CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, November 20, 2018 @ 7:00 p.m.
141 Nevada Street, Central City, Colorado
AGENDA

The City Council meeting packets are prepared several days prior to the meetings and available for public inspection at City Hall during normal business hours the Monday prior to the meeting. This information is reviewed and studied by the City Council members, eliminating lengthy discussions to gain basic understanding. Timely action and short discussion on agenda items does not reflect lack of thought or analysis. Agendas are posted on the City’s website, the City Hall bulletin board and at the Post Office the Friday prior to the Council meeting.

7:00pm Council Meeting

1. Call to Order.

2. Roll Call
   Mayor
   Kathryn Heider
   Mayor Pro-Tem
   Shirley Voorhies
   Council members
   Judy Laratta
   Jeff Aiken

3. Pledge of Allegiance

4. Additions and/or Amendments to the Agenda.

5. Conflict of Interest.

6. Consent Agenda: The Consent Agenda contains items that can be decided without discussion. Any Council member may request removal of any item they do not want to consider without discussion or wish to vote no on, without jeopardizing the approval of other items on the consent agenda. Items removed will be placed under Action items in the order they appear on the agenda (this should be done prior to the motion to approve the consent agenda).

   Regular Bill lists through November 14;
   City Council minutes: October 16, 2018; and
   Ratify HP 18-07 – Reed – 355A Spring Street to move Richville-William’s House on Quartz Hill to 355A Spring Street

PUBLIC FORUM/AUDIENCE PARTICIPATION — (public comment on items on the agenda not including Public Hearing items): the City Council welcomes you here and thanks you for your time and concerns. If you wish to address the City Council, this is the time set on the agenda for you to do so. When you are recognized, please step to the podium, state your name and address then address the City Council. Your comments should be limited to three (3) minutes per speaker: The City Council may not respond to your comments this evening, rather they may take your comments and suggestions under advisement and your questions may be directed to the City Manager for follow-up. Thank you.

ACTION ITEMS: NEW BUSINESS –

7. Main Street Commission Appointment – 1 regular member (Ed Scheonradt)

8. Ordinance No. 18-13: An ordinance of the City Council of the City of Central, Colorado amending Sections 4-3-60, 4-3-90, 4-3-130 and 4-3-150 of the City of Central Municipal Code to codify an increase in the City’s Sales and Use Tax pursuant to voter approval granted on November 6, 2018. (McAskin)

9. Resolution No. 18-33: A resolution of the City Council of the City of Central, Colorado approving an Agreement for Municipal Prosecution Services. (McAskin)
PUBLIC HEARING –

10. Resolution No. 18-34: A resolution of the City Council of the City of Central, Colorado adopting and appropriating the 2019 Budget, adopting the Capital Improvement Plan, setting the Property Tax Mill Levy and Approving the Central City BID 2019 Operating Plan and Budget. (Miera/Robbins)

REPORTS –

11. Staff updates –

COUNCIL COMMENTS - limited to 5 minutes each member.

PUBLIC FORUM/AUDIENCE PARTICIPATION – for non-action items not Action or Public Hearing items on this agenda (same rules apply as outlined in the earlier Public Forum section).

ADJOURN. Next Council meeting December 4, 2018.

Posted 11/15/2018

Please call Reba Bechtel, City Clerk at 303-582-5251 at least 48 hours prior to the Council meeting if you believe you will need special assistance or any reasonable accommodation in order to be in attendance at or participate in any such meeting.
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Total 202532:  7,569.17  0.00  7,569.17

Grand Totals:  7,569.17  0.00  7,569.17
CITY OF CENTRAL
CITY COUNCIL MEETING
October 16, 2018

CALL TO ORDER
A regular meeting of the City Council for the City of Central was called to order by Mayor Heider at 7:18 p.m., in City Hall on October 16, 2018.

ROLL CALL
Present: Mayor Heider
Mayor pro temp Voorhies
Alderman Laratta
Alderman Aiken

Absent: None

Staff Present: City Manager Miera
Attorney McAskin
City Clerk Bechtel
Community Development Director Rears
Public Works Director Hoover
Utilities Director Nelson
Fire Chief Allen
John Bain & Kevin Armstrong GCSO

Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA
Mayor pro temp Voorhies moved to approve the agenda with an addition to the Executive Session C.R.S. § 24-6-402(4)(e) to instruct negotiators regarding the City’s 1999 Growth IGA. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

Mayor pro temp Voorhies moved to table Resolution 18-29 indefinitely. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

CONFLICTS OF INTEREST
No Council Member disclosed a conflict regarding any item on the agenda.

CONSENT AGENDA
Alderman Laratta moved to approve the consent agenda containing the regular bill lists through October 11, and the City Council minutes for the meeting on October 2, 2018. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

PUBLICFORUM/AUDIENCEPARTICIPATION
Jack Hidahl, 206 E 3rd High, voiced his opinion that it is ok to make a mistake as a Council body as Resolution 18-29 was. Also, if encouraging support for Proposition 110, then what about Proposition 109?
PUBLIC HEARING

Ordinance No. 18-12: An ordinance of the City Council of the City of Central, Colorado amending Rule 1 of the City of Central City Council Rules of Procedure.

Attorney McAskin explained that specifically, the Ordinance revises the Rule 1 of the Rules to make it clear that any regular meeting that falls on a holiday will be held on the immediately following business day at 7 p.m. In January of 2019, the first regular meeting will be Wed, Jan 2nd at 7pm, given that the New Year’s Holiday falls on Tuesday, January 1, 2019. The minor revisions to the Rules addressed in Ordinance 18-12 include the following:

- to clarify that if any regular meeting is scheduled to fall on a holiday, whether federal, State or local, the regular meeting will be held on the next business day at 7:00 p.m.

The Rules were previously adopted by Ordinance 17-04 dated May 16, 2017. The proposed change to Rule 1 was discussed at the October 2nd work session and the Ordinance was approved on first reading at the October 2nd regular meeting.

Mayor Heider opened the Public Hearing at 7:29 p.m. Hearing no comment, Mayor Heider closed the Public Hearing at 7:29 p.m.

Alderman Aiken moved to approve Ordinance No. 18-12: An ordinance of the City Council of the City of Central, Colorado amending Rule 1 of the City of Central City Council Rules of Procedure on Second Reading. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

ACTION ITEMS: NEW BUSINESS

Resolution No. 18-31: A resolution of the City Council of the City of Central, Colorado opposing “Amendment 74”, an attempt to amend the Colorado Constitution to drastically limit state and local government services at a high cost to taxpayers.

