CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, December 4, 2018 @ 6:00 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.

6:00pm Council Meeting

1. Call to Order.

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

EXECUTIVE SESSION –
Pursuant to C.R.S. 24-6-402(4)(f) to discuss personnel matters for which the employee has consented held at 6:00pm prior to the Regular Meeting at 7:00pm.

RECONVENE REGULAR SESSION – at 7:00 p.m. or Immediately following the Executive Session

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 28; and City Council minutes: November 20, 2018.

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.

PUBLIC HEARING –

7. 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)

ACTION ITEMS: NEW BUSINESS –

8. Central City Opera Annual Report – Scott Finley
9. **Ordinance No. 18-14**: An ordinance of the City Council of the City of Central, Colorado amending Section 3.6 of the Home Rule Charter of the City of Central pursuant to voter approval granted on November 6, 2018. (McAskin)

**REPORTS** –

10. 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 18, 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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Grand Totals: 37,256.77
CALL TO ORDER
A regular meeting of the City Council for the City of Central was called to order by Mayor Heider at 7:02 p.m., in City Hall on November 20, 2018.

ROLL CALL
Present: Mayor Heider
Mayor pro tem Voorhies
Alderman Aiken

Absent: Alderman Laratta

Staff Present: City Manager Miera
Attorney McAskin
City Clerk Bechtel
Finance Director Robbins
Community Development Director Rears
Public Works Director Hoover
Utilities Director Nelson
Captain Tom Ihme GCSO

Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA
Alderman Aiken moved to approve the agenda as amended adding an Executive Session to discuss the Growth IGA. Mayor pro tem Voorhies 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
Mayor pro tem Voorhies moved to approve the consent agenda containing the regular bill lists through November 14, and the City Council minutes for the meeting on 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. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION
Jack Hidahl, 206 E 3rd High, commented that he is pleased to see the Richville-William’s House get a new home.

ACTION ITEMS: NEW BUSINESS
Main Street Commission Appointment –1 regular member (Ed Scheonradt)
Alderman Aiken moved to appoint Ed Scheonradt as a regular member on Main Street Commission. Mayor pro tem Voorhies seconded, and without discussion, the motion carried unanimously.

Manager Miera noted the goal is to have Main Street become a separate organization. Council welcomed Mr. Scheonradt.

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.

Attorney McAskin reviewed the background as follows: Ordinance No. 18-13 codifies an increase in the City’s sales and use tax pursuant to voter approval granted on November 6, 2018.

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. The City Manager will provide a report in 2020 and subsequent years detailing the uses of these funds.

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 levy 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).

Alderman Aiken moved to adopt 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 p.m. to be held in these Council Chambers. Mayor pro tem Voorhies seconded, and without discussion, the motion carried unanimously.
Resolution No. 18-33: A resolution of the City Council of the City of Central, Colorado approving an Agreement for Municipal Prosecution Services.

Attorney McAskin explained that this resolution approves an Agreement for Municipal Prosecution Services with The Law Office of Donna M. Stewart, Inc. and authorizes the City Manager to execute the Agreement on behalf of the City once in final form.

The City entered into an agreement with the Ausmus Law Firm, P.C. for municipal prosecution services in 2009. Ausmus has informed the City that it desires to terminate the that Agreement. Section 9 of their 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.

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.

Mayor pro tem Voorhies moved to approve Résolution No. 18-33: A resolution of the City Council of the City of Central, Colorado approving an Agreement for Municipal Prosecution Services. Alderman Aiken seconded, and without discussion, the motion carried unanimously.

PUBLIC HEARING
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.

Manager Miera reviewed that 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 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.

Mayor Heider opened the Public Hearing at 7:23 p.m.

Jackie Mitchell, 330 Bates/Casey, questioned the vehicle replacement for law enforcement. Manager Miera explained that the $15K was a one-time cost and the $105K is to replace the additional law enforcement vehicles.

