HAWK

## REQUEST FOR COUNCIL ACTION

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**SUBJECT:** License Agreement for use of City-owned property at the Hidden Treasure Trailhead and the Maryland Mountain trails.

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

**MOTION TO APPROVE** Resolution 61-2022, a Resolution ratifying the approval of the License Agreement between the City of Black Hawk, Colorado and Boulder Mountainbike Alliance.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

On September 21, 2022, the City Clerk's office received a Special Event application from the Boulder Mountainbike Alliance for the grand opening celebration of the Ore Chute trail at Hidden Treasure Trailhead and Maryland Mountain. They are expecting approximately 100 people and the event is planned for Saturday, October 15, 2022 from 10:00 am – 4:00 pm. The City owns this property, so a License Agreement is required. A phone poll was conducted with each Alderman due to the timing of the Council meeting in relation to the event date.

**AGENDA DATE:** October 12, 2022

**WORKSHOP DATE:** N/A

**FUNDING SOURCE:** N/A

**DEPARTMENT DIRECTOR APPROVAL:** ☒ Yes ☐ No

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

**DOCUMENTS ATTACHED:** Resolution 61-2022  
License Agreement  
Special Event Application

**RECORD:** ☐ Yes ☒ No

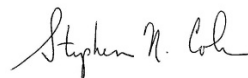
**CITY ATTORNEY REVIEW:** ☒ Yes ☐ N/A

**SUBMITTED BY:**



\_\_\_\_\_  
Melissa A. Greiner, City Clerk

**REVIEWED BY:**



\_\_\_\_\_  
Stephen N. Cole, City Manager

## LICENSE

THIS LICENSE, is made and entered into this 4 day of October, 2022, by and between the CITY OF BLACK HAWK, Colorado whose address is 201 Selak Street, Black Hawk, CO 80422 (the "City") and Boulder Mountainbike Alliance whose address is PO Box 4954, Boulder, CO 80306 ("Licensee").

1. **PROPERTY LICENSED; TERM.** The property that is licensed are the premises located at Hidden Treasure Trailhead and the Maryland Mountain trails, generally known as 8060 Black Hawk Boulevard, Black Hawk, CO 80422 (the "Premises"). This License shall allow use of the Premises on the following dates at the following times:

October 15, 2022

10:00 am to 4:00 pm

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

3. **RESTORATION.** Licensee covenants and agrees to restore the Premises following Licensee's use to the same conditions as the Premises existed prior to Licensee's use.

4. **USE.** Licensee covenants and agrees that it shall utilize the Premises for an "E-bike Demo" and for no other purpose and not to use the Premises or permit it to be used for purposes prohibited by the laws of the applicable United States, State of Colorado, or any political subdivision thereof.

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

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

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



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

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

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

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

**CITY OF BLACK HAWK, COLORADO**

By: \_\_\_\_\_  
David D. Spellman, Mayor

ATTEST:

\_\_\_\_\_  
Melissa A. Greiner, CMC, City Clerk

**LICENSEE**

By: Wendy Sweet  
(type name)  
Executive Director 10/4/2022  
Title Date

ATTEST:

A.J. Kamish  
President 10/4/2022  
Title Date



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
03/13/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Hub International Northwest LLC  110 Unity Street, Bellingham, WA, 98225	<b>CONTACT NAME:</b>		
	<b>PHONE (A/C No, Ext):</b> 360-647-9000	<b>FAX (A/C No):</b> 360-734-8496	
	<b>E-MAIL ADDRESS:</b> joni.griffis@hubinternational.com		
	<b>PRODUCER CUSTOMER ID :</b>		
<b>INSURED</b> SSEI Program Management Inc. Boulder Mountainbike Alliance  PO Box 4954 Boulder, CO, 80306	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
	<b>INSURER A :</b> HDI Global Specialty SE		AA1340041
	<b>INSURER B :</b>		
	<b>INSURER C :</b>		
	<b>INSURER D :</b>		
	<b>INSURER E :</b>		
	<b>INSURER F :</b>		