Manager Miera reviewed the background as follows: Amendment 74 will limit core functions of the City and the high costs of the adverse impacts will be borne by Central City taxpayers. This resolution highlights the adverse impacts of Amendment 74 and seeks to protect the citizens of Central City and Colorado by opposing the measure and strongly urging a vote of NO on the Amendment in November.

Amendment 74 – “Just Compensation for Reduction in Fair Market Value by Government Law or Regulation”: Amendment 74 seeks to amend Section 15 of Article II of the Colorado Constitution to require just compensation if private property has “reduced fair market value by government law or regulation”. This Amendment will have negative impacts on local governments if passed; including, but not limited to, the ability of elected officials to act on behalf of the collective health, safety, and welfare of their community – a core function of government.

- Amendment 74 undermines the ability of state and local governments to effectively represent their constituents and protect their interests in vital areas such as clean water and air, zoning enforcement, and infrastructure improvements.
- Under the current Colorado Constitution, a property owner already has the right to seek compensation from state or local governments. Amendment 74 expands this already well-established concept by requiring the government – i.e., the taxpayers – to pay private property owners for virtually any decrease in the “fair market value” of their property due to a government law or regulation.
• No one truly knows how this proposed expansion of Section 15 could impact Colorado or local governments ... But adding this language to the Constitution will add new layers of ambiguity to the Constitution and leave local governments and taxpayers with unprecedented levels of legal exposure.

• This ambiguity will result in taxpayer dollars going towards lawsuits, which either means a rise in taxes or a reduction in government services in the community, including public works, public safety, and utilities.

• Any change in law or regulation, even those broadly desired by a community or those in the interest of health, safety, and welfare, could be challenged by private land owners. Governments will be reluctant to address important policy issues.

• Amendment 74 will undoubtedly lead to increased legal exposure and costly litigation that will increase costs for government programs and services; these will be paid for at the taxpayers’ expense.

• Municipalities will become collateral damage in private property disputes between owners who feel their property rights have been diminished at the behest of another. Any action by a local government could require that these property owners be compensated.

• In sum, Amendment 74 has unintended consequences which will cost Colorado communities too much money, while at the same time putting Colorado citizens in danger. It is a very risky proposition for our communities, our families, and our state.

• For example, if Amendment 74 passes, the Raw Water Intake Structure project or the Reservoir Dam Toe-Drain project could be cited by certain property owners as diminishing their property rights. This would result in costly litigation and/or the abandonment of critical improvements.

Mayor pro tem Voorhies moved to approve Resolution No. 18-31: A resolution of the City Council of the City of Central, Colorado opposing “Amendment 74”, an attempt to amend the Colorado Constitution to drastically limit state and local government services at a high cost to taxpayers. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

Resolution No. 18-32: *A resolution supporting Proposition 110, A Statewide Transportation Sales Tax Solution.*

Manager Miera reviewed the background as follows: Proposition 110 (formerly Initiative #153) is a statutory change. It seeks to increase the state sales tax rate by .62 percent (about 6 cents on a $10 purchase) as a dedicated funding stream for state, municipal, county and multimodal transportation infrastructure.

This proposition will distribute 45% of the revenue to the State Highway Fund for bond repayments for state projects and, after required payments have been made each year, maintenance and pay-as-you-go projects. The next 40% of the revenue would be allocated to the newly created Local Transportation Priorities Fund. This revenue would be divided between cities (50%) and counties (50%). The county-by-county and city-by-city distributions will be based off of current HUTF local distribution formula. This revenue will be exempt from any revenue, spending or other limitations (also known as “de-bruced”). Local governments will have complete flexibility to spend these dollars on any transportation related purpose.

The final 15% of new revenue will be allocated to the newly created Multimodal Transportation Options Fund. Up to the first $30 million of this fund may be used for bond repayment on projects matched by local
dollars. The remaining 85% would be allocated by the Transportation Commission for local multimodal projects and the remaining 15% would be allocated for state projects.

Between March 28th and June 13th, the Colorado Municipal League conducted a statewide municipal transportation infrastructure survey among its 270 members. Over this two and half month period, the League received responses from 134 municipalities, roughly half of its entire membership.

Among the survey’s respondents, CML was able to ascertain an aggregate $3 billion revenue shortfall needed for municipal improvements and another $750 million in municipal maintenance needs in Colorado.

The survey results, illustrated a statewide demand for additional transportation revenue among Colorado’s local governments that is comparable to the $9 billion funding shortfall experienced at the state level.

While some cities and towns have raised local taxes to improve their municipal infrastructure, the majority still continue to rely on state HUTF revenue and some federal funds to support transportation in their communities. This approach is no longer sustainable given the depreciating effects that inflation and increased fuel efficiency has had on the monetary value of this revenue source at the state and national level.

Furthermore, the ability for a municipality to adequately solve its own transportation needs often depends on the size of its local tax-base and the severity of transportation challenges it must overcome.

This predicament may leave Colorado’s smaller communities at a strategic disadvantage since they do not have the population base necessary to go it alone, which is why CML has advocated for a solution that benefits the entire state and all local governments.

While this will not cost the City of Central any money, it will raise the overall state sales tax rate, which is applied locally; however, it will increase the HUTF revenues for the City. The revenues from sales tax will be earmarked for transportation-related projects. Some of the statewide projects will have direct and indirect effects on Central City (e.g. Floyd Hill Project, etc.), and similarly with funding shared with other local governments within our region (e.g. Gilpin County, etc.). Likewise, the portion allocated to Central City (albeit relatively small, given the HUTF formula with respect to lane miles) would have a similar effect on the region.

Mayor pro tem Voorhies moved to moved to approve Resolution No. 18-32: A resolution supporting Proposition 110, A Statewide Transportation Sales Tax Solution. Alderman Laratta seconded, and without discussion, the motion failed with Alderman Laratta and Alderman Aiken opposed.

REPORTS
Manager Miera reported that the Sheriff’s department statistics show that number of contacts made by the department in Central City. Traffic stops are often a warning and there are tickets as needed.

COUNCIL COMMENTS
Alderman Aiken explained that his no vote on Resolution 18-32 is due to the change voters made to allow for tax breaks and now this is a trickle-down tax for transportation funding.
PUBLIC FORUM/AUDIENCE PARTICIPATION
Gail Maxwell, Deputy County Clerk, offered to be of additional help to Central City with elections if elected to the County Clerk position on November 6.