CC Minutes 11/20/2018
Jack Hidahl, 206 E 3rd High, added that this is an impressive document. Using unanticipated revenue to pay off debt is good policy though he would like to see admin costs removed from the HP fund and have staff review the placement of street lights poles.

Mayor Heider closed the Public Hearing at 7:32 p.m.

Alderman Aiken moved to approve 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. Mayor pro tem Voorhies seconded, and without discussion, the motion carried unanimously.

Manager Miera thanked staff, the Finance Department and member of the community for their participation in the budget process.

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
Mayor Heider invited the community to join the Council on December 8 from 5-8pm at the Elks Lodge to honor Shirley Voorhies for her 22 years of service to the City of Central.

PUBLIC FORUM/AUDIENCE PARTICIPATION
Mayor Heider invited the Alderman candidates in the December 11 election to introduce themselves and say a few words. Deborah Wray and Jack Hidahl, introduced themselves and said a few words.

EXECUTIVE SESSION
At 7:49 p.m., Mayor pro tem Voorhies moved to go into Executive Session pursuant to C.R.S. § 24-6-402(4)(c) of the Colorado Revised Statutes, to instruct negotiators regarding the City's 1999 Growth IGA and further moved to reconvene the November 20, 2018 regular City Council meeting at the conclusion of the executive session for the purpose of taking any action deemed necessary. Alderman Aiken seconded, and without discussion, the motion carried unanimously by a vote of 3-0.

At approximately 8:40 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 Aiken, Community Development Director Ray Rears, City Manager Daniel Miera, and City Attorney Marcus McAskin.

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 November 20th regular City Council meeting. Alderman Aiken seconded, and without discussion, the motion to adjourn was approved unanimously at 8:42 p.m.

The next regular City Council meeting is scheduled for Tuesday, December 4, 2018 at 7:00 p.m.

Kathryn A. Heider, Mayor

Reba Bechtel, City Clerk
AGENDA ITEM # 7
CITY COUNCIL COMMUNICATION FORM

TO: Mayor Heider and Members of City Council
FROM: Marcus McAskin, City Attorney
DATE: November 26, 2018 (prepared for December 4, 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 Ordinance was approved on first reading on November 20, 2018.

II. RECOMMENDED ACTION / NEXT STEP: Approve the Ordinance on second reading following public hearing.

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. (1) Adopt Ordinance No. 18-13 on second reading following public hearing, as may or may not be amended; or

2. (2) Direct staff to revise the Ordinance and continue the public hearing on the Ordinance to a time and date certain.

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 SECOND READING."
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
Code in order to provide for collection by the City of such taxes as of January 1, 2019, all as authorized by the approval of ballot issue 1A on November 6, 2018,

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CENTRAL, COLORADO THAT:

Section 1. Section 4-3-60(a) of the Municipal Code is amended to read as follows with deletions shown in strikethrough and italics and additions shown in underline and bold:

Sec. 4-3-60. Sales tax levy.

(a) There is levied and there shall be collected and paid a **foursix**-percent tax upon on all sales and services as specified in Sections 4-3-70 and 4-3-80 below.

Section 2. Section 4-3-90(a) of the Municipal Code is amended to read as follows with deletions shown in strikethrough and italics and additions shown in underline and bold:

Sec. 4-3-90. Use tax.

(a) In addition to the property and services listed in Section 4-3-70 above, there is hereby imposed a use tax of **foursix** percent (46%) on items described in this Section.

Section 3. Section 4-3-130(1) of the Municipal Code is amended to read as follows with deletions shown in strikethrough and italics and additions shown in underline and bold:

Sec. 4-3-130. Building materials.

The sales and use tax imposed by this Article upon building materials, commodities and items of tangible personal property affixed to or to be made a part of facilities on real property, will be administered according to the following procedure:

(1) A use tax shall be collected equal to **foursix** percent (46%) of forty percent (40%) of the permit value of building permits issued by the Building Department of the City for the construction, reconstruction, remodeling and alteration of any building within the City. The use tax shall apply to permit values of electrical, plumbing, heating or other permits issued in connection with such construction, reconstruction, remodeling and alterations.