**COVERAGES****CERTIFICATE NUMBER:** A-SP-SU-22-01-14-245390**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MMDDYYYY)	POLICY EXP (MMDDYYYY)	LIMITS	
A	<b>GENERAL LIABILITY</b>	Y	N	HDGL003700608	03/13/2022	03/13/2023	EACH OCCURRENCE	\$ 1,000,000.00
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO PREMISES RENTED (Any one premises)	\$ 300,000.00
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (any one person)	\$ 5,000.00
	<input checked="" type="checkbox"/> INCLUDES ATHLETIC PARTICIPANTS						PERSONAL & ADV INJURY	\$ 1,000,000.00
	GENERAL AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE	\$ 3,000,000.00
							PRODUCTS - COMP/OP AGG	\$ 2,000,000.00
								\$
	<b>AUTOMOBILE LIABILITY</b>						COMBINED SINGLE LIMIT (Ea accident)	\$
	<input type="checkbox"/> ANY AUTO <input type="checkbox"/> HIRED AUTOS						BODILY INJURY (Per person)	\$
	<input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> NON-OWNED AUTO						BODILY INJURY (Per accident)	\$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident)	\$
	<b>UMBRELLA LIAB</b>						EACH OCCURRENCE	\$
	<b>EXCESS LIAB</b>						AGGREGATE	\$
	DEDUCTIBLE							\$
	RETENTION \$							\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b>						WC STATUTORY LIMITS	OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y / <input type="checkbox"/> N					E.L. EACH ACCIDENT	\$
	If yes, describe under SPECIAL PROVISIONS below						E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$
A	<b>OTHER</b> Abuse/Molestation	Y		HDGL003700608	03/13/2022	03/13/2023	Each Occurrence: \$ 25,000.00	Aggregate: \$ 50,000.00

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
Liability Policy Deductible: \$ 0.00 per each bodily injury or property damage claim. ISO Occurrence form CG 00 01 04 13 and company's specific forms. Coverage for Participant Legal Liability requires that every participant signs a waiver/release. The certificate holder is named as Additional Insured with respect to negligent acts or omissions of the Named Insured and only with respect to the Operations of the Insured during the coverage period. RE: Registered Mountain Biking - Recreational, XC, Trail riding, Enduro participants: 03/13/2022 - 03/13/2023;

**CERTIFICATE HOLDER****CANCELLATION**

City of Black Hawk PO Box 68 Black Hawk, CO, 80422	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  Mark Di Perno 17 of 38

AGENCY Hub International Northwest LLC		NAMED INSURED Boulder Mountainbike Alliance
POLICY NUMBER HDGL003700608		
CARRIER HDI Global Specialty SE	NAIC CODE AA1340041	PO Box 4954 Boulder, CO, 80306
		EFFECTIVE DATE: 03/13/2022

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,  
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance



# SPECIAL EVENT APPLICATION FORM

City of Black Hawk  
P.O. Box 68  
Black Hawk, CO 80422  
303-582-2221

[cityclerk@cityofblackhawk.org](mailto:cityclerk@cityofblackhawk.org)

**RECEIVED**

**SEP 21 2022**

**City of Black Hawk  
Clerk's Office**

**MUST BE RECEIVED AT LEAST 30 DAYS PRIOR TO THE EVENT**

Please refer to Black Hawk Municipal Code, Chapter 6, Sec. 6-331 for Special Event Permit information. The City of Black Hawk Municipal Code is available at [www.cityofblackhawk.org](http://www.cityofblackhawk.org).

