



REGULAR MEETING AGENDA

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

May 8, 2024
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. MAYOR AND BOARD OF ALDERMEN COMMENTS:
6. PUBLIC COMMENT: *Please limit comments to 3 minutes*
7. APPROVAL OF MINUTES: April 24, 2024
8. PUBLIC HEARINGS:
 - A. CB9, An Ordinance Amending Section 707, Subsection 8 of the City of Black Hawk Employee Handbook
 - B. Local Liquor Licensing Authority Consideration of a Special Event Liquor Permit for Team Evergreen Cycling - TENTATIVE
9. ACTION ITEMS:
 - C. Resolution 45-2024, A Resolution Appointing Steven Charles O'Connor as the City of Black Hawk Assistant Municipal Court Judge
 - D. Resolution 46-2024, A Resolution Approving an Easement Agreement Between the City of Black Hawk and Linda Armbright for Access to the City's Roadway and Utility Systems, Including Snow Removal
10. CITY MANAGER REPORT:
11. CITY ATTORNEY REPORT:
12. EXECUTIVE SESSION:

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

AMERICANS WITH DISABILITY ACT NOTICE Any disabled person who plans to attend any governmental meeting of the City of Black Hawk and requires special assistance can contact City Hall at (303) 582-2221. Please make any request for assistance at least 24 hours before the scheduled meeting



**City of Black Hawk
City Council**

April 24, 2024

MEETING MINUTES

Deputy City Clerk Martin 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, April 24, 2024, 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 Commander Jantz, Fire Chief Woolley, Administrative Services Director/City Clerk Greiner, Community Planning & Development Director Linker, Finance Director Hillis, Public Works Director Isbester, Maintenance Services Manager Jackson, City Engineer Reed, and Deputy City Clerk Martin.

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

3. **AGENDA CHANGES:** Deputy City Clerk Martin noted no agenda changes.

4. **CONFLICTS OF INTEREST:** City Attorney Hoffmann stated that this is the portion of the agenda where the Council could disclose a conflict of interest on any matter on today's agenda, in addition to what is currently on file with the Secretary of State's Office and the City Clerk's Office. City Attorney Hoffmann asked the Council if they had any Conflicts of Interest and asked members of the audience if anyone objected to any Council member voting on any item on today's agenda.

Alderman Johnson wished to identify his conflict with agenda item 9H.

Council noted no other conflicts, and no objections were received from the audience.

5. MAYOR AND BOARD
OF ALDERMEN

COMMENTS: None

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

7. APPROVAL OF
MINUTES: April 10, 2024

**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.

8. PUBLIC HEARINGS:

A. CB8, An Ordinance Amending Various Sections of the Black Hawk Employee Handbook

Mayor Spellman read the title and opened the public hearing.

Administrative Services Director/City Clerk Greiner introduced this item, covering three separate sections of the Employee Handbook.

Alderman Torres thought the section on pre-employment testing still needed more work. After some discussion, it was decided to approve as is and come back later with a redraft of that particular section.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB8, an Ordinance amending various sections of the Black Hawk Employee Handbook open, and invited anyone wanting to address the Board either “for” or “against” the Ordinance to come forward.

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

**MOTION TO
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Bennett to approve CB8, an Ordinance amending various sections of the Black Hawk Employee Handbook.

MOTION PASSED After the discussion noted above, the motion **PASSED** unanimously.

9. ACTION ITEMS:

B. Resolution 37-2024, A Resolution Approving the 2024-2025 Contract with Kaiser Permanente in the Estimated Amount of \$1,385,118.00 for Group Health Insurance

C. Resolution 38-2024, A Resolution Approving the 2024-2025 Contract with Delta Dental in the Estimated Amount of \$138,780.00 for Group Dental Insurance

Mayor Spellman combined these items and read the titles.

Administrative Services Director/City Clerk Greiner explained the two quotes the City received.

MOTION TO APPROVE

Alderman Torres **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 37-2024, a Resolution approving the 2024-2025 contract with Kaiser Permanente in the estimated amount of \$1,385,118.00 for Group Health Insurance, and Resolution 38-2024, a Resolution approving the 2024-2025 contract with Delta Dental in the estimated amount of \$138,780.00 for Group Dental Insurance.

MOTION PASSED

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

D. Resolution 39-2024, A Resolution Approving Amendment No. 2 to the Construction Manager/General Contractor Agreement Between the City of Black Hawk and WCG Construction for the Residential Rehabilitation Program Project at 121 Marchant Street in an Amount Not to Exceed \$1,527,160.00

Mayor Spellman read the title.

Community Planning & Development Director Linker and Ryan Meredith of WCG Construction were present to go through this item and explain the background.

After discussion, Mayor Spellman noted that when gaming came into the City, Council at that time made a commitment to rebuild the infrastructure and historic homes of the City, and they have upheld that commitment, which will last another 150 years, and no one in the future will look at what was spent but look at what was accomplished.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 39-2024, a Resolution approving Amendment No. 2 to the Construction Manager/General Contractor Agreement between the City of Black Hawk and WCG Construction for the Residential Rehabilitation Program Project at 121 Marchant Street in an amount not to exceed \$1,527,160.00.

MOTION PASSED

After discussion, the motion **PASSED** unanimously.

E. Resolution 40-2024, A Resolution Approving the Historic Preservation Easement Agreement Between the City of Black Hawk and the Branecki Family Limited Liability Company LLC in an Amount Not to Exceed \$982,897.00 for the Property Located at 121 Marchant Street

Mayor Spellman read the title.

Community Planning & Development Director Linker said this was the Historic Preservation Easement the property owner must enter into for the exterior of the property.

MOTION TO APPROVE

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 40-2024, a Resolution approving the Historic Preservation Easement Agreement between the City of Black Hawk and the Branecki Family Limited Liability Company LLC in an amount not to exceed \$982,897.00 for the property located at 121 Marchant Street.

MOTION PASSED

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

F. Resolution 41-2024, A Resolution Approving the Rehabilitation Grant Program Agreement Between the City of Black Hawk and the Branecki Family Limited Liability Company LLC in an Amount Not to Exceed \$544,263.00 for the Property Located at 121 Marchant Street

Mayor Spellman read the title.

Community Planning & Development Director Linker said this was the Rehabilitation Grant Program Agreement the property owner is required to enter into for the interior of the property.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 41-2024, a Resolution approving the Rehabilitation Grant Program Agreement between the City of Black Hawk and the Branecki Family Limited Liability Company LLC in an amount not to exceed \$544,263.00 for the property located at 121 Marchant Street.

MOTION PASSED

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

G. Resolution 42-2024, A Resolution Approving a Temporary Construction Easement Between the City of Black Hawk and the Branecki Family Limited Liability Company LLC Associated with Improvements to the Property Located at 121 Marchant Street

Mayor Spellman read the title.

Community Planning & Development Director Linker said this was the legal document required of the property owner for the City to perform all the improvements associated with construction on their property.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 42-2024, a Resolution approving a Temporary Construction Easement between the City of Black Hawk and the Branecki Family Limited Liability Company LLC associated with improvements to the property located at 121 Marchant Street.