Section 4. Section 4-3-150(a) of the Municipal Code is amended to read as follows with deletions shown in strikethrough and italics and additions shown in underline and bold:
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 four percent (4%) 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.
Central City Opera (CCO) would like to thank the City of Central for its continued investment in the Company’s mission and work. This valuable partnership has helped CCO present artistic and educational programming to large and diverse audiences, further attaining its long-term goal of making Central City an arts and cultural destination. Below is a summary of the impact the City’s support made this past year.

**PROGRAMS**

**2018 Summer Opera Festival**: CCO featured mainstage productions of Wolfgang Amadeus Mozart’s *The Magic Flute* and Giuseppe Verdi’s *Il trovatore*. They were produced in the historic Opera House, which celebrated its 140th anniversary this year. Directed by Alessandro Talevi, *The Magic Flute* was praised for its original design, using nineteenth-century Germany as the setting and showing the entire opera through the perspective and imagination of the Three Spirits/Three Boys, played by members of the Colorado Children’s Chorale. The Jernigan Opera Journal wrote, “Seeing the opera through the eyes of children makes perfect sense...I have never seen a production where we see the story through the eyes of children who are actually in the opera. One wonders why Talevi’s concept doesn’t dominate all *Magic Flute* interpretations. It is truly brilliant.”

*Il trovatore* featured dramatic music paired with an equally dramatic storyline. Four principal singers performed the starring roles, showcasing themes of love and war, with revenge woven throughout. *Sharps and Flatons* reviewed the opera, with Peter Alexander writing “With its rousing choruses, virtuoso arias, violent passions, and gruesome deaths, *Il trovatore* meets all the expectations of grand opera, fit for the grandest houses. And yet Central City proved that thoughtfully presented, it can thrive and land a powerful punch in a smaller house.”

CCO also continued to offer its successful one-act operas, designed to appeal to new audiences through lower cost and shorter run times. George Frideric Handel’s *Acis and Galatea* and the 40th anniversary production of Henry Mollicone’s *The Face on the Barroom Floor* – which celebrates Central City’s past – were presented in historic venues throughout the city. Members of the Bonfils-Stanton Foundation Artists Training Program performed the roles of these two operas. Mollicone’s opera has become a CCO tradition, as it is a short and passionate opera, and audience members can view the actual face in the Teller House bar. *Acis and Galatea* also received favorable reviews for its enchanting music and the performances by the young artists.
**Education and Community Engagement Program (ECEP):** ECEP enhances the existing school curriculum for young students and provides lifelong learning for everyone. The Company works directly with educators, community leaders, students, and parents to make these offerings relevant, educational, and entertaining.

In 2017, ECEP presented 183 programs to 42,040 individuals, including 28,681 children. These activities are offered regardless of a school or organization’s ability to pay, which has led to high demand. CCO has responded by continuing to increase the number of performances and classes. ECEP’s highlight of 2018 was producing the third season of the Central City Opera Podcast to pair with the Summer Opera Festival in Central City. Listeners went behind the scenes of an opera production, learned about performers’ personal connections to operas and their lives on the road, and discovered how productions are created. With over 8,000 downloads to-date, the podcast has brought new audience members to CCO and introduced them to a contemporary way of engaging with opera at no cost.

ECEP provided 77 school performances and classes for grades K-12. These activities demonstrated the timeless theme of opera as an effective form of musical storytelling, with the goal for young audiences to gain a lifelong interest in opera. A popular performance, *How the West was Sung*, features famous characters from Colorado and Central City’s frontier history, including “Baby Doe” Tabor, Horace Tabor, and Molly Brown. The opera paired with materials to enhance students’ Colorado history education. In addition, CCO continued to produce *En Mis Palabras - In My Own Words*, an original, one-act bilingual opera commissioned by the Company for middle and high school students. The opera tells the story of fifteen-year-old Ana Maria, who experiences a cultural divide growing up with a strict father who is similarly trying to understand his daughter. The opera addresses the universal theme of finding your own voice and learning who you are amid parental expectations and peer influences.