Applicant: Boulder Mountainbike Alliance

Address: PO Box 4954, Boulder, CO 80306

Contact Person: Wendy Sweet

Phone: 303-960-6641

Email: wendys@bouldermountainbike.org

Emergency Contact: Gary Moore

Phone: 770-289-9854

Name of Event: Ore Chute Grand Opening Celebration

Type of Event: mountain bike rides

Promotional Event? ☐ YES ☒ NO

Event Location: Hidden Treasure Trailhead and Maryland Mountain trails

Approx. # of Expected People 100

Brief Description of Event: Community celebration of new trail with tents and food truck

Event Date(s): October 15, 2022

Hours of Event: 10 a.m. - 4 p.m.

*Events may take place between the hours of 8 a.m. and 10 p.m., unless otherwise approved by City Council.*

## ADDITIONAL INFORMATION REQUIRED FOR THIS REQUEST:

1. A site plan showing the location of the Special Event. Plan must be drawn with detail and clarity (preferably to scale) to demonstrate where everything will be, effects the activity will have on public or private property, and whether additional services will be requested from the City, such as Public Works personnel, or Police Officers. See attached checklist. If the event will be held on Gregory Street Plaza, please use the attached map for your site plan.
2. A description of what methods will be used to maintain public safety and security during the event. Provide a traffic control plan for any activity adjacent to City right-of-way. Also include location of all fire extinguishers, electrical power, barriers, etc. where applicable. All event sponsors are responsible for the safety of event attendees and the security of all event-related property. Event sponsors should be prepared to discuss their means of event security, including the size of the staff and whether overnight security will be necessary or not. If the event requires law enforcement services or emergency medical services from the City beyond routine patrol, event sponsors must meet with City staff to discuss.
3. If you are proposing additional signage not included in your Comprehensive Sign Plan, or if you do not have a Comprehensive Sign Plan, please refer to the Black Hawk Municipal Code, Section 15-44 Temporary Sign Regulations for Nonresidential Districts to ensure compliance, and provide the size and quantity of proposed signs.
4. If the event will take place on Gregory Street Plaza the Gregory Street HARD District Business Marketing Association will need to give their approval. The Clerk's office will circulate your application to them for review.

## ADDITIONAL DECLARATIONS:

- |   |   |  |
|---|---|--|
| 1. Will vendors be selling food and/or beverages at the event?            | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| 2. Do you want to sell or provide alcoholic beverages at the event?       | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| 3. Will you need to amplify any sound at the event (music, voices, etc.)? | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |
| 4. Will there be signs?   | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| 5. Is this event associated with an existing City of Black Hawk business? | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |
| 6. Is the location on City-owned property?                                | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |

**FEE SCHEDULE:**

First Day \$50  
 Each Additional Day \$30

**MAKE CHECK PAYABLE TO:**

City of Black Hawk  
 PO Box 68  
 Black Hawk, CO 80422  
**ATTN: City Clerk**

I hereby certify that the statements made in this application are true and complete to the best of my knowledge, and that I am authorized to execute the requirements of this application.

Wendy Sweet  
 Applicant Signature

9/21/2022  
 Date

**FOR OFFICE USE ONLY**

☐ Paid Amount: WAIVED - nonprofit Check # or CC conf# \_\_\_\_\_ By: Michelle Martin Date: 9/21/2022

☐ City Services Required: ☐ Police ☐ Fire ☐ Public Works

\_\_\_\_\_  
 Police Chief Date

\_\_\_\_\_  
 CP & D Administrator Date

\_\_\_\_\_  
 Fire Chief Date

\_\_\_\_\_  
 Public Works Director Date

\_\_\_\_\_  
 GSA approval (if required) Date

APPLICATION: ☐ Approved ☐ Denied – If denied, state reason why:

CONDITIONS OF APPROVAL (use additional sheet, if necessary):