MOTION PASSED

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

H. Resolution 43-2024, A Resolution Approving a Temporary Construction Easement Between the City of Black Hawk and Jim J. Johnson Jr. and Curtis Linder Associated with Improvements to the Property Located at 121 Marchant Street

Mayor Spellman read the title and noted that Alderman Johnson removed himself from the dais.

Community Planning & Development Director Linker said this was the legal document necessary to access 111 Marchant to make the improvements at 121 Marchant, as it sits directly on its east and north side property lines.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 43-2024, a Resolution approving a Temporary Construction Easement between the City of Black Hawk and Jim J. Johnson Jr. and Curtis Linder associated with improvements to the property located at 121 Marchant Street.

MOTION PASSED

There was no discussion, and the motion **PASSED** unanimously, noting Alderman Johnson's recusal.

I. Resolution 44-2024, A Resolution Approving a Temporary Construction Easement Between the City of Black Hawk and David M. Craft Associated with Improvements to the Property Located at 121 Marchant Street

Alderman Johnson returned to his position at the dais. Mayor Spellman read the title.

Community Planning & Development Director Linker said this was a legal document for minimal impact at 131 Marchant as the City only asks to use their parking space that abuts 121 Marchant as a construction laydown area.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 44-2024, a Resolution approving a Temporary Construction Easement between the City of Black Hawk and David M. Craft associated with improvements to the property located at 121 Marchant Street.

MOTION PASSED

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

**10. CITY MANAGER
REPORT:**

City Manager Cole had nothing to report.

**11. CITY ATTORNEY
REPORT:**

City Attorney Hoffmann advised Council that JBS Pipeline, who put in the road and sanitary sewer line for the City back in 2023, has filed for bankruptcy. In their agreement, they agreed to maintain their warranty through 2027, and the City has a payment and performance bond for the warranty period but he will look into retaining bankruptcy council to seek relief from stay and call the bond for warranty work that is required. The contract is closed out; the only thing left is the extended warranty.

**12. EXECUTIVE
SESSION:**

City Attorney Hoffmann recommended item number 5 only for Executive Session and the specific issues for negotiations relate to City-owned land on Gregory Hill, the Gregory Street HARD District, and other City-owned properties and regarding a potential contract for a City improvement project.

**MOTION TO ADJOURN
INTO EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:27 p.m. to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

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.

13. ADJOURNMENT:

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

Melissa A. Greiner, CMC
City Clerk

David D. Spellman
Mayor

**COUNCIL BILL 9
ORDINANCE 2024-9
AN ORDINANCE
AMENDING SECTION 707,
SUBSECTION 8 OF THE
BLACK HAWK
EMPLOYEE HANDBOOK**

STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

COUNCIL BILL NUMBER: CB9

ORDINANCE NUMBER: 2024-9

TITLE: AN ORDINANCE AMENDING SECTION 707, SUBSECTION 8 OF THE BLACK HAWK EMPLOYEE HANDBOOK

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

Section 1. Pursuant to Article VIII, Section 18 of the City of Black Hawk Home Rule Charter, Section 707, subsection 8 of the City of Black Hawk Employee Handbook is hereby amended to read as follows:

Section 8 - Tests Required for Employees

Methods for testing for alcohol may include a Portable Breath Test (PBT), Breathalyzer, Evidential Breath Testing device (EBT), or other test authorized for all alcohol testing. For drug testing, urine specimen collection, and testing shall be conducted by a laboratory capable of analyzing samples and keeping such samples in a safe and secure manner. The drugs to be tested include any scheduled controlled substance.

1) Pre - Employment:

Before performing any job duties, an employee must submit to testing for drugs and alcohol. *For employees that require a CDL, or are certified by the Peace Officer Standards and Training Board, such testing may include testing for drugs and alcohol.* Prior to performing *such* a pre-employment drug and alcohol test, the City must notify the applicant that testing is required under this guideline. The City will not hire applicants to whom a contingent offer of employment has been made who test positive for controlled substances *including marijuana* or alcohol for positions requiring a CDL *or who test positive for controlled substances including marijuana for positions that require certification by the Peace Officer Standards and Training Board.* For all other positions, post-offer testing will include controlled substances (excluding marijuana) and alcohol.

Section 3. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare.

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

Section 4. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 5. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 8th day of May, 2024.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, CMC, City Clerk

CITY OF BLACK HAWK

REQUEST FOR COUNCIL ACTION

SUBJECT: Request to amend the Employee Handbook.

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

MOTION TO APPROVE Council Bill 9, An Ordinance Amending Section 707, Subsection 8 of the Employee Handbook

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Amendments to Section 707 Drug and Alcohol Use, Subsection 8 Tests Required for Employees, further clarifying the distinction between alcohol and drug testing between CDL and POST certified employees and all other employees

AGENDA DATE: May 8, 2024

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: ☒ Yes ☐ No

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

DOCUMENTS ATTACHED: N/A

RECORD: ☐ Yes ☒ No

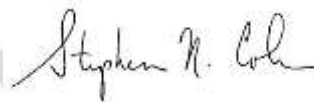
CITY ATTORNEY REVIEW: ☒ Yes ☐ N/A

SUBMITTED BY:

REVIEWED BY:



Melissa A. Greiner, CMC
City Clerk
Administrative Services Director



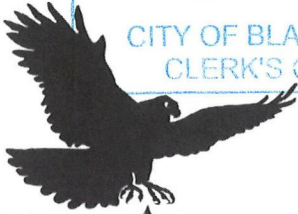
Stephen N. Cole
City Manager

**LOCAL LIQUOR
LICENSING AUTHORITY
CONSIDERATION OF A
SPECIAL EVENT LIQUOR
PERMIT FOR TEAM
EVERGREEN CYCLING -
TENTATIVE**

RECEIVED

FEB 01 2024

CITY OF BLACK HAWK
CLERK'S OFFICE



BLACK HAWK

®

SPECIAL EVENT BICYCLE APPLICATION

City of Black Hawk

P.O. Box 68

Black Hawk, CO 80422

303-582-2221

cityclerk@cityofblackhawk.org

MUST BE RECEIVED AT LEAST 60 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.