In 2017, ECEP served the following audiences:

<table>
<thead>
<tr>
<th>Type</th>
<th>Number</th>
<th>Audience</th>
</tr>
</thead>
<tbody>
<tr>
<td>Programs for students and youth</td>
<td>77</td>
<td>13,275</td>
</tr>
<tr>
<td>Programs for families</td>
<td>53</td>
<td>15,406</td>
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<tr>
<td>Programs for adults/seniors</td>
<td>28</td>
<td>9,249</td>
</tr>
<tr>
<td>Podcast series</td>
<td>25</td>
<td>4,110</td>
</tr>
<tr>
<td><strong>2017 Total:</strong></td>
<td><strong>183</strong></td>
<td><strong>42,040</strong></td>
</tr>
</tbody>
</table>

**The Bonfils-Stanton Foundation Artists Training Program:** CCO’s professional training program continued to set high standards and develop the careers of aspiring young artists, with more than 1,000 applications last year. These young artists gained invaluable and unique career experience through performances in the 2018 Festival. An example of the program’s lasting influence is that in 2017, graduate Emily Pulley returned to CCO to perform the starring role in *Carmen*.

**Historic Preservation Activities:** Preservation remains one of CCO’s core initiatives, as the Company owns 28 historic buildings in Central City. The properties are used for the Summer Opera Festival as performance venues, offices, and housing for performers and staff. In 2017, CCO achieved its goal of restoring the historic Teller House with support from the Bonfils-Stanton Foundation, State Historical Fund, and additional foundations.
RESULTS AND IMPACT
Over the last year, CCO served 53,767 individuals through accessible, artistic, and educational programming. Community feedback included the following:

The Colorado Springs Gazette reviewed the 2018 Festival, stating “The Central City Opera is a world-class endeavor.”

A fifth grader who participated in ECEP said “I feel like many people were able to express themselves. I saw a lot of kids’ confidence boosted. I experienced writing songs and creating melodies with my peers and I got to know them better.”

Similarly, the age-appropriate and educational activities for older students proved to be engaging. One seventh grader said “The best thing about this event was the history they put [into] song. It wouldn’t have caught my attention otherwise.”

These results demonstrate CCO’s impact, and the value and relevance of opera as a form of arts education and entertainment in the 21st century. CCO recognizes the importance of fostering a love of opera in the community’s residents of all ages and backgrounds. This impact extends across generations, with young participants continuing to support CCO as they grow up. A CCO donor provided this feedback: “The first opera I ever saw was Madam Butterfly at CCO. I was in elementary school and it was an amazing experience, and shaped who I am today.” CCO hopes that through its efforts, future generations of children continue to share similar experiences.

LESSONS LEARNED
One of the most significant experiences CCO had this year was implementing Central City Opera Presents (CCOP), a new initiative to bring innovative arts experiences to the City of Central and attract new audiences. CCOP held three events in the Summer and Fall of 2018 that brought new audiences and local companies to Central City. These included the Central Jazz Festival, “Encore: A Musical Revue” of music theatre, and a Plein Air painting festival. A total of 1,840 participants attended these events, and many had never been to Central City before. Additionally, many local and regional arts companies discovered the value of the Opera House and other historic properties, and are offering to invest in the properties to support both the Summer Opera Festival and their own events.

CCO learned that this initiative was successful, as audiences demonstrated that they were interested in coming to Central City and participating in arts activities. CCO plans to produce these three events again in 2019.