## Special Events Permit Application Checklist

- ☐ Liquor License Premises Modification request (if applicable)
- ☐ Site Plan showing all tent, stage, portable toilets, strobe lights, generators, trailers, locations relative to lot lines, buildings, parked vehicles, etc. Use the Gregory Street Plaza Map if that is the requested location.
- ☐ Tent(s):
  - ☐ Tent(s) over 400 square feet and/or having cooking or ignition source within 20 feet of it or under it, a Certification of Flame Resistance and a photograph of the label matching the certification sewn into the tent must be provided;
  - ☐ Site plan to show location of tent(s) to lot lines, buildings, parked vehicles, and internal combustion engines (all based on aggregate floor area in the tent structure);
  - ☐ List how the tent(s) will be anchored to withstand elements of weather and prevent collapse;
  - ☐ Prohibition of combustible materials (i.e. hay and straw) in the tent structure;
  - ☐ Posting of no smoking signs;
  - ☐ Use of fireworks prohibited within 100 feet of tent structure;
  - ☐ Reference where the portable fire extinguishers will be located;
  - ☐ Fire protection equipment as required by the fire code official;
  - ☐ Occupant load factors to include emergency exiting;
  - ☐ Show where heating and cooking equipment will be located, if under approved tent, the tent must be cleaned of residual cooking products (i.e. grease);
  - ☐ Storage, handling, and use of LP-gas and LP-gas equipment;
  - ☐ Storage and use of flammable-liquid-fueled equipment; location of equipment relative to means of egress;
  - ☐ Separation of generators from the tent structure; standby personnel when required by the fire code personnel; and
  - ☐ List where the combustible waste material collection and storage will be located in the tent structure.
- ☐ Road/sidewalk closure permit request and/or License Agreement request from City Council (if applicable)
- ☐ Temporary Facilities Authorization (portable toilets) from Black Hawk/Central City Sanitation District (if applicable);
- ☐ Private security; narrative detailing plan
- ☐ Traffic control/Flaggers
- ☐ Fire/Emergency apparatus access
- ☐ Special event shall not block or impede emergency exiting from the building
- ☐ Seating arrangements (tables and chairs)
- ☐ Outdoor cooking apparatus
- ☐ Inspections prior to event (Building/Fire)
- ☐ Signage Plan for event - If a Comprehensive Sign Plan (CSP) is approved for such property, applicant shall provide a letter indicating signage will comply with the approved CSP and enclose a copy of the CSP. Sign dimensions, locations, and method of attachment shall be shown on the proposed event site plan, (Velcro is acceptable; however, string, rope or bungee cord style attachment techniques are not). If there is no CSP then the signs must be in compliance with the Black Hawk Municipal Code, Section 15-44 Temporary Sign Regulations for Nonresidential Districts.