Jack Hidahl, 206 E. 3rd High, noted that there are extra Xcel poles that could be moved to locations where they would be more effective.

EXECUTIVE SESSION
At 7:44 p.m., Mayor pro tem Voorhies moved to go into Executive Session pursuant to C.R.S. § 24-6-402(4)(b) and -402 of the Colorado Revised Statutes, to discuss specific legal questions and to instruct negotiators concerning pending water rights cases and matters, including Case No. 18CW3018 and Case No. 18CW3019 and pursuant to C.R.S. § 24-6-402(4)(e) to instruct negotiators regarding the City’s 1999 Growth IGA and further moved to reconvene the October 16, 2018 regular City Council meeting at the conclusion of the executive session to adjourn the regular meeting. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

At approximately 8:57 p.m. the executive session was concluded and Mayor Heider announced that the participants in the executive session had been: Mayor Kathryn Heider, Mayor pro tem Voorhies, Alderman Laratta, Alderman Aiken, Utilities Director Jason Nelson, Water Department employee Jack Beard, City Manager Daniel Miera, and City Attorney Marcus McAskin. Mayor Heider further clarified that Messrs. Nelson and Beard participated in that portion of the executive session regarding the water rights matters only, and that they departed the executive session prior to the second topic.

Mayor Heider proceeded to make the following announcement: For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings law I ask that you state your concerns for the record. No concerns were noted.

Mayor pro tem Voorhies moved to adjourn the October 16th regular City Council meeting. Alderman Laratta seconded, and without discussion, the motion to adjourn was approved unanimously at 8:58 p.m.

The next regular City Council meeting is scheduled for Tuesday, November 6, 2018 at 7:00 p.m.

Kathryn A. Heider, Mayor

Reba Bechtel, City Clerk
10/22/2018

City of Central/ Central City Government
P O Box 249, 141 Nevada Street, Central City, CO. 80427

Dear City of Central Manager,

We are sending this letter to state our interest in the yellow house that belongs to the City. We would like to move the house to our property located at 355A Spring Street, Central City, CO. 80427. We will use the home as additional living space.

We will assume all costs associated with moving the house to our property. We will comply with all steps out forth by the City Of Central to obtain and move the house to our property.

We have included a copy of the deed, that states we are the legal owners of the property stated above as well as a site map, that indicates the location where we plan on putting the house.

We are looking forward to hearing from you soon!

Sincerely,

Randy and Tiffany Reed
CITY OF CENTRAL
HISTORIC PRESERVATION APPLICATION
P. O. Box 249, Central City, CO 80427
303-582-5251 ext. 402

Application for Certificate of Appropriateness*:

Name: Randy & Tiffany Reed

Physical Address of Property: 355 A Spring St, Central City, CO 80427
Mailing Address: 1411 Central City, CO 80427

Telephone Number: 320-280-2952

Email Address: Tiff168@Gmail.com

Contact Person: Tiffany Reed

Project Type: Yellow House/Rickville House

Project Description: (Please describe the scope of the project in detail.) Attach additional pages if needed.

We would like to move the house to our Central City property and use for additional living space.

Project Photos: (Attach photos/drawings of the proposed project area, including proposed materials to be used in the repair/restoration/replacement. This includes paint colors.)

Signature of Applicant: Tiffany Reed

Printed name of Applicant: Tiffany Reed

Date: 10/26/18

*Please note that the applicant or their representative must be present at the scheduled Historic Preservation Commission meeting for this application to be considered.
Main Street Commission - City of Central
Candidate letter of interest

City Clerk, City Hall
141 Nevada Street
P.O. Box 249
Central City, CO 80427

RE: Open Commission position

I am writing this letter to share with you my interest in serving as a regular member for the Main Street Commission.

I am a recent resident of Central City living within city limits off of Roworth Street. My wife and I have both jumped into various organizations to allow us to be involved to further support Central City and all that it offers.

I joined the historical society due to my interesting history and the preservation there of; however I also understand the need to increase the amount of visitors to our fair city. There are many avenues to try to accomplish this while still preserving the rich history and I would like to be involved in both the discussion and implementation of ideas.

I have been involved on art guild board as well as 2 theater company boards. In each I strived to listen to others ideas with an open mind as well as bringing my creative mind to the table. I am a writer, actor and presently in a sales position. I mention this because each of these have provided me with opportunities to think out of the box in creative ways. I am outgoing and positive which enables me to be comfortable around various types of people from a maintenance tech to CEO of a company.

I would hope to be able to bring these attributes to this Commission.

Thank you for your time and consideration.

I look forward to hearing from you.

Ed Schoenradt
720-724-4749
385 Roworth Street
P.O. Box 718
Central City CO 80427
AGENDA ITEM # 8
CITY COUNCIL COMMUNICATION FORM

TO: Mayor Heider and Members of City Council
FROM: Marcus McAskin, City Attorney
DATE: November 13, 2018 (prepared for November 20, 2018 regular meeting)
ITEM: Ordinance No. 18-13: An Ordinance of the City Council of the City of Central, Colorado Amending Sections 4-3-60, 4-3-90, 4-3-130 and 4-3-150 of the City of Central Municipal Code to Codify an Increase in the City’s Sales and Use Tax pursuant to Voter Approval granted on November 6, 2018

X ORDINANCE
MOTION
INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 18-13 codifies an increase in the City’s sales and use tax pursuant to voter approval granted on November 6, 2018.

The City Council is being asked to consider Ordinance 18-13 on first reading on November 20, 2018.

II. RECOMMENDED ACTION / NEXT STEP: Approve the Ordinance on first reading and schedule a public hearing and second reading of the Ordinance on a time and date certain.

Currently, it is anticipated that second reading of the Ordinance will occur on Tuesday, December 4, 2018.

III. FISCAL IMPACTS: TBD. Ballot issue 1A estimated the first fiscal year increase in tax revenue at five hundred and fifty thousand dollars ($550,000). The revenues of the increased sales and use taxes will be used for the purposes specified in ballot issue 1A.

IV. BACKGROUND INFORMATION: Article X, Section 20 of the Colorado Constitution ("TABOR") requires voter approval in advance for any new tax. Section 13.1 of the Home Rule Charter authorizes the City Council to level and collect taxes for any and all municipal
purposes, provided that no sales tax shall be levied until such tax is approved by a majority of the electors voting at a regular or special election.