ADDITIONAL INFORMATION
CCO is grateful for our continued partnership with the City of Central. We invite you to attend the 2019 Summer Opera Festival in Central City, which will feature productions of *Madama Butterfly* by Giacomo Puccini, *Billy Budd* by Benjamin Britten, *The Blessed Damozel* by Claude Debussy, and *Litanies to the Black Virgin* by Francis Poulenc, which will take place in the Opera House and other historic properties.
AGENDA ITEM # 9
CITY COUNCIL COMMUNICATION FORM

TO: Mayor Heider and Members of City Council
FROM: Marcus McAskin, City Attorney
DATE: November 29, 2018 (prepared for December 4, 2018 regular meeting)
ITEM: Ordinance No. 18-14: An Ordinance of the City Council of the City of Central, Colorado Amending Section 3.6 of the Home Rule Charter of the City of Central Pursuant to Voter Approval Granted on November 6, 2018

___ X ___ MOTION
___ ___ INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 18-14 codifies an amendment to the Home Rule Charter ("Charter") clarifying and amending the language concerning the procedure to fill city council vacancies, which was approved by voters on November 6, 2018.

The City Council is being asked to consider Ordinance 18-14 on first reading on December 4, 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 18, 2018.

III. FISCAL IMPACTS: None.

IV. BACKGROUND INFORMATION: The current language in Section 3.6 of the Charter requires the City Council to call a special election to fill a vacancy on City Council (other than for the position of Mayor) if the term for that position has more than 180 days left when the vacancy occurs. Special elections require a significant expenditure of City funds and additional staff time.
The language set forth in ballot question 1B and approved by voters at the November 6, 2018 election allows the City Council to either appoint a person to fill the vacancy or call a special election. This amendment to the Charter streamlines the process of filling vacancies on City Council, has the potential to save taxpayers the expense associated with holding a special election in order to fill such vacancies, and provides for more flexibility in how City Council vacancies are filled.

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. 18-14 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. 18-14, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING SECTION 3.6 OF THE HOME RULE CHARTER OF THE CITY OF CENTRAL 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 18, 2018, AT 7:00 PM TO BE HELD IN THESE COUNCIL CHAMBERS."
CITY OF CENTRAL, COLORADO
ORDINANCE 18-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING SECTION 3.6 OF THE HOME RULE CHARTER OF THE CITY OF CENTRAL 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 the Home Rule Charter for the City of Central, Colorado ("Charter"); and

WHEREAS, the power to amend the Charter is vested in the registered electors of the City pursuant to Article XX, Section 9 of the Colorado Constitution and Section 14.10 of the Charter; and

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

WHEREAS, at said election, ballot question 1B was approved by a majority of the voting registered electors; and

WHEREAS, in order to codify the approval granted by the voters, the City Council wishes to amend Section 3.6 of the Charter as authorized by the approval of ballot question 1B on November 6, 2018,

BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF CENTRAL, COLORADO THAT:

Section 1. Section 3.6 of the Charter is amended to read in full as follows, with deletions shown in strikethrough and additions shown in underline and bold:

Section 3.6 Vacancies.

(a) An elected officer shall continue to hold office until a successor takes the oath of office, as provided in this section. An elective office shall become vacant whenever so ordered by a court of competent jurisdiction, whenever a vacancy is created pursuant to Section 31-4-504(7), Colorado Revised Statutes (i.e. no one runs against an officer being recalled or the person elected to serve the remaining term of a recalled officer fails to be sworn in within fifteen days of the issuance of the certificate of election), or whenever any official holding the office dies, becomes incapacitated (i.e. unable to perform the job), resigns, succeeds the
Mayor, ceases to be a resident of the city, is convicted of a felony, or if elected from a ward or district becomes a nonresident of that ward or district, or when an elected officer fails to be sworn in at the next organizational meeting or next meeting, as applicable, or when an officer has been recalled from office (at which time such recalled person shall be immediately removed from office) and a successor has not been elected. A vacancy in the office of Mayor shall be filled in accordance with Section 3.5 of this Charter.

(b) Within thirty days after a vacancy occurs in an elective office other than that of Mayor with a remaining unexpired term not exceeding one hundred eighty days from the date the vacancy occurs, the remaining council members shall elect appoint by majority vote a duly qualified person to fill such vacancy.