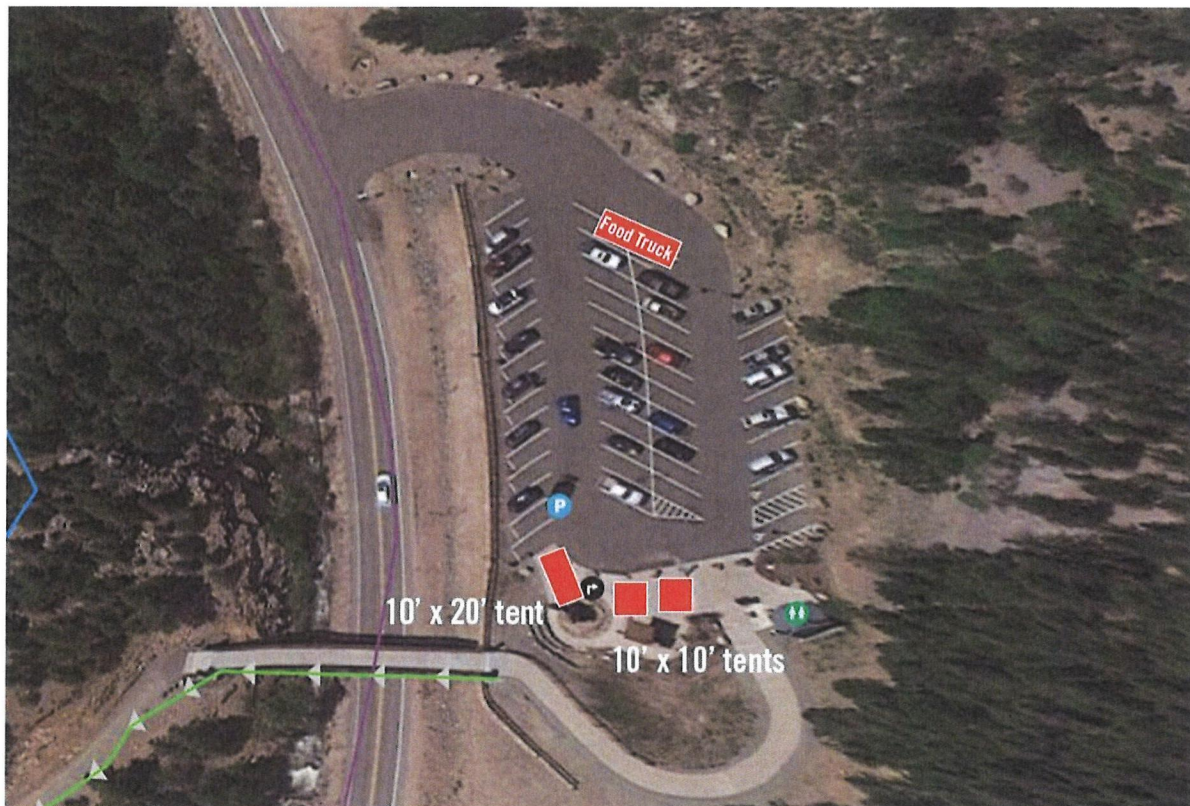
## Ore Chute Celebration at Maryland Mountain

### Site Plan

The Boulder Mountainbike Alliance (BMA) will use 3 3x8' tables and 2 10' x 10' tents and 1 10 x 20' at the Hidden Treasure Trailhead. The tents will be anchored with weights. The tents will be next to the hawk statue and not blocking the restrooms, trail or parking lot. We will not require portable toilets. We will not be using any cooking or heat sources. If our event creates any trash, we will pack it out. We might play music on small portable speakers.

A licenced food truck will be parked at the north end of the parking lot in 2 parking spots.

Our event will bring approximately 100 people to the trailhead and trails over the course of 6 hours.



The set up will be like what we did in May 2021, but with 3 tents.





**RESOLUTION 62-2022**  
**A RESOLUTION**  
**AUTHORIZING THE CITY**  
**MANAGER TO**  
**ADMINISTRATIVELY**  
**APPROVE GENERAL**  
**LICENSE AGREEMENTS**  
**FOR CITY PROPERTY FOR**  
**EVENTS OF TEN DAYS OR**  
**LESS**

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

**Resolution No. 62-2022**

**TITLE:                   A RESOLUTION AUTHORIZING THE CITY MANAGER  
TO ADMINISTRATIVELY APPROVE GENERAL LICENSE  
AGREEMENTS FOR CITY PROPERTY FOR EVENTS OF  
TEN DAYS OR LESS**

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

**Section 1.**     The City Council hereby authorizes the City Manager to administratively  
approve License Agreements for the use of City property for events of ten (10) days or less,  
consecutively or intermittently, in duration.

RESOLVED AND PASSED this 12<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
David D. Spellman, Mayor

ATTEST:

\_\_\_\_\_  
Melissa A. Greiner, CMC, City Clerk

# CITY OF BLACK HAWK

## REQUEST FOR COUNCIL ACTION

**SUBJECT:** Requesting Authorization for City Manager Administrative Approval of License Agreements for temporary use of City property.

