CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, December 6, 2016 @ 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 Ron Engels
   Mayor Pro-Tem Kathy Heider
   Council members Shirley Voorhies
   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 December 1; and
   City Council minutes: November 15, 2016.

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. Ordinance No. 16-05: An ordinance of the City Council of the City of Central, Colorado amending certain provisions of Chapter 13 of the Municipal Code concerning municipal utilities; specifically regulations pertaining to the City water system. (Nelson)

8. Ordinance No. 16-06: An ordinance of the City Council of the City of Central, Colorado adopting water rates, fees and charges for water services. (Nelson)

9. Resolution No. 16-35: A resolution of the City Council of the City of Central, Colorado adopting a cost-sharing policy for residential water meters and scheduling repayment of costs to commence on January 1, 2017. (Nelson)

10. Ordinance No. 16-07: An ordinance of the City Council of the City of Central, Colorado imposing a temporary 180-day moratorium on the submission, acceptance, processing, and approval of any application for a City of Central permit or license related to the operation of a marijuana-related business and declaring the intention of the City Council to consider the adoption of amendments to
existing City regulations concerning the locations of such businesses and the adoption of limitations on the number of such businesses within the City. (McAskin)

PUBLIC HEARING –

11. Resolution No. 16-36: A resolution of the City Council of the City of Central, Colorado adopting and appropriating the 2017 Budget, adopting the Capital Improvement Plan, setting the Property Tax Mill Levy and Approving the Central City BID 2017 Operating Plan and Budget. (Miera/Adame)

REPORTS –

12. 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 20, 2016.

Posted 12/2/2016

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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## CITY OF CENTRAL
### CREDIT CARD PURCHASES

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**TOTAL for Credit Cards**  
1,318.90

**Total for All Cards**  
1,318.90
CALL TO ORDER
A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:10 p.m., in City Hall on November 15, 2016.

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

Absent: None

Staff Present: City Manager Miera
    Attorney McAskin
    City Clerk Bechtel
    Finance Director Adame
    Public Works Director Hoover
    Fire Chief Allen
    Utilities Director Nelson
    GCSO Captain Ime

The Pledge of Allegiance was recited by all present.

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA
The agenda was approved with the addition of the Central City Opera Annual Report and two instead of one appointment to Main Street Commission.

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

CONSENT AGENDA
Alderman Voorhies moved to approve the consent agenda containing the regular bill lists through November 9, and the City Council minutes for the meeting on October 18, 2016. Mayor pro tem Heider seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION
No one requested time to address the Council.

PUBLIC HEARING
Ordinance No. 16-03: An ordinance of the City Council of the City of Central, Colorado adopting a new Article XIII of Chapter 16 of the Central City Municipal Code titled Quartz Hill Overlay District and adopting regulations pertaining to the Overlay District.
Attorney McAskin explained that the purpose for this ordinance is for the creation of a potential Zoning District Overlay over the rock cap on Quartz Hill to add additional review and oversite at a local level ensuring the environmental remediation project is protected.
This ordinance was approved on first reading on September 20th. Second reading and public hearing was originally scheduled for October 4th and was continued to October 18th and at that meeting was again continued to November 15th. The Central City Planning Commission reviewed this request on September 7, 2016 and voted unanimously to recommend adoption by City Council. Staff also supports the adoption of this Ordinance.

Originally, second reading and public hearing on the Ordinance was timed to coincide with City Council’s consideration & final action on the proposed Administrative Settlement Agreement and Order on Consent by and between the City, the United States Environmental Protection Agency (“EPA”) and the Colorado Department of Public Health and Environmental (the “Settlement Agreement”).

City Council’s action on the Settlement Agreement was also continued to the November 15th meeting due to the fact that the EPA has not yet completed its internal review of the Settlement Agreement, with final changes as recommended by the City.

Currently, the City anticipates that the EPA will complete its review by the end of November or early December, but the City’s environmental counsel has been advised by the EPA’s attorney that this schedule may be pushed back by one-two weeks based on holiday schedules and other scheduling issues with the various individuals in the EPA chain of command that need to review the final version of the Settlement Agreement.