(c) If within thirty days after a vacancy occurs in an elective office other than that of Mayor with a remaining unexpired term exceeding one hundred eighty days from the date the vacancy occurs, then the remaining council members shall: (1) appoint by resolution at the next regular meeting of the council a duly qualified person to fill such vacancy; or at a special meeting called for the purpose, call (2) order a special election in the city or under-represented ward or district to elect a duly qualified successor to serve the remainder of the unexpired term.

(d) Special elections called pursuant to this Section 3.6 shall be held no sooner than thirty days and no later than ninety days after the passage of the resolution calling for the election as soon as practicable. Successor council members elected or appointed under the procedures of this Section shall take the oath of office at the next regular or special meeting after their election.

(e) The first general municipal election under this Charter shall be the first Tuesday after the first Monday in November, 1994 at which time the Mayor and all four Aldermen shall be elected. At that election, the Mayor and the two Aldermen receiving the highest number of votes shall be elected to a four-year term. The Aldermen receiving the third and fourth highest number of votes shall be elected to two-year terms. Thereafter, the terms of the Mayor and Aldermen shall be four years. To wit, the terms of the Mayor and Aldermen are set to run in a fashion that the term of those receiving the three highest vote totals in 1994 begin their terms in 1994, with the two others beginning their terms in 1996. In 1998 and every four years thereafter the Mayor and two new Aldermen will be elected and in 2000 and every four years thereafter the remaining two Aldermen positions will be refilled by election. (Amended by Ord. 93-13, 11-2-93 election; Ord. 98-13, 11-3-98 election; Ord. 01-2, 11-6-01 election)

Section 2. 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 3. 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 4th day of December, 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 ___ day of ____________________, 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 ___________, 2018.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on ________________, 2018.
# Community Development Department – Department Update – December 4, 2018

## Building

<table>
<thead>
<tr>
<th>Permits</th>
<th>2017</th>
<th>39 permits</th>
<th>Value – 2017 - $655,900</th>
</tr>
</thead>
<tbody>
<tr>
<td>2018</td>
<td>32 permits</td>
<td>Value – 2018 - $1,008,099</td>
<td></td>
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<tr>
<td>Membrane Building</td>
<td></td>
<td>Completion Date – October 24, 2018</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

## 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

## 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>
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</thead>
<tbody>
<tr>
<td><strong>Marketing/ Events</strong></td>
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<tr>
<td>Billboard</td>
<td>2019 Billboard lottery selections made</td>
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<tr>
<td>Central City App</td>
<td>Mobile Town Guide developed “Mobile Town Guide Central City”</td>
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<td></td>
<td>Interactive walking tour planned</td>
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<td>Promotional Videos</td>
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<tr>
<td>Video #1</td>
<td>Recreation Released</td>
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<tr>
<td>Video #2</td>
<td>Events Released</td>
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<tr>
<td>Video #3</td>
<td>Gaming Released</td>
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<tr>
<td>Video #4</td>
<td>Combination of all three Released</td>
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<tr>
<td>Main Street Central City</td>
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<td>Last Meeting – November 13th - Two open seats on the board</td>
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<tr>
<td>Self-funding mechanism</td>
<td>Shirts, books and post cards for sale Present at all events – Preparing for HRHC and Tommyknocker</td>
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<td><strong>Direct City Marketing / Promotion</strong></td>
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<tr>
<td>Jeffco living</td>
<td>Print/ digital ads Ads running for 6 months from Spring to Fall</td>
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<td>iHeart Radio</td>
<td>Radio ads Ads running for 2018 finalized</td>
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<tr>
<td>Mountain Adventure Guide</td>
<td>Print TV ad being pursued for 2019</td>
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<td><strong>Events</strong></td>
<td>Sponsorship</td>
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<td></td>
<td>Tommyknocker November 29th – December 2nd</td>
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<td><strong>CTO/ SIPA Grants</strong></td>
<td>SIPA - $10k CTO Marketing Grant - $15k, due in by Jan.2, 2019</td>
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<td><strong>Audio Visual / Website / Information Technology</strong></td>
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<tr>
<td>Website/Social Media</td>
<td>Administration, promotion and monitoring continues</td>
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<tr>
<td>Public Access Cable Channel</td>
<td>Ongoing issues, work with consultant and cable company continues</td>
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<tr>
<td></td>
<td>Livestreaming of City Council Meetings Operational and found on the City website and Youtube.com</td>
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<td><strong>Staff</strong></td>
<td></td>
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<tr>
<td>Managing consultants</td>
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<tr>
<td>Training at UC Denver</td>
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<tr>
<td>UC Denver Intern</td>
<td></td>
</tr>
</tbody>
</table>
To: Mayor Heider, City Council, and City Manager