**RECOMMENDATION:** Staff recommends the following motion to the City Council:

**MOTION TO APPROVE** Resolution 62-2022, A Resolution Authorizing the City Manager to Administratively Approve General License Agreements for City Property for Events of Ten Days or Less

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

From time-to-time the City is presented with applications for Licenses Agreements for use of City properties, and these requests must be approved by City Council. The City requests 30 days' advance notice for such requests, but often receives the requests with very little notice. Staff is requesting Council grant authorization to the City Manager for administrative approval of these routine requests to expedite the processing time for License Agreements.

**AGENDA DATE:** October 12, 2022

**WORKSHOP DATE:** N/A

**FUNDING SOURCE:** N/A

**DEPARTMENT DIRECTOR APPROVAL:** ☒ Yes ☐ No

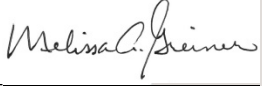
**STAFF PERSON RESPONSIBLE:** Melissa Greiner, CMC  
City Clerk/Administrative Services Director

**DOCUMENTS ATTACHED:** N/A


**RECORD:** ☐ Yes ☒ No

**CITY ATTORNEY REVIEW:** ☐ Yes ☒ N/A

**SUBMITTED BY:**

  
Melissa Greiner, CMC  
City Clerk/Administrative Services Director

**REVIEWED BY:**

  
Stephen N. Cole  
City Manager

**RESOLUTION 63-2022**  
**A RESOLUTION**  
**AUTHORIZING THE**  
**REPAIR OF MOUNTAIN**  
**SUPPLY LINE WELLS #2**  
**AND #4 BY BOULDER**  
**WATER WELL SERVICE**  
**AND SUPPLY, INC. IN THE**  
**TOTAL AMOUNT NOT TO**  
**EXCEED \$85,500.00**

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

**Resolution No. 63-2022**

**TITLE:       A RESOLUTION AUTHORIZING THE REPAIR OF MOUNTAIN SUPPLY  
LINE WELLS #2 AND #4 BY BOULDER WATER WELL SERVICE AND  
SUPPLY, INC. IN THE TOTAL AMOUNT NOT TO EXCEED \$85,500.00**

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

**Section 1.**       The City Council hereby authorizes the repair of Mountain Supply Line  
Wells #2 and #4 by Boulder Water Well Service and Supply, Inc. in the amount of \$32,000 for  
Well #2 and \$53,500 for Well #4, in the total amount not to exceed \$85,500.00.

RESOLVED AND PASSED this 12<sup>th</sup> day of October, 2022.

\_\_\_\_\_  
David D. Spellman, Mayor

ATTEST:

\_\_\_\_\_  
Melissa A. Greiner, CMC, City Clerk

# CITY OF BLACK HAWK

## REQUEST FOR COUNCIL ACTION

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**SUBJECT:** Repair of Mountain Supply Line Wells #2 and #4

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

**MOTION TO APPROVE** Resolution 63-2022 A Resolution Authorizing the repair of Mountain Supply Line Wells #2 & #4 by Boulder Water Well Service and Supply, Inc. in the amount of \$32,000 for well #2 and \$53,500 for well #4 (\$85,500 total)

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:** Both of the Mountain Supply Lines wells have experienced motor and pump failures recently. These wells and equipment are well over 20 years old and in need of upgrades. Well #2 is 420 feet deep and Well #4 is 800 feet deep. Combined these wells provide approximately 140 gallons per minute to the Dory Hill Plant. These are *critical* pieces of infrastructure during the turbid runoff in the spring and in the fall (now) and when flows are low in North Clear Creek.

Staff solicited quotes from several vendors and received quotes from Boulder Water Well Service and Supply, Inc and Colorado Water Well. Boulder Water Well provided the best and most thorough quote. Boulder Water Well repaired the North Clear Creek Pump Station Well #3 earlier this year. There is a long lead on both equipment and repair so staff is recommending accepting their quotes and getting on their schedule as soon as possible.