Rather than delay second reading and public hearing on Ordinance 16-03 creating the Quartz Hill Overlay District until such time as the EPA has provided its final approval of the Settlement Agreement, Staff is recommending that City Council proceed to conduct the public hearing at the November 15th meeting and adopt a revised Ordinance 16-03. The main changes to the Ordinance may be summarized as follows:

- Amending the title of the Ordinance to make reference to the delayed effective date of the Ordinance;
- Clarifying that the Quartz Hill Overlay District regulations shall not take effect until such time as City Council has considered and approved a Resolution approving the Settlement Agreement;
- Including language that if the Settlement Agreement has not been approved by City Council on or prior to February 7, 2017, the Ordinance shall be deemed automatically void without need for any further or subsequent action by City Council and the Quartz Hill Overlay District regulations shall not become part of the Municipal Code; and
- Including language instructing the City Clerk to withhold publication of the Ordinance (by title and summary after final passage) until after approval of the Resolution approving the Settlement Agreement.

In 2014, the CDPHE along with the EPA covered the Nevada Gulch/Quartz Hill tailings pile to mitigate the effects this material had on the ground and surface water. Prior to the City acquiring the Big-T property earlier this year and during our due diligence phase it was discovered that a number of Federal and State liens as well as ongoing liability concerns remained with the site.

In order to protect the City from those costs and liability concerns the City through negotiations with both the CDPHE and EPA came to a mutually beneficial agreement. Part of that agreement includes this proposed overlay district.

The overlay district does not change the underlying zoning district, but adds additional requirements if potential development, specifically soil-disturbing activity were to occur in the

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area covered by the rock cap. Essentially a special Overlay District Permit would be required before any activity could occur in order to protect the integrity of the project and the environment.

Mayor Engels opened the Public Hearing at 7:19pm. Hearing no comment, Mayor Engels closed the Public Hearing at 7:20pm.

Mayor pro tem Heider moved to adopt Ordinance No. 16-03: An ordinance of the City Council of the City of Central, Colorado adopting a new Article XIII of Chapter 16 of the Central City Municipal Code titled Quartz Hill Overlay District and adopting regulations pertaining to the Overlay District. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

ACTION ITEMS: NEW BUSINESS
Appointments to Main Street Commission – Deborah Wrightman and Shelby Nation
Alderman Voorhies moved to appoint Deborah Wrightman and Shelby Nation to the Main Street Commission. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

Resolution No. 16-34: A resolution of the City Council of the City of Central, Colorado approving a Parking License Agreement with RHC Colorado, LLC (dba Reserve Casino Hotel), for a revocable license for parking on Gregory Street.
Public Services Director Hoover gave the background as follows:
This resolution approves a Parking License Agreement between the CITY OF CENTRAL, COLORADO, and the RCH (Reserve Casino Hotel) COLORADO, LLC. The Reserve Casino and Hotel desires to obtain an exclusive revocable license for five oversize parking spaces, including three (3) spaces on the north side of Gregory Street and two (2) spaces on the south side of Gregory Street near the main entrance of the Reserve Casino Hotel.

Licensee uses charter buses to serve its patrons, but the parking area in which the buses usually park will not be available during the 2016-2017 winter season. Licensee desires to park its charter buses on designated portions of Gregory Street during the 2016-2017 winter season. Licensee desires to obtain an exclusive revocable license for five oversize parking spaces, including three (3) spaces on the north side of Gregory Street and two (2) spaces on the south side of Gregory Street near the main entrance of the Reserve Casino Hotel (the “Licensed Parking Area”).

The Licensed Parking Area on the north side of Gregory Street is approximately two hundred linear feet (200’) in length and the Licensed Parking Area on the south side of Gregory Street is approximately one hundred and twenty-five linear feet (125’) in length.

The Licensee remains obligated to apply for and obtain all necessary permits and approvals, pay all required fees and taxes, and comply with all applicable local laws. The City will incur costs of approximately $750 for pavement striping, signs and labor.