DATE: 12/11/23

APPLICANT: Team Evergreen Cycling

ADDRESS: PO Box 3804

CITY: Evergreen STATE: CO ZIP CODE: 80437

DAYTIME PHONE: 303-720-4509 CELL PHONE: same

EMAIL: caprice@teamevergreen.org

TITLE OF THE EVENT: Session Series

TYPE OF EVENT: Enduro Mountain Bike

NUMBER OF PARTICIPANTS (including support personnel): 225 (each event day)

HOURS OF EVENT: 4pm to 8pm

EVENT DATE(S): 5/29/2024 and 6/5/2024 Wednesdays

EVENT LOCATION Hidden Treasure Trailhead parking lot

SET-UP DATE(S) & TIME(S) 5/29/2024 12pm-3pm, 6/5/2024 12pm-3pm Wed

TEAR DOWN DATE(S) & TIME(S) 5/29/2024 7pm-8pm, 6/5/2024 7pm-8pm

EVENT CONTACT PERSON: Josh Kravetz

DAYTIME PHONE: _____ CELL PHONE: [REDACTED]

EMAIL: josh@adventurefit.com

ADDITIONAL INFORMATION REQUIRED FOR THIS REQUEST:

1. A site plan drawn to scale showing the location of the Special Event. The plan must clearly show the impact the special event will have on public or private activities to include proposed event routes, medical staging, sanitation services, tents, trash, parking, signage, requested road closures, requested lane closures, emergency routes and traffic control.
2. A general description of the event and the methods being proposed to maintain public safety during the event.
3. A description of the proposed traffic control plan for any activity occurring on any roadway or property adjacent to City right-of-way.
4. Completion of the attached questionnaire for the event to be completed before the event.
5. Attach proof of liability insurance depicting limits of coverage. Liability insurance must meet minimum requirements as outlined in the Colorado Governmental Immunity Act, CRS 24-10-1011.
6. Attach proof of medical support from Gilpin Ambulance.

REVIEW AND APPROVAL

approved as per email 4/10/24
Police Chief Date

verbal approval 4/23/24
Fire Chief Date

N/A
Sanitation District Date

Gilpin County Health Date

approved as per email 4/16/24
CP&D Director Date

Ambulance Director Date

approved as per email 4/9/24
Public Works Director Date

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

CONDITIONS OF APPROVAL/DENIAL:

Police Services:

Public Works:

Fire Department: Waiting on Food Truck Info

Community Planning & Development:

Ambulance:

Sanitation District:

Other:

City Clerk's or Designee Signature _____ **Date** _____

TOTAL COST OF PERMIT TO INCLUDE CITY OF BLACK HAWK PROVIDED SERVICES:

\$ _____ permit

\$ _____ City Services: _____

Billing Information (Payment, if required, must be submitted 7 days before the event)

NAME: _____

STREET ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____

PAYMENT METHOD: _____

BIKE SPECIAL EVENT - PUBLIC SAFETY QUESTIONNAIRE

Event begins at 4pm 5/29 & 6/5 (time & date) at Hidden Treasure Trailhead parking lot (location).

Event is scheduled to end by 8pm 5/29 & 6/5 (time & date) at Hidden Treasure Trailhead parking lot (location).

Will you be requesting the exclusive use of City-owned property? Yes X No _____

If yes, you will need to enter into a License Agreement with the City of Black Hawk.

Primary Impact on the City of Black Hawk will occur between 4pm and 8pm (time).

Approximate time bike riders will enter the City limits of Black Hawk? only for parking, 3:30pm

Approximate time bike riders will leave the City Limits of Black Hawk? 8:30pm

Total number of riders participating in the event? 450 (225 each event day)

Number of riders physically riding bicycles in Black Hawk at any given time during the event? 20

Requested route for the event to include each street being utilized and impact on traffic at those locations. No streets would be used for the event. The event would take place on the Maryland Mountain trail system.

Parking for riders would be in public parking in Black Hawk.

Number of support vehicles associated with the event? 1

Type of support vehicles? Truck to pull trailer into parking lot

Will vehicles associated with the event be properly marked with event identification information?

Yes _____ No X Explain: Vehicle will be parked during the event.

Will the organizer have representatives at intersections or locations within the City of Black Hawk during the event? Yes X No _____. Please list the locations where representatives will be located: We will have parking marshalls available where necessary.

Will all event personnel wear appropriate safety apparel i.e. reflective vests at event sites and intersections? Yes ☒ No ☐

Will signage be provided by the organizer at locations where riders are turning from one roadway to another? Yes ☐ No ☒. Where will signage be placed? Include a photograph of the signage if applicable:

Not applicable but we will have A-frame signs directing riders into parking lot.

Are electronic message boards being used during the event in Black Hawk? Yes ☐ No ☒ If yes, where will they be placed? _____

Will barricades be needed at intersections? Yes ☐ No ☒ If yes, will the organizer provide barricades for traffic control and safety? Yes ☐ No ☐ List Locations where barricades will be needed? _____

Is the organizer requesting the complete closure of any road within the city limits of Black Hawk during the event? If so, where and how long do you anticipate it will be closed?
No

Will the event cause a potential impact on any roadway within Black Hawk to include delays or potential changes in traffic patterns? Yes ☐ No ☒ If yes, explain: _____
Riders will follow rules of the road to and from Hidden Treasure Parking lot.

Will First Aid stations will be established in Black Hawk during the event? Yes ☐ No ☒ How will the first aid stations be identified and staffed? _____ Where will the proposed First Aid station be located?

Our medical team will be based in the Hidden Treasure Parking area.

Will there be water stations available for participants? Yes ☒ No ☐ If yes, where are the proposed location(s)?

Hidden Treasure Trailhead parking lot

Does the organizer have medical support to include available ambulances for transportation and treatment of participants or bystanders during the event? Yes ☒ No ☐ Please provide information on the medical provider being used and the capability of the provider to provide emergency medical services. Include the potential impact on local emergency medical responders located in Gilpin County.

Event Medical Specialists will be hired to provide a team of EMTs. They will be stationed on course and in parking area.

Does the organizer have law enforcement support from another agency, other than the Black Hawk Police Department? Yes ☐ No ☒ List the agencies, contacts and their role?

Agency: _____ Contact: _____ Phone: _____

Role: _____

Agency: _____ Contact: _____ Phone: _____

Role: _____

Is the organizer requesting support from the Black Hawk Police Department, Public Works Department, Fire Department, or any other City Department during the event? Yes ☐ No ☒ If yes, what resources do you anticipate will be needed, from who, and what time periods?

Department: _____ Service: _____

Department: _____ Service: _____

Department: _____ Service: _____

Does the organizer have arrangements with any business in Black Hawk for parking, staging etc.?

Yes _____ No ☒ If yes, list the business and location:

Does the organizer have contingency plans for sheltering participants during adverse weather and event delays? Yes ☒ No _____ If yes, explain:

Participants will be instructed to return to their vehicles or shelter under the event tents.

Will the organizer provide trash containers at proposed medical or watering stations within the City of Black Hawk? Yes ☒ No _____.

Will the organizer provide trash containers and/or ensure site cleanup of all event locations and ensure all routes are free of debris and trash at the conclusion of the event? Yes ☒ No _____

Will the organizer provide temporary sanitary toilet and hand washing facilities during the event?

Yes ☒ No _____ If yes, where will they be located? 1 porta in Hidden Treasure parking area.

How many will be available? 1 When will they be placed on site? 5/28/2024 When will they be removed? 6/6/2024.

Will you have vendors selling at your event? Yes ☒ No _____


If food and/or beverages you must have Gilpin County approval.

Any other sales will require a Colorado State Sales Tax License and the event organizer is responsible for reporting sales tax revenues from the event to the City of Black Hawk.

Do you want to sell or provide alcoholic beverages at the event? Yes ☒ No _____

No alcohol shall be allowed without proper licensing from the City of Black Hawk.

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.