**AGENDA DATE:** October 12, 2022

**FUNDING SOURCE:** 501-3151-460-45-01 Repairs/Maintenance Spring Line

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

**STAFF PERSON RESPONSIBLE:** Jason Fredricks/Thomas Isbester

**DOCUMENTS ATTACHED:** Quotes

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

**CoBH CERTIFICATE OF INSURANCE REQUIRED** [ ]Yes [ ]No

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

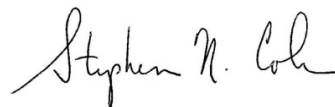
**SUBMITTED BY:**



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Thomas Isbester, Public Works Director

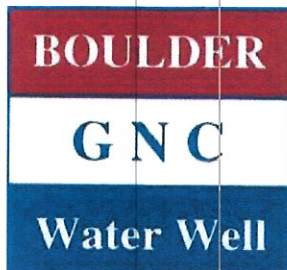
**REVIEWED BY:**



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Stephen N. Cole, City Manager





Lic. #893

## Boulder Water Well Service and Supply, Inc

1901 S 120th Street, Suite A Lafayette, CO. 80026

303-442-1911 \ 970-484-6006

www.waterwell.cc

## Estimate

No. 7006609

*Estimate pricing is valid for 15 days*

City of Black Hawk  
201 Selak Street  
PO Box 68  
Black Hawk, CO 80422

REP	Phone	Date
NTP	Boulder	9/19/2022

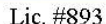
Description	Quantity	Total
Grundfos 85 GPM, 10 HP Pump End	1	4,627.80
Hitachi 10 HP Submersible Motor 230V, 1PH	1	2,476.80
Wire, 2-3 Submersible wire	420	6,753.60
Pipe, Galvanized, 2"	410	4,858.50
Stainless Steel Staps	1	420.00
Conduit Schedule 40, PVC, 1"	410	1,738.40
Water Level Transducer	1	3,200.00
Assorted Parts and Fittings	1	1,100.00
Set up fee for pump hoist P-20 up to 27000 LBS lift, 48 Foot tower	2	1,140.00
Labor - Service - 3 men	16	5,680.00
tax exempt		0.00

**Total \$31,995.10**

Thank you for the opportunity to quote this project. If you have any questions please call us. As an estimate, price may vary due to conditions encountered. 2% per month interest will be charged from date of invoice. Cost of collection and attorney fees will be charged on all delinquent accounts. Your signature below also accepts the terms and conditions on the backside or second page of this estimate. As an estimate the price may vary up to 10% due to conditions found during execution of work.

Work will be scheduled upon receipt of a signed contract and deposit of 50%.

Signature of Acceptance \_\_\_\_\_



[www.waterwell.cc](http://www.waterwell.cc)

**No. 7006561**

*Estimate pricing is valid for 15 days*

REP	Phone	Date
NTP	Boulder	8/25/2022

<b>Total</b>	<b>\$53,111.92</b>
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Work will be scheduled upon receipt of a signed contract and deposit of 50%.

Signature of Acceptance \_\_\_\_\_ 31 of 38

**RESOLUTION 64-2022**  
**A RESOLUTION**  
**AUTHORIZING THE**  
**MAYOR TO EXECUTE A**  
**QUITCLAIM DEED ON**  
**BEHALF OF THE CITY TO**  
**A NEWLY REGISTERED**  
**ELECTOR QUALIFIED TO**  
**SERVE ON THE SILVER**  
**DOLLAR METROPOLITAN**  
**DISTRICT**

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

**Resolution No. 64-2022**

**TITLE:       A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
QUITCLAIM DEED ON BEHALF OF THE CITY TO A NEWLY  
REGISTERED ELECTOR QUALIFIED TO SERVE ON THE  
SILVER DOLLAR METROPOLITAN DISTRICT**

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

**Section 1.**       Consistent with the Eighth Amendment to the Service Plan of the Silver  
Dollar Metropolitan District (the "District"), and based on the City's ownership of certain property  
within the boundaries of the District, the City Council hereby authorizes the Mayor to execute a  
Quitclaim Deed on behalf of the City to Marcus Rohrbaugh as a qualified elector, upon  
recommendation of the District, and to serve on the Board of Directors of the District.