City Manager Miera added that the same regulations as currently established in the Municipal Code will apply for buses to turn off their engines and the Reserve will work with the bus companies to manage those spaces as this will not be an enforcement priority. This is a temporary agreement to May 30, 2017 and can be revoked should any issues arise.

Alderman Voorhies moved to approve Resolution No. 16-34: A resolution of the City Council of the City of Central, Colorado approving a Parking License Agreement with RHC Colorado, LLC
(dba Reserve Casino Hotel), for a revocable license for parking on Gregory Street. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

**Annual Central City Opera Report**
Ron Engels, as a board member on behalf of Central City Opera, thanked the City for their support of the 2016 Summer Festival events and presented the 2016 detailed report on attendance and plans for 2017.

**REPORTS**
CDD Rears provided a detailed update on the Enterprise Zone which will become a part of the Comprehensive Plan.

Mayor pro tem Heider asked for information on items for sale at the Visitor Center. CDD Rears responded that the goal of sales of T-shirts has been to get people wearing a Central City shirt and added that we welcome any other retail stores to also carry these shirts and staff will provide that information.

**COUNCIL COMMENTS**
Alderman Voorhies thanked City staff, Fire and Sheriff for providing coverage when the cell/phone/internet service was down most of the day throughout the Count.

Alderman Laratta stated that she watched the smooth conversion of the direction on Main Street and thanked Public Works. Public Works Director Hoover presented her with the “Do Not Enter Sign” as a memento.

Mayor Engels thanked the Reserve Casino for providing the meals for the Gilpin County Education Foundation fundraising event which raised $14,000.

**PUBLICFORUM/AUDIENCEPARTICIPATION**
No one requested time to address the Council.

**EXECUTIVE SESSION**
At 8:01 p.m., Mayor pro tem Heider moved to adjourn to Executive Session pursuant to C.R.S. 24-6-402(4)(e) for determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and instructing negotiators regarding three topics, specifically the following: (1) the potential lease of one acre-foot of City water rights to a private party; (2) fire service to the City of Central and portions of unincorporated Gilpin County in proximity to the City; and (3) a request for the City to participate in the issuance of taxable, unrated industrial development revenue bonds. Alderman Laratta seconded, and without discussion, the motion carried unanimously.

The next regular Council meeting is scheduled for December 6, 2016 at 7:00 p.m.

---

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk

CC Minutes 11/15/2016
AGENDA ITEM # 7
CITY COUNCIL COMMUNICATION FORM

FROM: Jason Nelson, Utilities Director

THROUGH: Christiana McCormick, Assistant City Attorney

DATE: December 6, 2016

ITEM: Ordinance 16-05 Amending Certain Sections of Chapter 13 of the Municipal Code Concerning Municipal Utilities (City Water System)

___ X ___ ___ ___
ORDINANCE
MOTION
INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 16-05 approves certain amendments to Chapter 13 of the Municipal Code regarding the City’s water system, including codifying two new monthly fees: the service line maintenance fee and the capital improvements fee. If the proposed Ordinance is adopted by City Council, both fees will be effective on January 1, 2017.

II. RECOMMENDED ACTION / NEXT STEP: Approve Ordinance No. 16-05 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 20, 2016 at 7:00 p.m.

III. FISCAL IMPACTS: Based on calculations performed by the City’s consulting engineer and reviewed by City Staff, the service line maintenance fee is anticipated to generate approximately $2,440.50 monthly ($29,286.00 annually), and the capital improvements fee is anticipated to generate approximately $7,321.50 monthly ($87,858.00 annually).

IV. BACKGROUND INFORMATION:

The Ordinance creates two separate fees assessed to City water service customers for the maintenance and repair of City water service lines and other parts of the City water system.
Customers will be charged a “Service Line Maintenance Fee” and a “Capital Improvements Fee.” Funds generated by the Service Line Maintenance Fee will be used specifically for the maintenance and repair of City-owned water service lines. The funds generated from the Capital Improvements Fee will be used for capital costs associated with the repair or replacement of other parts of the City water system.