The City Council referred ballot issue 1A to the Central City electorate at the November 6, 2018 general election. Ballot issue 1A was approved by voters, increasing the rate of sales and use taxes from four percent (4%) to six percent (6%).

The text of ballot issue 1A provided that the sales and use tax increase, if approved by voters, would be effective on January 1, 2019.

In order to codify the increase in the sales and use tax approved by voters, the following sections of the Central City Municipal Code must be amended:

- Section 4-3-60 (sales tax levy);
- Section 4-3-90 (use tax);
- Section 4-3-130 (building materials); and
- Section 4-3-150 (reports by retailer or vendor; payment of tax).

A legislative “redline” version of each of the Municipal Code sections, highlighting the revisions to the respective Code sections, is set forth in Section 1 through Section 4 of the Ordinance (specifically, deletions are shown in strikethrough and italics and additions are shown in underline and bold).

V. LEGAL ISSUES:

None.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: N/A

VII. SUMMARY AND ALTERNATIVES: City Council has the following options:

1. Adopt Ordinance No. 18-13 on first reading, as may or may not be amended; or
2. Direct staff to make revisions to the Ordinance and schedule consideration of the Ordinance on a future City Council agenda for first reading.

RECOMMENDED MOTION: “I move to approve Ordinance No. 18-13, an ordinance of the City Council of the City of Central, Colorado amending Sections 4-3-60, 4-3-90, 4-3-130 and 4-3-150 of the City of Central Municipal Code to codify an increase in the city’s sales and use tax pursuant to voter approval granted on November 6, 2018 on first reading, and further move that second reading and public hearing on the ordinance be scheduled for Tuesday, December 4, 2018, at 7:00 PM to be held in these council chambers.”
CITY OF CENTRAL, COLORADO
ORDINANCE 18-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING SECTIONS 4-3-60, 4-3-90, 4-3-130 AND 4-3-150 OF THE CITY OF CENTRAL MUNICIPAL CODE TO CODIFY AN INCREASE IN THE CITY’S SALES AND USE TAX PURSUANT TO VOTER APPROVAL GRANTED ON NOVEMBER 6, 2018

WHEREAS, the City of Central is a home rule municipality having all powers conferred by Article XX of the Colorado Constitution; and

WHEREAS, the City Council has exercised these powers by the adoption of Chapter 4 of the City of Central Municipal Code ("Municipal Code") concerning revenue and taxation; and

WHEREAS, Article X, Section 20 of the Colorado Constitution, known as the Taxpayer’s Bill of Rights ("TABOR") requires voter approval in advance for any new tax; and

WHEREAS, Section 13.1 of the Home Rule Charter authorizes the City Council to level and collect taxes for any and all municipal purposes, provided that no sales tax shall be levied until such tax is approved by a majority of the electors voting at a regular or special election; and

WHEREAS, the City Council referred ballot issue 1A to the Central City electorate at the November 6, 2018 general election; and

WHEREAS, at said election, ballot issue 1A was approved, authorizing City sales and use taxes to be increased up to $550,000 annually in the first fiscal year by increasing the rate of sales and use taxes from four percent (4%) to six percent (6%), with the proceeds of such tax increase to be used for the purposes specified in ballot issue 1A; and

WHEREAS, ballot issue 1A provided that said sales and use tax increase, if approved by voters, would be effective on January 1, 2019; and

WHEREAS, ballot issue 1A also provided that the City Manager shall annually report to the City Council on the purposes for which the revenues generated from the tax increase have been designated or used in the preceding calendar year; and

WHEREAS, in order to codify the approval granted by the voters, the City Council wishes to amend Section 4-3-60 (sales tax levy), Section 4-3-90 (use tax), Section 4-3-130 (building materials), and Section 4-3-150 (reports by retailer or vendor; payment of tax) of the Municipal
Sec. 4-3-150. Reports by retailer or vendor; payment of tax.

(a) Reports. Every retailer, vendor and wholesaler shall be liable as a taxpayer and responsible for reporting and paying to the Finance Department sales tax at the rate of foursix percent (46%) as provided in Section 4-3-60 of this Article on the gross total of taxable sales or charges for service during the standard reporting period, as well as the three-percent lodging tax on charges for rooms and accommodations as specified in Section 4-3-80.

Section 5. Commencing with calendar year 2020, the City Manager shall prepare and present an annual report to the City Council, which report shall set forth the purposes for which the revenues generated from the two percent (2%) sales and use tax increase approved by voters at the November 6, 2018 election by and through approval of ballot issue 1A have been designated or used in the preceding calendar year.

Section 6. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 7. Effective Date. This Ordinance shall become effective immediately following publication, public hearing and the approval of City Council following second reading in accordance with Sections 5.9 and 5.10 of the City Charter.

INTRODUCED AND READ by title only on first reading at the regular meeting of the City Council of the City of Central on the 20th day of November, 2018, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

______________________________
Kathryn A. Heider, Mayor

Approved as to form:

______________________________
Marcus McAskin, City Attorney

ATTEST:

______________________________
Reba Bechtel, City Clerk
PASSED AND ADOPTED on second reading, at the regular meeting of the City Council of the City of Central on the 4th day of December, 2018.

CITY OF CENTRAL, COLORADO

______________________________
Kathryn A. Heider, Mayor

ATTEST:

______________________________
Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on November 22, 2018.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on December 6, 2018.
AGENDA ITEM # 9
CITY COUNCIL COMMUNICATION FORM

TO: Mayor Heider and Members of City Council
FROM: Marcus McAskin
DATE: November 13, 2018 (prepared for November 20, 2018 regular meeting)
ITEM: Resolution No. 18-33: Approving an Agreement for Municipal Prosecution Services

___ ORDINANCE
X MOTION / RESOLUTION
___ INFORMATION

I. REQUEST OR ISSUE: Resolution 18-33 ("Resolution") approves an Agreement for Municipal Prosecution Services ("Agreement") with The Law Office of Donna M. Stewart, Inc. ("Stewart"). The Agreement is attached to the Resolution as Exhibit 1. The Resolution also authorizes the City Manager to execute the Agreement on behalf of the City once in final form.