RESOLVED AND PASSED this 12<sup>th</sup> day of October 12, 2022.

\_\_\_\_\_  
David D. Spellman, Mayor

ATTEST:

\_\_\_\_\_  
Melissa A. Greiner, CMC, City Clerk

# CITY OF BLACK HAWK

## REQUEST FOR COUNCIL ACTION

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**SUBJECT:** Quitclaim Deed

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

**MOTION TO APPROVE** Resolution 64-2022 A Resolution Authorizing the Mayor to Execute a Quitclaim Deed on Behalf of the City to a Newly Appointed Registered Elector Qualified to Serve on the Silver Dollar Metropolitan District.

**AGENDA DATE:** October 12, 2022

**WORKSHOP DATE:** N/A

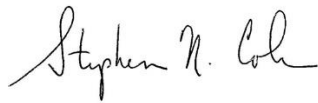
**FUNDING SOURCE:** N/A

**DEPARTMENT DIRECTOR APPROVAL:** ☒ Yes ☐ N/A

**RECORD:** ☒ Yes ☐ No

**CITY ATTORNEY REVIEW:** ☒ Yes ☐ N/A

**SUBMITTED BY:**



Stephen N. Cole  
City Manager

Consideration less than \$500 — no documentary fee required

### **QUITCLAIM DEED**

THIS QUITCLAIM DEED, made this \_\_\_\_ day of October, 2022, between the CITY OF BLACK HAWK, a Colorado home rule municipality, whose address is 201 Selak Street, Black Hawk, CO 80422 ("Grantor"); and Marcus Rohrbaugh ("Grantee").

WITNESSETH, that Grantor, for and in consideration of TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed and QUITCLAIMED, and by these presents does grant, bargain, sell convey and QUITCLAIM to Grantee, as a joint tenant with right of survivorship, an undivided ONE PERCENT (1%) interest in and to all of Grantor's right, title, interest, claim and demand in and to the real property, together with all improvements, if any, situate, lying and being in the County of Gilpin, and State of Colorado as follows:

**See Exhibit A** attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances and privileges thereunto belonging or in anywise thereunto appertaining, and all the estate, right, title, interest and claim whatsoever of Grantor, either in law or equity, to the only proper use, benefit and behoof of Grantee, his heirs, successors and assigns for so long as Grantee is a member of the Board of Directors of the Silver Dollar Metropolitan District ("Board"). If Grantee resigns or otherwise ceases to be qualified to be a member of said Board at any point in the future, this deed shall become null and void as to Grantee, and all such Grantee's right, title and interest of, in and to the above-described premises shall automatically revert to the Grantor. Any such reverter may be, but shall not be required to be, evidenced by the recording of a notice of such reverter in the real property records of the Gilpin County Clerk and Recorder.

IN WITNESS WHEREOF, Grantor has executed this Quitclaim Deed on the Date set forth above.

*[remainder of page intentionally left blank; signature page follows]*

Signed this \_\_\_\_\_ day of October, 2022.

**CITY OF BLACK HAWK, COLORADO**

\_\_\_\_\_  
David D. Spellman, Mayor

ATTEST:

\_\_\_\_\_  
Melissa A. Greiner, CMC, City Clerk

STATE OF                                 )  
  ) ss.  
COUNTY OF GILPIN                 )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of October, 2022, by David D. Spellman, as the Mayor of the City of Black Hawk, Colorado.

My commission expires: \_\_\_\_\_

Witness my hand and official seal. \_\_\_\_\_  
Notary Public



## **Exhibit A**

### **Legal Description**

City of Black Hawk, Lots 8, 9 & 10 of Block 12 less Highway r-o-w, City of Black Hawk, County of Gilpin, State of Colorado