The purpose of the monthly service line maintenance fee is to establish a reserve account to assist with defraying costs incurred by the City in repairing, maintaining or replacing any service lines (or portions of service lines) that are owned by the City. Revenue collected from the capital improvements fee shall be separately accounted for by the City and shall be used for capital costs related to the repair or replacement of components of the City water system.

The City’s consulting engineer, Will Raatz, P.E., at W2 Engineers, LLC, has worked with City Utilities Staff to determine the amount of the two new fees. Based upon the analysis performed to date, City Staff is of the opinion that the amounts of the two new fees (as imposed on each class of customer) are reasonably related to the overall cost of the service to be provided by the City. The service line maintenance fee and capital improvements fee have been set at a level reasonably designed to defray the costs of the specific projected costs to be incurred by the City in future years.

Ordinance No. 16-05 makes the following changes to Chapter 13 of the Municipal Code regarding the City’s water system:

- Section 13-2-110(b) of the Municipal Code, titled “Service lines – Ownership, maintenance” is repealed and replaced with a new Section 13-2-110(b). A legislative redline of the changes to Section 13-2-110 of the Municipal Code is attached to this City Council Communication Form for reference; and
- Adds a new Section 13-2-360 of the Municipal Code titled “Service line maintenance fee”; and

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. 16-05 on first reading, as may or may not be amended;

2. Direct staff to make revisions to the Ordinance and schedule consideration of the Ordinance on a future City Council agenda for first reading; or

3. Reject or deny the Ordinance.
RECOMMENDED MOTION: "I MOVE TO APPROVE ORDINANCE NO. 16-05, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING CERTAIN PROVISIONS OF CHAPTER 13 OF THE MUNICIPAL CODE CONCERNING MUNICIPAL UTILITIES; SPECIFICALLY REGULATIONS PERTAINING TO THE CITY WATER SYSTEM ON FIRST READING, AND FURTHER MOVE THAT SECOND READING AND PUBLIC HEARING ON THE ORDINANCE BE SCHEDULED FOR TUESDAY, DECEMBER 20, 2016, AT 7:00 PM TO BE HELD IN THESE COUNCIL CHAMBERS."

Attachments:

- Ordinance 16-05 (for first reading)
CITY OF CENTRAL, COLORADO
ORDINANCE 16-05

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO AMENDING CERTAIN PROVISIONS OF CHAPTER 13 OF THE MUNICIPAL CODE CONCERNING MUNICIPAL UTILITIES; SPECIFICALLY REGULATIONS PERTAINING TO THE CITY WATER SYSTEM

WHEREAS, the City of Central ("City") is authorized under its home rule charter and Title 31 of the Colorado Revised Statutes to adopt and amend ordinances in furtherance of governmental administration and the City's police powers; and

WHEREAS, the City Council previously codified the ordinances of the City via Ordinance No. 94-3 into the Municipal Code; and

WHEREAS, on August 7, 2012, the City Council adopted Ordinance No. 12-08, which Ordinance revised Chapter 13 of the Municipal Code, specifically regulations pertaining to the City water system; and

WHEREAS, on April 2, 2013, the City Council adopted Ordinance No. 13-05, which codified additional minor revisions to Chapter 13; and

WHEREAS, the City Council considered additional revisions to Chapter 13 of the Municipal Code, as set forth in this Ordinance No. 16-05 in a Council work session held on November 15, 2016; and

WHEREAS, City Council conducted a public hearing, with proper notice provided, to consider adoption of this Ordinance as required by law; and

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

Section 1. Section 13-2-110(b) of the Municipal Code, titled "Service lines – Ownership, maintenance" is hereby repealed and replaced to read in its entirety as follows:

(b) Ownership, maintenance. Service lines are owned by the customer and the City, as set forth in subsections (b)(1) and (b)(2) below. Each customer shall be exclusively responsible for maintaining, repairing and replacing all plumbing fixtures and water-using appliances and pipes within the licensed premises and the customer-owned portion of the service line. The customer shall cause any and all leaks or other nonconformities in the customer’s privately owned facilities and customer-owned portion of the service line to be repaired promptly at the customer’s sole expense. If any customer fails to make satisfactory progress toward repairing a leak in the customer’s service line within twenty four (24) hours following notification of such condition by the City, the Public Works Department shall have the authority to suspend or terminate water service in accordance with Section 13-1-640 or may, in
the City’s sole discretion, proceed to repair or have repaired the service line at the cost of the owner, and all actual costs of such repair shall constitute a cure charge as set forth in Section 13-1-460. The customer shall further ensure that the meter pit or curb stop box and the water shutoff from the main on the customer’s service line is free from any materials which may obstruct or hinder access thereto by authorized personnel. The City may repair or otherwise cure any violation of this Subsection and charge the customer the costs thereof as provided in this Chapter, but nothing in this Section shall obligate the City to effect any repairs or curative work on any customer-owned portion of any service line. The City may, in case of emergency, repair any customer-owned service lines. The cost of such work shall be repaid to the City in accordance with Section 13-1-460 and other applicable provisions of this Chapter.

(1) For single-family detached units, service lines from the licensed premises to the property line are owned solely by the customer. Those portions of the service line lying between the property line and the corporation stop are owned solely by the City.

(2) For multi-family and commercial property, service lines from the licensed premises to the curb stop are owned solely by the customer. Those portions of the service line lying between the curb stop and the corporation stop are owned solely by the City. Where the curb stop is absent, inside the building, or otherwise inaccessible by the City, the City-owned portion of the service line shall be from the property line to the corporation stop.

If any customer believes that there is a leak in the City-owned portion of the service line, the customer may request an inspection and the same shall proceed in accordance with Section 13-1-450, and the customer shall deposit an amount reasonably estimated by the City to cover the inspection costs. If the inspection demonstrates that the leak is occurring in the customer-owned portion of the service line, the customer shall promptly proceed to repair the leak at the customer’s sole expense as required by this Section 13-1-110(b). If the inspection demonstrates that the leak is occurring in the City-owned portion of the service line, the City shall repair the same and may utilize available service line maintenance fee revenue to pay the actual costs of effecting the repair. If any owner disputes the City’s determination of the property-line boundary for purposes of determining whether the leak or other non-conformity is occurring within the customer-owned portion of the service line or the City-owned portion of the service line, the owner shall be required to obtain an ALTA land survey in form acceptable to the City and at the owner’s sole cost and expense, in order to document the location of the applicable property line. The City’s determination of the location of the property line shall be final, subject to the owner’s right to process an
appeal in accordance with Section 13-1-660 below.

**Section 2.** There is hereby added a new Section 13-2-360 of the Municipal Code, titled “Service line maintenance fee” to read in its entirety as follows:

**Sec. 13-2-360. Service line maintenance fee.**

(a) Effective January 1, 2017, a service line maintenance fee shall be charged each month to all water users and customers in the following amounts. Revenue collected from the service line maintenance fee shall be separately accounted for by the City and shall be used exclusively for capital costs related to the repair or replacement of service lines that are owned by the City as set forth in this Section 13-2-360 and Section 13-2-110(b)(1) and –110(b)(2) above.

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Service Line Maintenance Fee Charge Per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential 3/4&quot; service (senior rate)</td>
<td>$4.00</td>
</tr>
<tr>
<td>Residential 3/4&quot; service</td>
<td>$5.00</td>
</tr>
<tr>
<td>Residential 1&quot; service</td>
<td>$7.50</td>
</tr>
<tr>
<td>Commercial 3/4&quot; service</td>
<td>$5.00</td>
</tr>
<tr>
<td>Commercial 1&quot; service</td>
<td>$7.50</td>
</tr>
<tr>
<td>Commercial 1.5&quot; service</td>
<td>$10.00</td>
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<td>Commercial 2&quot; service</td>
<td>$20.00</td>
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<td>Commercial 3&quot; service</td>
<td>$30.00</td>
</tr>
<tr>
<td>Commercial 4&quot; service</td>
<td>$40.00</td>
</tr>
<tr>
<td>Fire Suppression 4&quot; service</td>
<td>$10.00</td>
</tr>
<tr>
<td>Fire Suppression 6&quot; service</td>
<td>$20.00</td>
</tr>
</tbody>
</table>

(b) The purpose of the monthly service line maintenance fee is to establish a reserve account to assist with defraying costs incurred by the City in repairing, maintaining or replacing any service lines, or portions thereof, that are owned by the City.