II. BACKGROUND: The City entered into an agreement with the Ausmus Law Firm, P.C. ("Ausmus") for municipal prosecution services in 2009 (the "Prior Agreement"). Ausmus has informed the City that it desires to terminate the Prior Agreement. Section 9 of the Prior Agreement provides that Ausmus shall reasonably assist the City in the transfer of prosecutorial services to a new prosecutor and Ausmus has identified Stewart as a qualified municipal prosecutor.

A copy of Stewart’s resume is attached to this City Council Communication Form for reference.

III. RECOMMENDED ACTION / NEXT STEP: Approve Resolution No. 18-33.
IV. **FISCAL IMPACTS:** As set forth in the Agreement, Stewart's compensation is set at $700.00 per court session at which Stewart is in attendance. The Agreement contemplates that the City will hold one (1) combined municipal court pre-trial and trial session every other month at which Stewart's attendance will be necessary. Therefore, annual compensation to Stewart should be in the $4,200.00 range.

V. **LEGAL ISSUES:** None.

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None.

VII. **SUMMARY AND ALTERNATIVES:** City Council may approve the Resolution or table the item for further discussion and consideration.

**PROPOSED MOTION:** "I MOVE TO APPROVE RESOLUTION NO. 18-33, A RESOLUTION APPROVING AN AGREEMENT FOR MUNICIPAL PROSECUTION SERVICES."

**Attachments:**

Proposed Resolution  
Agreement for Municipal Prosecution Services  
D. Stewart Resume
CITY OF CENTRAL, COLORADO
RESOLUTION NO. 18-33

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO APPROVING AN AGREEMENT FOR MUNICIPAL PROSECUTION SERVICES

WHEREAS, the City is a party to that certain Agreement for Municipal Prosecution Services with Ausmus Law Firm, P.C. ("Ausmus") dated July 7, 2009 (the "Prior Agreement"); and

WHEREAS, Ausmus has informed the City that it desires to terminate the Prior Agreement; and

WHEREAS, the City has provided written notice of termination to Ausmus dated November 5, 2018, in accordance with Section 9 of the Prior Agreement; and

WHEREAS, Section 9 of the Prior Agreement provides that Ausmus shall reasonably assist the City in the transfer of prosecutorial services to a new prosecutor; and

WHEREAS, Ausmus has identified The Law Office of Donna M. Stewart, Inc. ("Stewart") as a replacement prosecutor; and

WHEREAS, the City Attorney has met and conferred with Ausmus and Stewart and has determined Stewart to be duly qualified to provide municipal prosecution services to the City; and

WHEREAS, City Council desires to approve an Agreement for Municipal Prosecution Services with Stewart in substantially the form attached to this Resolution as Exhibit 1,

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

Section 1. The City Council hereby approves the Agreement for Municipal Prosecution Services with Stewart in substantially the form attached as Exhibit 1 (the "Agreement").

Section 2. The City Council hereby: (a) authorizes the City Attorney to finalize and to make such changes as may be needed to correct any nonmaterial errors or language or to negotiate such changes to the Agreement as may be appropriate that do not substantially increase the obligations of the City; and (b) authorizes the City Manager to execute the Agreement on behalf of the City.

Section 3. Effective Date. This Resolution shall take effect upon its approval by the City Council.
ADOPTED THIS 20th DAY OF NOVEMBER, 2018.

CITY OF CENTRAL, COLORADO

By: ____________________________
    Kathryn A. Heider, Mayor

ATTEST:

By: ____________________________
    Reba Bechtel, City Clerk

APPROVED TO FORM:

By: ____________________________
    Marcus A. McAskin, City Attorney
AGREEMENT FOR MUNICIPAL PROSECUTION SERVICES

THIS AGREEMENT ("Agreement") is made this 5th day of November, 2018, by and between THE LAW OFFICE OF DONNA M. STEWART, INC., a Colorado corporation, having a principal office address of 200 S. Wilcox Street, Suite 534, Castle Rock, CO 80104 (the "Prosecutor") and the CITY OF CENTRAL, COLORADO, a home rule municipal corporation of the State of Colorado (the "City").

RECITALS AND REPRESENTATIONS

WHEREAS, the City desires to contract with the Prosecutor to serve as municipal prosecutor in the Central City Municipal Court on the terms established in this Agreement; and

WHEREAS, the Prosecutor desires to serve as a municipal prosecutor in the Central City Municipal Court.

NOW, THEREFORE, in consideration of the mutual undertakings set forth in this Agreement, the City and the Prosecutor agree as follows:

1. COMPENSATION. The Prosecutor’s compensation shall be paid at the rate of Seven Hundred Dollars ($700.00) per court session at which the Prosecutor is in attendance. Within the compensation rate of $700.00 per court session, Prosecutor shall perform all associated duties including but not limited to those described in Paragraph 2 of this Agreement.

2. SCOPE OF SERVICES. The parties currently anticipate holding one (1) combined municipal court pre-trial and trial session every other month at which the Prosecutor’s attendance is necessary. In addition to attending court, the Prosecutor shall be responsible for all facets of prosecution for the City, including pre-trial conferences, arraignments, interviewing witnesses, and such bench or jury trials as may be required by the City, subject to the terms of this Agreement. Discovery requests will not be processed by the Prosecutor, except to the extent of referring requests to the municipal court clerk, and the Prosecutor shall not be responsible for handling appeals, except as directed by the City Manager in consultation with the City Attorney. The Prosecutor may be required to undertake enforcement of City code violations from time to time. The Prosecutor may also be required to attend meetings and conferences with City staff, as directed, to be available to answer inquiries from police officers about pending or potential cases and to conduct occasional training sessions for City staff as directed by the City. The role of the Prosecutor under this Agreement shall be non-exclusive, and the City retains the right to contract with additional prosecutors and/or to perform prosecution services through the City Attorney.

The Prosecutor shall at all times during the term of this Agreement comply with the Colorado Rules of Municipal Court Procedure, the constitutions and applicable laws of the United States and the State of Colorado, and the Ordinances, Resolutions and Regulations of the City. The Prosecutor shall consult with the City as needed, including attending meetings as requested, to support the City in the ongoing development of the Municipal Court. All attorneys working as the Prosecutor shall be currently licensed to practice law by the Colorado Supreme Court and shall remain in good standing during the term of this Agreement.
3. **REPORTING.** The Prosecutor shall keep the City Manager and City Attorney informed of any unusual or noteworthy events or cases. Items that should be reported include, but shall not be limited to, threatened appeals, cases with multiple witnesses, cases for which witnesses failed to appear, cases with belligerent or uncooperative defendants, non-traffic cases in which the defense involved a credible allegation of officer misconduct, and cases in which the plea-bargained disposition was outside of the normal guidelines. The Prosecutor and the City Attorney shall meet as needed to discuss issues related to the services provided by the Prosecutor pursuant to this Agreement.