Applicant Signature

12/11/23

Date

Team Evergreen Session Series – Enduro Mountain Bike Race series

2024 Dates: Wednesday May 29th and Wednesday June 5th

Riders at Event: 5:00 pm – 8:00 pm

Event Venue: Course marking by 2pm, venue teardown by 8:00 pm

Description/Narrative: The Session Series is a small weekly 'Enduro Race' series that includes 2 days of racing on the Maryland Mountain Trails in Gilpin County, with **225 riders**. Riders will ride up the trail and be timed one by one riding down the Hard Money Trail. Following their ride, participants will enjoy a beer, safely visit sponsor tents, listen to music, and have the option to buy food from a food truck.

The event will raise funds for the COMBA (Colorado Mountain Bike Association) and provide volunteer trail maintenance and building hours.

Venue: The venue will be the Hidden Treasure Trailhead Parking lot. Each week the route will be on the Hard Money Trail, but all start with the climb out of the parking lot and finish right before the parking lot.

Ops/Management Plan:

- **Traffic control:** no roads will be closed for this event, so there will be no need for traffic control. Registered participants will be notified via email with their parking options and instructions for getting to the event start.
- **Parking Plan:** Parking has been arranged with the town of Blackhawk so that participants can park in the parking lot just to the South of the Hidden Treasure Trailhead Parking Lot and ride to the event site. This parking lot has ample spots for our sized event and is located .25 miles away. Volunteers will monitor parking. Participants can also park in the Black Hawk Parking Garage (270 Gregory St, Black Hawk, CO 80422) where there is free 5 hour parking. There will be the option to pull into the parking lot at Hidden Treasure to drop off participants before parking. Once parked, participants will ride on 119 to the trail.
- **Security plan:** We do not anticipate needing security for these events.
- **Emergency Services:** Event Medical Services will be contracted to service the event. During hours of the event, they will have an EMT based in the parking lot and one EMT with an eBike and evacuation litter.
- **Signage and Course Marking:** The course will be marked and signage will be placed to direct participants and spectators to the trails to limit off trail use.
- **Communications plan:** EMTs and event staff will have 2 way radios to communicate at the venue. As a back-up, cell phones have coverage throughout the area, so they can be used as well.
- **Waste and Trash Removal:** Team Evergreen will provide 2 recycling and 2 trash receptacles. We will have the 1 onsite Columbia portalet in addition to the vault toilets already at the trailhead

lot. Following the event, we will do a sweep for any discarded trash that didn't make it into the receptacles.

- Food/Beverage plan: We will have a food truck (TBD) offering the sale of food at each event. We will offer a beer to each participant and have a TIPs certified person ID-ing and serving the beer.
- Riders can start pre-riding the course at 2:00 pm. First Rider starts at 5pm, riders start every 30 seconds, with a 5 minute break before the next start wave. Last riders start at 7 pm. Event finished by 7:20 pm. Course breakdown top to bottom starting at 7 pm. Music off by 7:30 pm, venue teardown by 8:00 pm.

Event Contacts:

Josh Kravetz, Race Director: [REDACTED]

Brody Salinger, Course Manager: [REDACTED]

Caprice Bass, Permitting: [REDACTED]

Chris Wentz, Medical: [REDACTED]

Maps:

[Click Here For Current Maps](#)

The Session Series - Maryland Mountain | Team Evergreen
May 29th & June 5th, 2024

Race Director: Josh Kravitz
Course Manager: Brody Salinger
Medical Supervisor: CHris Wentz
Medical Incident Reporting:

Event Medical Specialists, LLC, is a private medical service operating since 2010, specializing in athletic event medical staffing. Event Medical Specialists operates with appropriate physician direction under the Denver Metro EMS protocols. If physician contact is required we contact University of Colorado medical control, Bio phone . We have medical evacuation training and equipment. We do not provide ambulance transport capabilities.

Medical Operations Overview

Medical base of operations will be located at the base of the competition course near the expo area. Providers will be dispatched to posting locations along the competition course area before racing commences remaining in service through the duration of racing. VHF radios will be used to communicate between medical personnel and with event staff. In case of injury on course, onsite medical staff will respond, render care, and facilitate safe removal of the rider from the course if necessary. Local 911 services will be contacted for hospital transport if necessary. The closest trauma designated hospital is 30 miles away, St. Anthony's Hospital in Lakewood holds a Level I designation.

Event Medical Specialists Field Resources

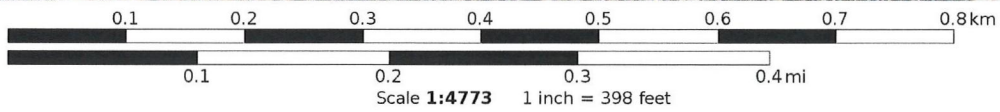
See map on page 2 for corresponding positions

Resource Type "Callsign"	Provider Name	In Service Time	Positioning	Equipment
Medical Tent "Finish Medical"	"Staff name A"	1600-1930	Start/Finish Expo area	ALS Medical Kit, BLS Medical Kit, Oxygen, Medications, Extremity Splints, Designated patient treatment area, Communications center
EMT "Medic 4"	"Staff name B"	1600-1930	Last third of course	BLS Medical Kit
Paramedic "Medic 3"	"Staff name C"	1600-1930	Last third of course	BLS Medical Kit, Trauma Duffel
EMT "Medic 2"	"Staff name D"	1600-1930	Midway up course	BLS Medical kit, Rescue Litter, Belay system
EMT "Medic 1"	"Staff name E"	1600-1930	Top third of course	BLS Medical Kit