(c) The monthly service line maintenance fee shall be adjusted for inflation on January 1, 2018, and on January 1 of each year thereafter based on the annual percentage change in the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Denver-
Boulder-Greeley, all items, all urban consumers, or its successor index, as measured from the first half of 2016 to the first half of 2017 and each successive 12-month period thereafter. By way of example and not limitation, the adjustment in the service line maintenance fee effective on January 1, 2019 shall be calculated utilizing the increase in the CPI as measured from the first half of 2017 to the first half of 2018. If the CPI indicates a zero or negative adjustment, the service line maintenance fee shall not be adjusted but shall remain fixed at the amount of the fee applicable in the immediately preceding calendar year.

Section 3. There is hereby added a new Section 13-2-370 of the Municipal Code, titled “Capital improvements fee” to read in its entirety as follows:

Sec. 13-2-370. Capital improvements fee.

(a) Effective January 1, 2017, a capital improvements fee shall be charged each month to all water users and customers in the following amounts. Revenue collected from the capital improvements fee shall be separately accounted for by the City and shall be used exclusively for capital costs related to the repair or replacement of components of the City water system.

<table>
<thead>
<tr>
<th>Meter Size</th>
<th>Capital Improvements Fee Charge Per Month</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential 3/4&quot; service (senior rate)</td>
<td>$12.00</td>
</tr>
<tr>
<td>Residential 3/4&quot; service</td>
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<tr>
<td>Residential 1&quot; service</td>
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<td>Commercial 3/4&quot; service</td>
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<td>Commercial 1&quot; service</td>
<td>$22.50</td>
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<tr>
<td>Commercial 1.5&quot; service</td>
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<td>Commercial 4&quot; service</td>
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<tr>
<td>Fire Suppression 4&quot; service</td>
<td>$30.00</td>
</tr>
<tr>
<td>Fire Suppression 6&quot; service</td>
<td>$60.00</td>
</tr>
</tbody>
</table>
(b) The capital improvements fee shall be adjusted for inflation on January 1, 2018, and on January 1 of each year thereafter based on the annual percentage change in the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Denver-Boulder-Greeley, all items, all urban consumers, or its successor index, as measured from the first half of 2016 to the first half of 2017 and each successive 12-month period thereafter. By way of example and not limitation, the adjustment in the capital improvements fee effective on January 1, 2019 shall be calculated utilizing the increase in the CPI as measured from the first half of 2017 to the first half of 2018. If the CPI indicates a zero or negative adjustment, the capital improvements fee shall not be adjusted but shall remain fixed at the amount of the fee applicable in the immediately preceding calendar year.

Section 4. 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 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. 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 6th day of December, 2016, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, 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 ________________, 2016.

CITY OF CENTRAL, COLORADO

______________________________
Ronald E. Engels, Mayor

ATTEST:

______________________________
Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on ____________, 2016.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on ______________, 2016.

CITY OF CENTRAL, COLORADO

______________________________
Ronald E. Engels, Mayor

ATTEST:

______________________________
Reba Bechtel City Clerk
Sec. 13-2-110. Service lines.

(a) Construction. Separate and independent service lines, together with the tap and the extension from it to the water meter, shall be designed, installed and constructed by the customer at the customer's sole cost and expense for every improvement requiring water service. Such service lines and any other water facilities located on the licensed premises shall be designed in accordance with the design standards and shall be installed and constructed in accordance with plans and designs approved by the City.