4. **ANNUAL BUDGET/APPROPRIATION.** Notwithstanding any provision of this Agreement to the contrary, the City is not obligated by this Agreement to make any payments in any fiscal year beyond the fiscal year for which funds are appropriated for the payment thereof or to make payments from any funds of the City other than funds appropriated for the payment of current expenditures. All payment obligations of the City under this Agreement are from year to year only and do not constitute a multiple-fiscal year direct or indirect debt or other financial obligation of the City.

5. **INDEPENDENT CONTRACTOR.** This Agreement is one for independent contractor services. The Prosecutor is an independent contractor and shall not be considered an employee of the City for purposes of any federal or state law. The City shall not be obligated to secure and shall not provide any employment benefits of any kind or type to or for the Independent Contractor, including but not limited to worker’s compensation, disability insurance, errors and omissions insurance, vacation or sick leave, retirement contributions, or other benefits. The Prosecutor shall be responsible for any federal and state income tax withholding on moneys earned pursuant to this Agreement. The Prosecutor’s services shall be supervised by the City Attorney.

6. **INSURANCE.** The Prosecutor shall maintain professional liability insurance with minimum combined single limits of five hundred thousand dollars ($500,000.00) per claim and one million dollars ($1,000,000.00) annual aggregate.

7. **EXPENSES AND MATERIALS.** The Prosecutor will not be reimbursed for any incidental expenses incurred by the Prosecutor in the performance of services for the City.

8. **EFFECTIVE DATE.** This Agreement becomes binding and effective as of the date of approval by the City.

9. **TERMINATION WITHOUT CAUSE OR REASON.** This Agreement may be terminated by either party without cause or reason at any time by giving thirty (30) days written notice to the other party. In such event of termination, the Prosecutor shall continue services during such thirty day period and shall reasonably assist the City in the transfer of services to a new prosecutor in accordance with the rules governing professional responsibility for attorneys practicing in the State of Colorado.

10. **ENTIRE AGREEMENT/TERMINATION OF PRIOR AGREEMENTS.** This Agreement shall constitute the entire agreement between the parties and is binding upon and inures to the benefit of the Prosecutor’s successors, heirs at law and executors. This Agreement supersedes any and all prior agreements between the parties.
11. **SEVERABILITY.** If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement shall be deemed severable, shall not be affected, and shall remain in full force and effect.

12. **AMENDMENTS.** The terms and conditions of this Agreement may be modified only by the mutual written consent of the Prosecutor and the City Council.

13. **GOVERNING LAW AND VENUE.** This Agreement shall be governed by and interpreted according to the law of the State of Colorado. Venue for any action arising under this Agreement shall be in the appropriate court for Gilpin County, Colorado.

14. **NO WAIVER.** A waiver by any party to this Agreement of the breach of any term or provision of this Agreement shall not operate or be construed as a waiver of any subsequent breach by either party.

15. **NO WAIVER OF GOVERNMENTAL IMMUNITY.** Nothing in this Agreement shall be construed to waive, limit, or otherwise modify any governmental immunity that may be available by law to the City, its officials, employees, contractors, or agents, or any other person acting on behalf of the City and, in particular, governmental immunity afforded or available pursuant to the Colorado Governmental Immunity Act, Title 24, Article 10, Part 1 of the Colorado Revised Statutes.

16. **PARAGRAPH CAPTIONS.** The captions of the paragraphs are set forth only for the convenience and reference of the parties and are not intended in any way to define, limit or describe the scope or intent of this Agreement.

**IN WITNESS WHEREOF,** the City has caused this Agreement to be signed and executed on its behalf and the Prosecutor has signed and executed this Agreement, both in duplicate, as of the day and year first above written.

CITY OF CENTRAL, COLORADO, a home rule municipal corporation of the State of Colorado

By: ______________________
Daniel R. Miera, City Manager

ATTEST:

By: ______________________
Reba Bechtel, CMC, City Clerk

REVIEWED BY:

By: ______________________
Marcus McAskin, City Attorney
PROSECUTOR:

THE LAW OFFICE OF DONNA M. STEWART, a
Colorado corporation

By:  

Donna M. Stewart, President

Address: The Law Office of Donna M. Stewart
200 S. Wilcox Street, #534
Castle Rock, CO 80104
The Law Office of Donna M. Stewart, LLC
200 S. Wilcox Street, #534 • Castle Rock, CO 80104
Phone: (303) 956-5361 • Fax: (303) 814-0161 • criminallawco@gmail.com

Highlights of Qualifications

- Five years of trial experience at the county and district court level as a Deputy District Attorney.
- One year of supervisory experience.
- Articulate and persuasive in written and verbal presentations.
- Twelve years in private practice.
- Nine years as court appointed attorney in several Municipal Courts.

Professional Experience

Deputy District Attorney

- Conducted county court, juvenile and district court trials.
- Assisted in developing a training policy for new county court deputies and interns.
- Supervised county court deputies and interns.
- Assisted in drafting proposed legislation for the Colorado statute regarding speedy detainer actions.
- Drafted 404(b) Motions, Responses to 35(b) Motions, 35(c) Motions, Motions in Limine, and Responses to Discovery Motions.
- Extensive courtroom experience, including weekly docket, preliminary hearings, motions hearings, probation revocations, and sentencing hearings.

GAL/ADC

- Court appointed to represent and make recommendations regarding the juvenile’s best interests in juvenile delinquency cases and dependency and neglect actions.
- Court appointed to represent indigent defendants in misdemeanor, juvenile and felony matters.
- Court appointed to represent indigent defendants in Lone Tree, Castle Rock and Cherry Hills Municipal Courts.

Respondent Parent Counsel

- Court appointed to represent respondent parents in Dependency and Neglect proceedings.
- Extensive courtroom experience including temporary custody hearings, adjudicatory trials, hearings on Allocation of Parental Responsibility and termination of parental rights.
Litigation

- Representing parties in dissolution, post-decree and paternity actions.
- Representing parties in civil protection order cases.
- Representing defendants in traffic, misdemeanor, juvenile and felony matters.
- Representing respondent parents in dependency and neglect actions.