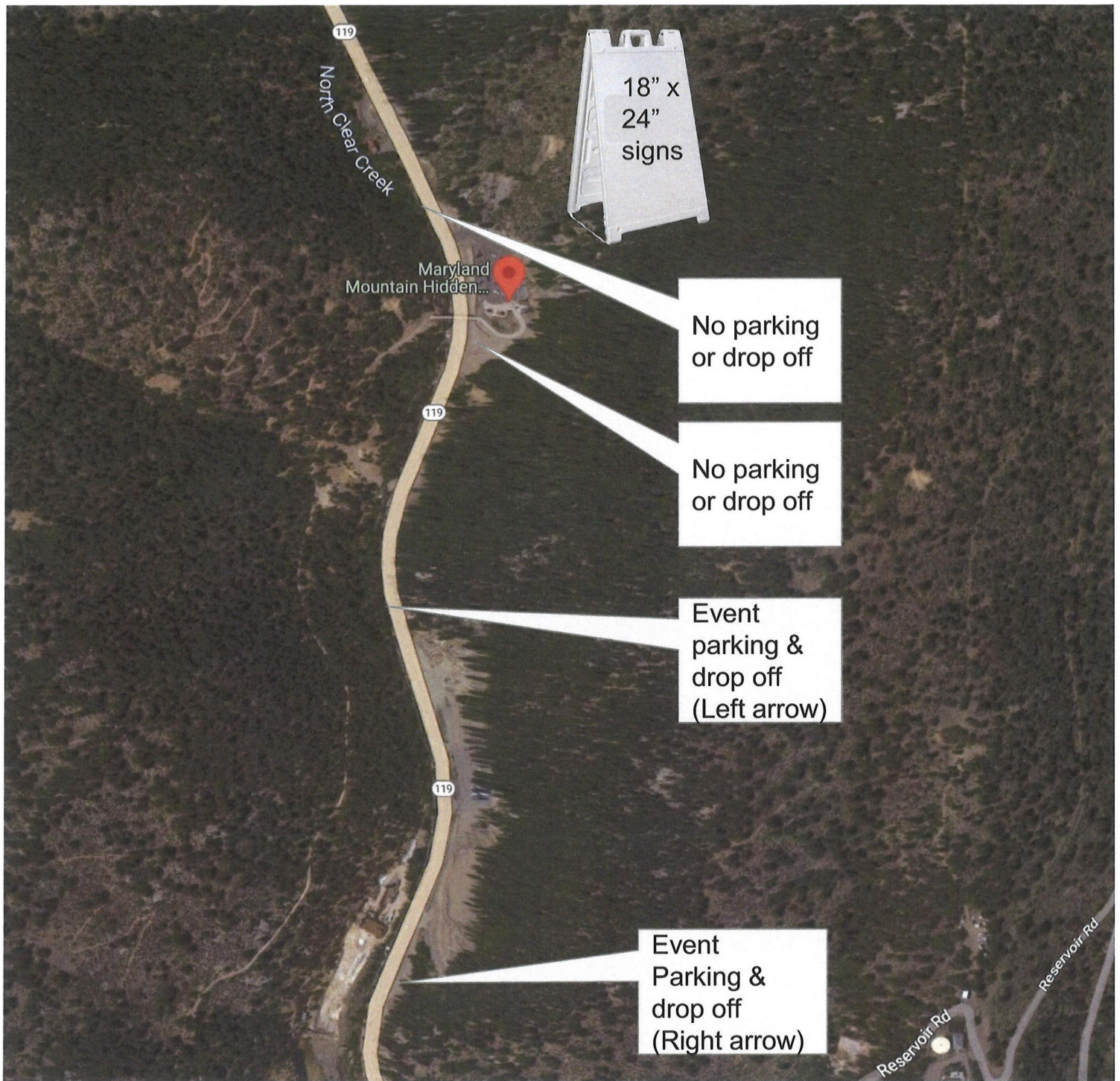
The Session Series - Maryland Mountain | Team Evergreen
May 29th & June 5th, 2024



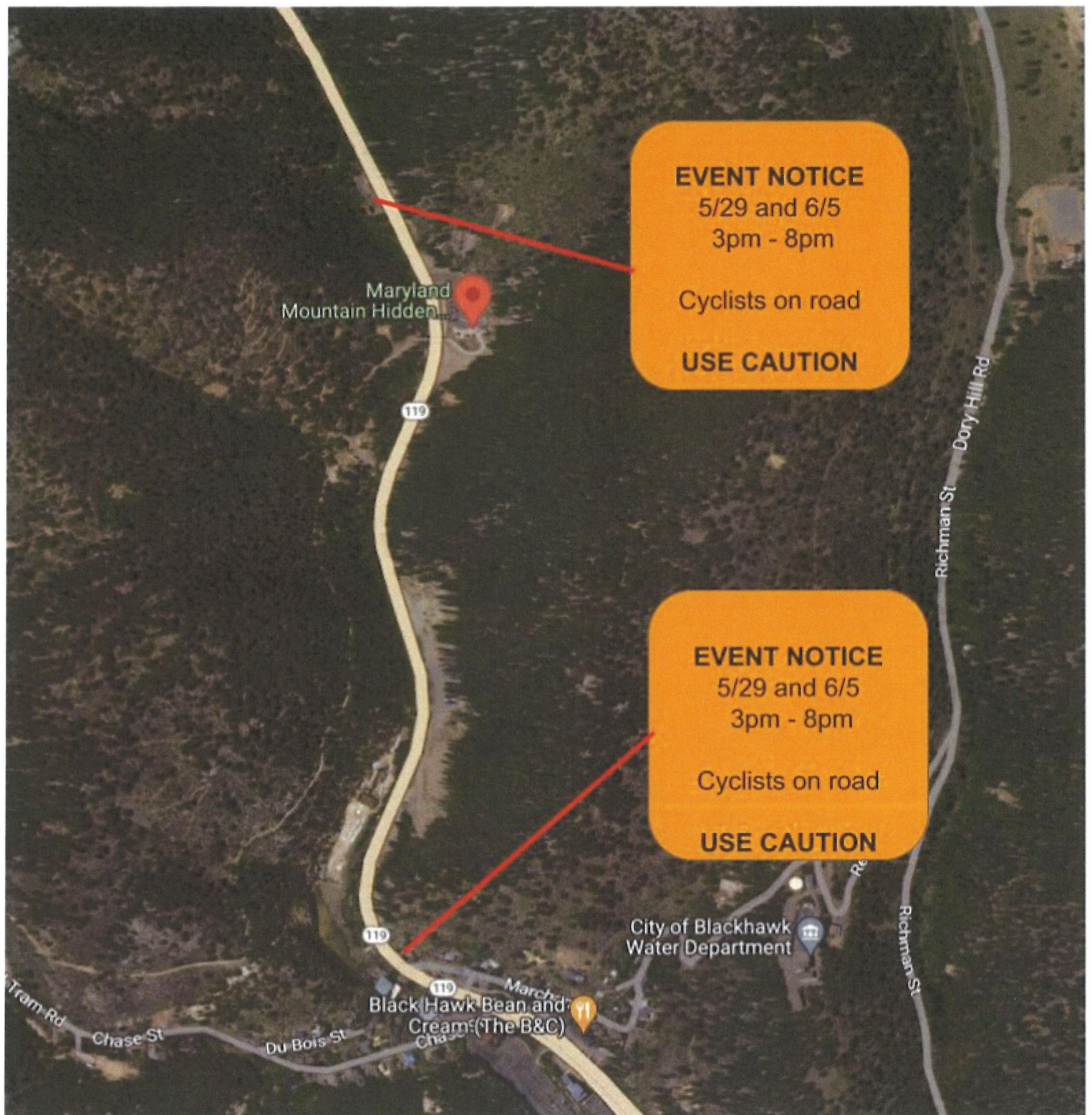
Mercator Projection
WGS84
UTM Zone 13S
CALTPO