From: Sam Hoover, Public Works Director

Date: November 29, 2018

Re: Bi-weekly Report

Since our last council update, public works staff has performed the following activities:

- Installed Christmas Decorations on Main Street and City Hall
- Placed the Christmas tree at the bubble
- Viewed several demonstrations of street sweepers
- Performed vehicle maintenance on the fleet
To: City Manager, Daniel Miera
From: Jason Nelson, Utility Director Jack Beard, Water Operator
Date: November 2018
Re: Bi-Monthly Report

- Department staff has been making routine trips to the newly built intake diversion structures to monitor security and performance.
- Department staff worked together to prepare monthly reports for water rights engineers Deere & Ault.
- Department staff collected routine samples throughout the distribution system to test for e coli and disinfection byproducts.
- Department staff performed monthly meter reading operations and assisted with the billing process.
- Department staff worked to finalize the 2019 budget.
- Department staff prepared for and attended regular city council meetings.
- Department staff worked with publics staff to repair a coolant leak on the departments Ford Truck.
- Department staff delivered the Polaris Ranger for annual maintenance and had the snow tracks and snow plow installed for the winter.
- Department staff worked to create a new job description in preparation for the departments new third FTE.
- Department staff replenished the pure oxygen gas feed bottles at the Chase Gulch Pump Station.
• Department staff winterized and adjusted heaters in anticipation for below freezing temperatures.
• Department staff closely monitored inflows to Hole In The Ground reservoir to determine when the department could expect a full reservoir.
• Department staff worked with a few residents to repair or replace inoperative or frozen water meters or water meter parts.
• Department staff assisted the ER and PER of the Elks Lodge to determine the source of a water leak.
• Department staff ordered necessary chemicals, parts, materials, and equipment.
• Department staff worked with Cintas First Aid to update the contents of the water treatment plant’s First Aid Kit.
• The Department’s Raw Water storage reservoirs developed a layer of ice.
• Department staff made a report to Gilpin County dispatch of a family playing on the Russell Park Pond. Proper signage was visible.
• All Lead and Copper samples returned great and were below the Maximum Contaminant Level.
• Department staff worked with Hach Corporation to perform the quarterly maintenance and calibration of all water treatment plant Turbidimeters, Chlorine Analyzers, pH Probes.
• Department staff worked with engineer Will Raatz of W2E to determine needs in the water treatment plant for application of grant funding from the state. It was determined if awarded the $25,000 grant could be used to remove the departments Gaseous Chlorine Injection System and install Liquid Chlorine Feed.
• Department staff took the District 7 Clear Creek Water Commissioner Jason Smith on a tour of the Intake Diversion Structures to determine if and how the department will report on water rights in the future.
• Department staff worked with John Williams of Complete Business Solutions to remove a virus on a department computer and remediate any communication issues.
• Department staff prepared reports for all invoices and receipts for the finance department.
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<tr>
<th>Station/Beat Code</th>
<th>Nature Code</th>
<th>Self Init</th>
<th>CFS</th>
<th>Total</th>
<th>% Total</th>
<th>Avg Disp Time</th>
<th>Avg Resp Time</th>
<th>Avg Scene Time</th>
<th>Total Call Time</th>
<th>Avg Call Time</th>
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<td>0:00:08</td>
<td>0:00:04</td>
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*Events by Nature Code by Stat/Beat*