Volunteer Work

- Regional coordinator of the Douglas/Elbert Mock Trial Competition (2010-present)
- Attorney Mentor for Parker Teen Court (2008-2014)
- Judge Moot Court competitions for the University of Denver Law School (2002-2012)
- Served as a panelist for a DUI CLE training for Judge James Miller
- Assisted in orientation for new students at the University of Denver, College of Law (2000)
- Supervised volunteers for the Ann Arbor Hunger Coalition (1996-1997)

Organizations

- Colorado Bar Association
- Secretary of the Douglas Elbert Bar Association 2009-2010
- Vice-President of the Douglas Elbert Bar Association 2010-2011
- President of the Douglas Elbert Bar Association 2011-2012

Employment History

- 2009-Present  Attorney  Law Office of Donna M. Stewart, LLC
- 2007-2009  Associate  Folkestad Fazekas Barrick & Patoile, P.C.
- 2006-2007  Associate  Slade & Associates
- 2001-2006  Deputy District Attorney  18th Judicial District, DA’s Office, Centennial, CO
- 1999-2001  Legal Intern  18th Judicial District DA’s Office, Centennial, CO

Education and Training

- 1998-2001  University of Denver, College of Law, J.D.
- 1994-1997  University of Michigan, Ann Arbor, B.A.
AGENDA ITEM #10

CITY COUNCIL COMMUNICATION FORM

FROM: Daniel R. Miera, City Manager

DATE: November 20, 2018

ITEM: Resolution 18-34 A Resolution of the City Council of the City of Central Colorado Adopting and Appropriating the 2019 Budget, Adopting the Capital Improvement Plan, Setting a Property Tax Mill Levy and Approving the Central City BID 2019 Operating Plan and Budget

NEXT STEP: Make a motion to approve Resolution 18-34.

I. REQUEST OR ISSUE: Over the course of the past few months City Council and staff have developed the attached 2019 Budget. As required by State law and City Charter, staff formally presented Council with the proposed budget at several budget workshops. Notice of the 2019 Budget process was subsequently published in the newspaper and stated final adoption would occur on November 20, 2018.

Resolution 18-34 officially adopts the 2019 Budget and appropriates funding for the expenditures from the funds indicated. Resolution 18-34 also adopts the Capital Improvement Plan, sets the City’s property tax mill levy at 9.631 mills and approves the Central City Business Improvement District’s 2019 Operating Plan and Budget.

In accordance with Article X, Section 10.6 of the City Charter, a Public Hearing is being held on November 20, 2018 prior to adoption of Resolution 18-34. Should any changes and/or amendments become necessary as a result of the public hearing or Council’s wishes, those changes will be incorporated into the final adopted 2019 Budget document.
II. **RECOMMENDED ACTION / NEXT STEP:** Hold a public hearing on Resolution 18-34 and make a motion to approve the same.

III. **FISCAL IMPACTS:** Please see the attached 2019 Budget document which includes detailed financial information.

IV. **BACKGROUND INFORMATION:** While the 2019 budget is being presented as a final version, changes to the Budget can be made by adopting the Budget as amended. Any changes will be incorporated into the final Budget document.

V. **LEGAL ISSUES:** The City will be meeting both the City Charter and statutory requirements by holding a Public Hearing and adopting the 2019 Budget by November 20, 2018.

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** None

VII. **SUMMARY AND ALTERNATIVES:**
1. Make a motion to approve Resolution 18-34.
2. Make a motion to approve Resolution 18-34 with amendments.
CITY OF CENTRAL
RESOLUTION NO. 18-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL
ADOPTING AND APPROPRIATING THE 2019 BUDGET,
ADOPTING THE CAPITAL IMPROVEMENT PLAN,
SETTING A PROPERTY TAX MILL LEVY,
AND APPROVING THE CENTRAL CITY BID 2019 OPERATING PLAN AND
BUDGET

WHEREAS, the City Manager has submitted the proposed 2019 Budget pursuant to City
Charter and Colorado law; and notice has been published and City Council has conducted a
public hearing on the proposed 2019 Budget pursuant to City Charter and Colorado law; and

WHEREAS, there are sufficient revenues and fund balances to pay for the 2019 budgeted
expenditures; and

WHEREAS, the City Charter, Section 10.6(d), specifies that adoption of the budget shall
constitute appropriations of the amounts specified therein as expenditures from the funds
indicated and shall constitute a levy of the property, sales, gaming and other taxes and fees
therein proposed; and

WHEREAS, adoption of the 2019 Budget is necessary for the certification of the mill
levy to Gilpin County for 2018 taxes, paid in 2019; and

WHEREAS, the Capital Improvement Plan is incorporated into the 2019 Budget and
adopted in conjunction with the 2019 Budget, and

WHEREAS, the Central City Business Improvement District has submitted its 2019
Operating Plan and Budget and requires approval from the City Council,

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

Section 1. The City of Central hereby adopts and appropriates the 2019 budget attached to
the proposed Resolution as Exhibit 1.

Section 2. The 2019 property tax mill levy is 9.631 mills.

Section 3. The Capital Improvement Plan included in the 2019 Budget document is
adopted.

Section 4. The Central City Business Improvement District 2019 Operating Plan and Budget
is adopted.

Section 5. Effective Date. This Resolution shall take effect upon its approval by the City
Council.
ADOPTED THIS 20th DAY OF NOVEMBER, 2018.