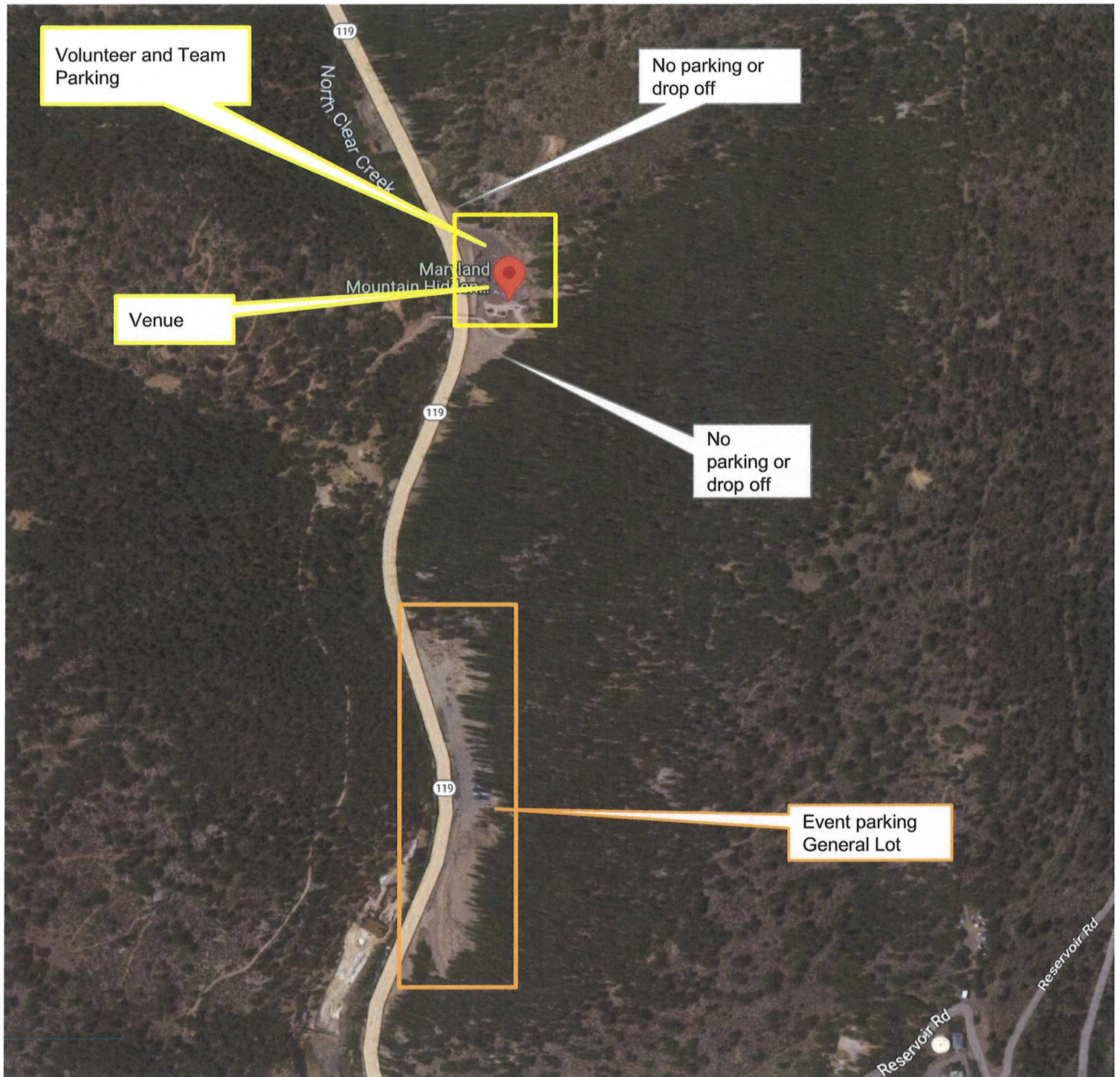








Team Parking



DR 8439 (02/27/24)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
PO BOX 17087
Denver CO 80217-0087
(303) 205-2300



Application for a Special Events Permit

Departmental Use Only

Liquor Permit Number (Do Not Fill Out)

In order to qualify for a Special Events Permit, You **Must Be a Qualifying Organization Per 44-5-102 C.R.S. and One of the Following (See back for details.)**

- ☐ Social ☐ Athletic ☒ Philanthropic Institution
☐ Fraternal ☐ Chartered Branch, Lodge or Chapter ☐ Political Candidate
☐ Patriotic ☐ National Organization or Society ☐ Municipality Owned Arts Facilities
☐ Political ☐ Religious Institution

LIAB Type of Special Event Applicant is Applying for:

- 2110 ☐ Malt, Vinous And Spirituous Liquor \$25.00 Per Day
2170 ☒ Fermented Malt Beverage \$10.00 Per Day

Name of Applicant Organization or Political Candidate

Team Evergreen Cycling

State Sales Tax Number (Required)

85-09309243

Mailing Address of Organization or Political Candidate

PO Box 3804

City

State

ZIP Code

Evergreen

CO

80437

Address of Place to Have Special Event

Hidden Treasure Trailhead parking lot

City

State

ZIP Code

Black Hawk

CO

80247

Authorized Representative of Qualifying Organization or Political Candidate

Jennifer Barbour

Date of Birth (MM/DD/YY)

Phone Number

[REDACTED]

[REDACTED]

Authorized Representative's Mailing Address (if different than address provided in Question 2.)

[REDACTED]

City

State

ZIP Code

[REDACTED]

CO

[REDACTED]

Event Manager

Josh Kravetz

Date of Birth (MM/DD/YY)

Phone Number

Event Manager Home Address

City

State

ZIP Code

Email Address of Event Manager

josh@adventurefit.com

1. Is the place to have the Special Event located on State-owned property?
☐ Yes ☒ No
2. Has Applicant Organization or Political Candidate been issued a Special Event Permit this Calendar Year?
☒ No ☐ Yes, How many days?
3. Is the premises for which your event is to be held currently licensed under the Colorado Liquor or Beer codes?
☒ No ☐ Yes, License Number
4. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed?
☒ Yes ☐ No

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

Date

5/29/2024

From:

4pm

To:

8pm

Date

6/5/2025

From:

4pm

To:

8pm

Date

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Oath of Applicant

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

Title

Operations Manager, Team Evergreen Cycling

Signature

Caprice Bass

Date (MM/DD/YY)

3/29/2024

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

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the provisions of Title 44, Article 5, C.R.S., as amended.

Therefore, this Application is Approved.

Local Licensing Authority (City or County)

☐ City ☐ County

Telephone Number of City/County Clerk

Title

Signature

Date (MM/DD/YY)

Do Not Write in this Space - For Department of Revenue Use Only

Liability Information

License Account Number

Liability Date

State

Total

-750 (999)

\$

.00

LICENSE

THIS LICENSE, is made and entered into this 29 day of April, 2024, by and between the CITY OF BLACK HAWK, Colorado whose address is 201 Selak Street, Black Hawk, CO 80422 (the "City") and Team Evergreen Cycling whose address is PO Box 3804, Evergreen, CO 80437 ("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:

Wednesday, May 29, 2024 and Wednesday, June 5, 2024

4:00 pm – 8:00 pm both events

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 Session Series Enduro Mountain Bike Race 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.

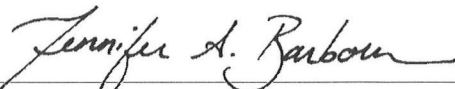
CITY OF BLACK HAWK, COLORADO

By: 
Stephen N. Cole, City Manager

ATTEST:


Melissa A. Greiner, CMC, City Clerk

LICENSEE

By: 
(type name)
Jennifer Barbour, Executive Director 04/23/24
Title Date

ATTEST:


Operations Manager 4/24/2024
Title Date



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

01/26/2024

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 have ADDITIONAL INSURED provisions or 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).

PRODUCER McKay Insurance Agency, Inc. 106 East Main Street P O Box 151 Knoxville IA 50138		CONTACT NAME: Megan Stanley PHONE (A/C, No, Ext): (641) 842-2135 E-MAIL ADDRESS: meg@mckayinsagency.com FAX (A/C, No): (641) 828-2013	
INSURED Team Evergreen Cycling, Inc. PO Box 3804 Evergreen CO 80437-3804		INSURER(S) AFFORDING COVERAGE INSURER A: Allied World Surplus Lines Insurance Company INSURER B: Vantapro Specialty Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 24319 44768	

COVERAGES**CERTIFICATE NUMBER:** CL2412664685**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 INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	N	N	5077-1896-01	01/31/2024	01/31/2025	EACH OCCURRENCE \$ 1,000,000
	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000						
	MED EXP (Any one person) \$ Excluded						
	PERSONAL & ADV INJURY \$ 1,000,000						
GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:							
B	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY	N	N	5079-0099-01	01/31/2024	01/31/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	BODILY INJURY (Per person) \$						
	BODILY INJURY (Per accident) \$						
	PROPERTY DAMAGE (Per accident) \$						
UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$							
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes, describe under DESCRIPTION OF OPERATIONS below		N/A					PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
A	Sexual Abuse Liability	N	N	5077-1896-01	01/31/2024	01/31/2025	Occurrence Limit \$25,000 Aggregate Limit \$100,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

The Session Series: May 29, 2024; June 5, 2024.

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 
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RESOLUTION 45-2024
A RESOLUTION
APPOINTING STEVEN
CHARLES O’CONNOR TO
BE THE CITY OF BLACK
HAWK ASSISTANT
MUNICIPAL COURT
JUDGE

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

Resolution No. 45-2024

**TITLE: A RESOLUTION APPOINTING STEVEN CHARLES O’CONNOR TO BE
 THE CITY OF BLACK HAWK ASSISTANT MUNICIPAL COURT JUDGE**

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

Section 1. Pursuant to Section 2-126(b) of the City of Black Hawk Municipal Code,
and at the request of Municipal Court Judge Ronald W. Carlson, the City Council hereby appoints
Steven Charles O’Connor as Assistant Municipal Court Judge to act in the absence of Judge
Carlson, for a two-year term. Judge O’Connor’s term shall expire on May 8, 2026.

RESOLVED AND PASSED this 8th day of May, 2024.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, CMC, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Appointment of Assistant Municipal Court Judge.

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

MOTION TO APPROVE Resolution 45-2024, A Resolution appointing Steven Charles O'Connor to be the City of Black Hawk Assistant Municipal Court Judge.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The assistant positions to the Municipal Court Judge held by Thad Renaud and Robert Mack expired April 30, 2024. Municipal Court Judge Ronald Carlson recommends appointing Steven Charles O'Connor for the position. Judge O'Connor has been appointed as his Associate/Alternate Judge in Frisco, Silverthorne, and Winter Park as well. Clerks in those municipal courts give him high marks.

AGENDA DATE: May 8, 2024

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: ☒ Yes ☐ No

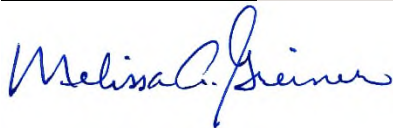
STAFF PERSON RESPONSIBLE: Melissa Greiner, CMC, City Clerk

DOCUMENTS ATTACHED: Steven Charles O'Connor Profile

RECORD: ☐ Yes ☒ No

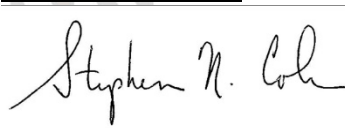
CITY ATTORNEY REVIEW: ☒ Yes ☐ N/A

SUBMITTED BY:



Melissa A Greiner, CMC, City Clerk

REVIEWED BY:



Stephen N. Cole, City Manager

STEVEN CHARLES O'CONNOR

Profile

Steven Charles O'Connor is an experienced trial and transaction lawyer with judicial experience. Mr. O'Connor started his law career as a 2015 graduate of the University of Colorado Law School having served as the James R. Carrigan Cup Chairperson and one of three graduates that year with the honor of a Family Law Certificate.

Mr. O'Connor joined the firm of Carlson & Carlson of Frisco, Colorado in September 2015 and immediately put his skills to work in managing a full case load of family law, marital dissolutions, allocation of parental responsibilities, including *Sorensen* cases, interstate compact and business valuation cases, as well as criminal defense, real estate and general civil litigation in Municipal, County and District courts.

Mr. O'Connor's skill and work ethic lead him to a full partnership with the successor firm of *Carlson, Edwards & O'Connor* in 2019 where he had a significant number of criminal trials, civil trials and appellate work. As a Managing Partner he added to his duties as a Municipal Court Prosecutor in Leadville and Georgetown as well as Associate Municipal Court Judge in Frisco, Silverthorne and Dillon combined court and more recently in Winter Park and Fraser combined Court. Mr. O'Connor has served as presiding trial court Judge on a significant number of occasions.

Mr. O'Connor is currently Deputy General Counsel for Paragon Systems, Inc., where he is responsible for contract administration, labor relations and general licensing compliance work.

Mr. O'Connor balances his career with his recreation time with his wife Ashley as they enjoy skiing and sailing.

RESOLUTION 46-2024
A RESOLUTION
APPROVING THE
EASEMENT AGREEMENT
BETWEEN THE CITY OF
BLACK HAWK AND LINDA
ARMBRIGHT FOR ACCESS
TO THE CITY'S
ROADWAY SYSTEM

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

Resolution No. 46-2024

**TITLE: A RESOLUTION APPROVING THE EASEMENT AGREEMENT
BETWEEN THE CITY OF BLACK HAWK AND LINDA ARMBRIGHT
FOR ACCESS TO THE CITY’S ROADWAY SYSTEM**

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

Section 1. The City Council hereby approves the Easement Agreement between the City
of Black Hawk and Linda Armbright for access to the City’s roadway system, and authorizes the
Mayor to execute the same on behalf of the City.

RESOLVED AND PASSED this 8th day of May, 2024.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, CMC, City Clerk

CITY OF BLACK HAWK

REQUEST FOR COUNCIL ACTION

SUBJECT: Approve Resolution 46-2024, the approval of the Easement Agreement between the City of Black Hawk and Linda Armbright for access to the City's roadway and utility systems, including snow removal.

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

MOTION TO APPROVE Resolution 46-2024 *a Resolution approving the Easement Agreement between the City of Black Hawk and Linda Armbright for access to the City's roadway system..*

SUMMARY AND BACKGROUND OF SUBJECT MATTER: Hillside Street does not fall within the platted right of way. Hillside Street's configuration is more that of a private driveway. However, the City has a main water line and fire hydrant placed along this drive as well as a City overhead streetlight. City staff desires additional working room to access these facilities. In doing so, this will allow City staff to remove additional snow if necessary from this easement area.