CITY OF CENTRAL, COLORADO

By: ____________________________
    Kathryn A. Heider, Mayor

ATTEST:

By: ____________________________
    Reba Bechtel, City Clerk

APPROVED TO FORM:

By: ____________________________
    Marcus A. McAskin, City Attorney
To: Mayor Heider, City Council, and City Manager Miera

From: Reba Bechtel, City Clerk

Date: November 20, 2018

Re: Bi-weekly Report

- Prep for the Regular Council meeting of 11/20
- HPC 11/14/18
- Court 11/19/18
- Finalized results of November 6 election

- SPECIAL MAIL BALLOT ELECTION DECEMBER 11
  1) 3 candidates: Jack Hidahl, Thomas Matthews, Deborah L. Wray
  2) Ballots will go out November 20
<table>
<thead>
<tr>
<th>Building</th>
<th>Permits</th>
<th>2017</th>
<th>39 permits</th>
<th>Value – 2017 - $655,900</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>2018</td>
<td>32 permits</td>
<td>Value – 2018 - $1,008,099</td>
</tr>
<tr>
<td>Membrane Building</td>
<td>Final Checklist Review Underway</td>
<td>Completion Date – October 24, 2018</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Planning**
- Various Initial Development/Building Inquires addressed
- Growth IGA – Negotiation Has Started

- Denver Adventures Lease Extension – December 2018
- Planning Commission
  - Last meeting – November 2018
  - Topic: Comp Plan / Zone Change Request

**Economic Development**
- Northwest Colorado Enterprise Zone
- URL – Technical Assistance November 29-30 2018

- Parking Fee In-lieu

**Historic Preservation**
- Belvidere Theater
  - Owner Representative – New Contract will be pursued for next phase
  - Consultant hired to find and obtain outside grant funding
  - Emergency Roof Repair – Public Works is facilitating
  - DOLA Mineral Impact Grant – Awarded – up to $179,350

**Historic Preservation Commission**
- St. James – Stair replacement – completed
  - Last Meeting – November 14th
  - Relocation of Rickville-Williams House (yellow house)
  - Revised Design Guidelines
- 2018 cases 7
- Training Black Hawk – Sept.

**Visitor Center**
- Central City Ambassador – Vacancy (Friday/Saturday) – Being advertised
- New items being pursued to sell and being designed

**Code Enforcement**
- Respond to complaints made -
  - 2016 35
  - 2017 33
<table>
<thead>
<tr>
<th>Code Update</th>
<th>Working with the City of Northglenn and our prosecutor on draft language</th>
</tr>
</thead>
</table>

**Marketing/ Events**

<table>
<thead>
<tr>
<th>Billboard</th>
<th>2019 Billboard lottery selections made</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Central City App</th>
<th>Mobile Town Guide developed “Mobile Town Guide Central City”</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Interactive walking tour planned</td>
</tr>
</tbody>
</table>

**Promotional Videos -**

<table>
<thead>
<tr>
<th>Video #1</th>
<th>Recreation</th>
<th>Released</th>
</tr>
</thead>
<tbody>
<tr>
<td>Video #2</td>
<td>Events</td>
<td>Released</td>
</tr>
<tr>
<td>Video #3</td>
<td>Gaming</td>
<td>Released</td>
</tr>
<tr>
<td>Video #4</td>
<td>Combination of all three</td>
<td>Released</td>
</tr>
</tbody>
</table>

**Main Street Central City**

<table>
<thead>
<tr>
<th>Last Meeting – November 13th - Two open seats on the board</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-funding mechanism</td>
</tr>
<tr>
<td>Present at all events – Preparing for HRHC and Tommyknocker</td>
</tr>
</tbody>
</table>

**Direct City Marketing / Promotion**

<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>Jeffco living</td>
<td>Print/ digital ads</td>
<td>Ads running for 6 months from Spring to Fall</td>
</tr>
<tr>
<td>iHeart Radio</td>
<td>Radio ads</td>
<td>Ads running for 2018 finalized</td>
</tr>
<tr>
<td>Mountain Adventure Guide</td>
<td>Print</td>
<td>TV ad being pursued for 2019</td>
</tr>
</tbody>
</table>

**Sponsorship**

<table>
<thead>
<tr>
<th>Events</th>
<th>2nd Annual Pumpkin Patch – 13th &amp; 14th</th>
<th>Tommyknocker</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>November 29th – December 2nd</td>
</tr>
</tbody>
</table>

**Audio Visual / Website / Information Technology**

<table>
<thead>
<tr>
<th>Website/Social Media</th>
<th>Administration, promotion and monitoring continues</th>
</tr>
</thead>
</table>

**Public Access Cable Channel**

<table>
<thead>
<tr>
<th>Ongoing issues, work with consultant and cable company continues</th>
</tr>
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<tbody>
<tr>
<td>Livestreaming of City Council Meetings</td>
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</tbody>
</table>

**Staff**

<table>
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<tr>
<th>Managing consultants</th>
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<tr>
<td>Training at UC Denver</td>
</tr>
<tr>
<td>UC Denver Intern</td>
</tr>
</tbody>
</table>
November 1, 2018

The Honorable Kathryn Heider, Mayor
Central City
PO Box 249
Central City, CO 80427

RE: EIAF 8772 - Central City Belvidere Theater Rehabilitation Design

Dear Mayor Heider:

The Department of Local Affairs is in receipt of your application for state Energy and Mineral Impact Assistance funds. These revenues are derived from oil, gas, carbon dioxide, coal, and metals extracted in Colorado.

Your project was reviewed based on a variety of factors such as its connection to energy impact, degree of need, measurable outcomes, amount of request, relationship to community goals, level of local match and community support, management capacity, and readiness to go. Competition for these limited funds was intense and we had many more requests than we had funds available.

Congratulations! After thorough review, I am excited to offer a grant award in the amount of $179,350 for the completion of a full set of architectural engineering plans and specifications to develop cost estimates. These grant funds will be from state severance tax proceeds, which may cause you to go to election to receive and spend them. You should confer with your legal and budget advisors to determine if such an election is necessary.

Please contact your DOLA Regional Manager, Don Sandoval, at 970-679-4501 for information on how to proceed. Expenditure of State funds prior to the contract being fully executed cannot be included in the contract budget or reimbursed by the State. Per our program guidelines, this offer is valid for one year from the date of this letter.

I wish you success with your project.

Sincerely,

Irv Halter
Executive Director

cc:
Tim Neville, State Senator
KC Becker, State Representative
Ray Rears, Community Development Director & Historic Preservation Officer
Don Sandoval, DOLA
Since our last council update, public works staff has performed the following activities:

- Repaired ditch, installed culvert to improve drainage at the top of County Rd
- Maintained snow removal equipment including the sanding and painting of sanders
- Had several street sweeper demonstrations to assess street sweeper effectiveness
- Repaired items included in the CIRSA audit
- Repaired delineators on the Parkway
- Received a quote and awarded guardrail repair on the Parkway
- Removed all flowers from the free-standing flower pots
- Cleaned up the Big-T Lot
- Selected contractors and signed contracts for City Hall Roof Repair, Shoofly Roof Repair, and Johnson Reservoir Roof Repair
- Performed drainage improvements at the sand shed
- Began erecting Christmas decorations on Main St