AGENDA DATE: May 8, 2024

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [☐]Yes [☐]No

STAFF PERSON RESPONSIBLE: Tom Isbester/Steve Jackson

DOCUMENTS ATTACHED: Easment agreement

RECORD: [X ☒]Yes [☐]No

UPDATE GIS MAP: [☐]Yes [☐]No

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

CITY ATTORNEY REVIEW: [X ☒]Yes [☐]N/A

SUBMITTED BY:



Thomas Isbester, Public Works Director

REVIEWED BY:



Stephen N. Cole, City Manager

EASEMENT AGREEMENT

THIS EASEMENT AGREEMENT ("Agreement") is dated this _____ day of _____, 2024, by Linda Armbright ("Grantor") and the City of Black Hawk ("Grantee").

WHEREAS, Grantee desires to acquire an easement for the purpose of maintaining access to the City's roadway system, including the maintenance and snow removal of the property described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Easement Property"); and

WHEREAS, Grantor is willing to convey an easement to Grantee for the aforesaid purposes on the terms and conditions set forth below.

NOW, THEREFORE, for and in consideration of the sum of ten dollars (\$10.00) paid by Grantee to Grantor, the covenants of Grantee herein contained, and other good and valuable consideration, the receipt, adequacy, and sufficiency of which are hereby acknowledged, the parties hereby covenant and agree as follows:

Section 1. Conveyance of Easement. Grantor does hereby grant and convey unto Grantee, it successors, assigns, lessees, licensees, and agents, an easement upon the Easement Property for the purpose of maintaining access to the City's roadway system, including the maintenance and snow removal of the Easement Property. Grantee shall have the right of ingress and egress, consistent with this Agreement, upon the Easement Property for the maintenance of the Easement Property, including snow removal, but nothing in this Agreement shall require the City as Grantee to maintain the Easement Property to City roadway standards.

Section 2. Retained Rights. Grantor shall have all rights to the Easement Property not granted hereby.

Section 3. 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.

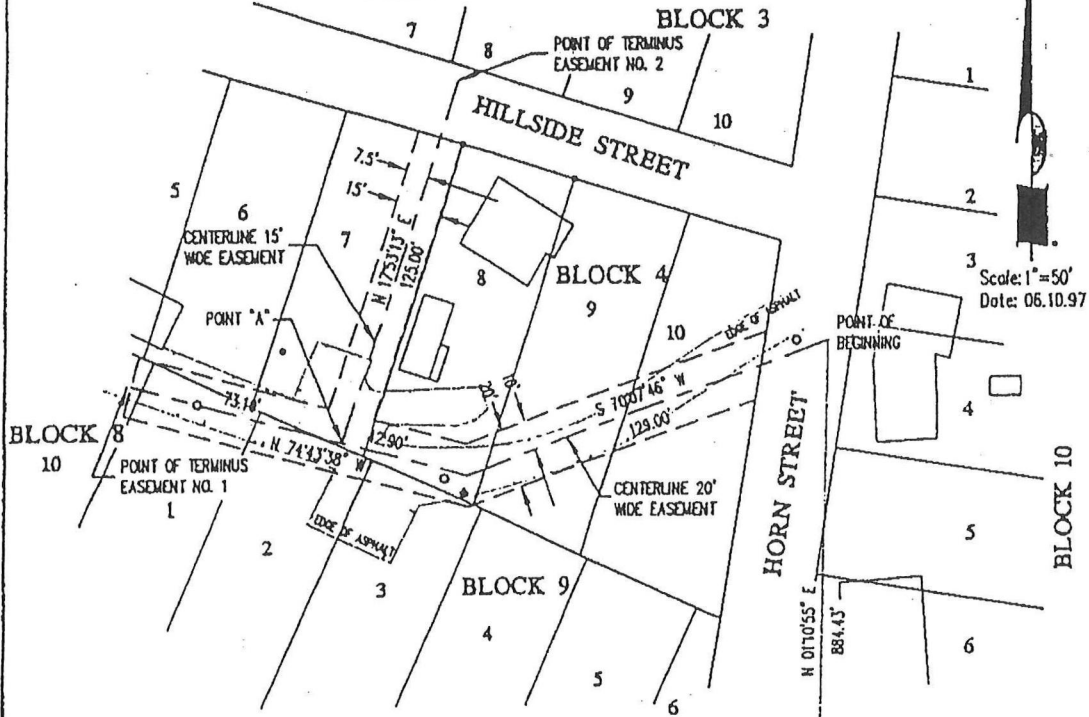
b. This Agreement constitutes all of the agreements, understandings, and promises between the parties hereto with respect to the subject matter hereof.

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

102307 10/26/1999 10:00A B680 P484 Gilpin Co.
5 of 5 R 25.00 D 0.00 Judith A. Dornbrock

EXHIBIT A

UTILITY EASEMENTS, LOCATED WITHIN BLOCKS 4 AND 9, CITY OF BLACK HAWK, COUNTY OF GILPIN, STATE OF COLORADO



EASEMENT NO. 1

A TWENTY (20) FOOT WIDE UTILITY EASEMENT, LOCATED IN THE CITY OF BLACK HAWK, COUNTY OF GILPIN, STATE OF COLORADO. SAID EASEMENT BEING TEN (10) FEET ON EITHER SIDE OF THE HEREIN DESCRIBED CENTERLINE WITH SIDE LINES EXTENDING AND SHORTENING AS NECESSARY TO INTERSECT STREET RIGHTS-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IN PLACE 2 INCH DIAMETER ALUMINUM CAP STAMPED "CITY OF BLACK HAWK PLS 23516", BEING POINT NUMBER 1 OF THE LAND SURVEY PLAT OF MAIN STREET AS PREPARED BY ADG ENGINEERING, INC., WHENCE A FOUND IN PLACE 2 INCH DIAMETER ALUMINUM CAP STAMPED "CITY OF BLACK HAWK PLS 23516", BEING POINT NUMBER 2 OF SAID PLAT BEARS S 47°37'00" E, 319.30 FEET WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE N 01°10'55" E, 884.43 FEET TO THE TRUE POINT OF BEGINNING; THENCE S 70°07'46" W, 129.00 FEET; THENCE N 74°43'38" W, 42.90 FEET TO POINT "A"; THENCE N 74°43'38" W, 73.10 FEET TO THE POINT OF TERMINUS.

EASEMENT NO. 2

A FIFTEEN (15) FOOT WIDE UTILITY EASEMENT, BEING SEVEN AND ONE HALF (7.5) FEET ON EITHER SIDE OF THE HEREIN DESCRIBED CENTERLINE WITH SIDE LINES EXTENDING AND SHORTENING AS NECESSARY TO INTERSECT STREET RIGHTS-OF-WAY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT SAID POINT "A", THENCE N 17°53'13" E, 125.00 FEET TO THE POINT OF TERMINUS.

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

Country
Surveys, Inc.

11445 West I-70 Frontage Road North
Suite 102, Wheat Ridge, Colorado 80033
(303) 403-4708 Fax (303) 403-0800