(b) Ownership, maintenance. Service lines are owned solely by the customer. Subject only to and the provisions of Section 13-City, as set forth in subsections (b)(1) and (b)(2-120) below, the. Each customer shall be exclusively responsible for maintaining, repairing and replacing all plumbing fixtures, and water-using appliances and pipes, including within the service line, on licensed premises and the customer's side customer-owned portion of the curb stop box, service line. The customer shall cause any and all leaks or other nonconformities in the customer's privately owned facilities and customer-owned portion of the service line to be repaired promptly at the customer's sole expense. If any customer fails to make satisfactory progress toward repairing a leak in the customer's service line within twenty four (24) hours following notification of such condition by the City, the Public Works Department shall have the authority to suspend or terminate water service in accordance with Section 13-1-640 or may, in the City's sole discretion, proceed to repair or have repaired the service line at the cost of the owner, and all actual costs of such repair shall constitute a cure charge as set forth in Section 13-1-460. The customer shall further ensure that the meter pit or curb stop box and the water shutoff from the main on the customer's service line is free from any materials which may obstruct or hinder access thereto by authorized personnel. The City may repair or otherwise cure any violation of this Subsection and charge the customer the costs thereof as provided in this Chapter, but nothing in this Section shall obligate the City to effect any repairs or curative work on the customer's service line any customer-owned portion of any service. The City may, in case of emergency, repair any customer-owned service lines. The cost of such work shall be repaid to the City in accordance with Section 13-1-460 and other applicable provisions of this Chapter.

(1) For single-family detached units, service lines from the licensed premises to the property line are owned solely by the customer. Those portions of the service line lying between the property line and the corporation stop are owned solely by the City.

(2) For multi-family and commercial property, service lines from the licensed premises to the curb stop are owned solely by the customer. Those portions of the service line lying between the curb stop and the corporation stop are owned solely by the City. Where the curb stop is absent, inside the building, or otherwise inaccessible by the City, the City-owned portion of the service line shall be from the property line to the corporation stop.

If any customer believes that there is a leak in the City-owned portion of the service line, the customer may request an inspection and the same shall proceed in accordance with Section 13-1-450, and the customer shall deposit an amount reasonably estimated by the City to cover the inspection costs. If the inspection demonstrates that the leak is occurring in the customer-owned
AGENDA ITEM # 8
CITY COUNCIL COMMUNICATION FORM

FROM: Jason Nelson, Utilities Director
THROUGH: Christiana McCormick, Assistant City Attorney
DATE: December 6, 2016
ITEM: Ordinance 16-06 Adopting Water Rates, Fees and Charges for Water Services

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X ORDINANCE
--- MOTION
--- INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 16-06 adopts water rates, fees and charges for water services provided by the City to its customers. The new rates, fees and charges will be effective on January 1, 2017.

II. RECOMMENDED ACTION / NEXT STEP: Approve Ordinance No. 16-06 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 20, 2016 at 7:00 p.m.

III. FISCAL IMPACTS: Based on calculations performed by the City’s consulting engineer and reviewed by City Staff, the proposed water rates, fees, and charges are projected to generate approximately $63,894.50 monthly ($766,734.00 annually) in 2017. This amount includes the proposed service line maintenance fee and the capital improvements fee. For reference, the 2016 budgeted revenue was $623,542.00.

IV. BACKGROUND INFORMATION:

The current water rates and charges, which were last amended in 2012 (through adoption of Ordinance No. 12-15), are insufficient to maintain, operate and improve the City’s water system. The proposed amendments to the water rates will help the City properly maintain
and operate its water system. Section 12.3 of the Home Rule Charter requires that rates for services provided by City-owned utilities be established by the City Council by ordinance. Section 13-2-320(a) of the Municipal Code also provides that the City shall, from time to time, set water rates and charges by ordinance. The City’s consulting engineer, Will Raatz, P.E., at W2 Engineers, LLC, reviewed the new rates, fees and charges with City Council at the November 15, 2016 work session.

The new rates, fees and charges are specifically set forth in Exhibit A to Ordinance No. 16-06. As discussed by City Council at the November 15th work session, the rates, fees and charges will be automatically adjusted on January 1, 2018, and on January 1 of each year thereafter based on the annual percentage increase in the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Denver-Boulder-Greeley, all items, all urban consumers, or its successor index (the “CPI”), as measured from the first half of 2016 to the first half of 2017 and each successive 12-month period thereafter. By way of example, the adjustment in water fees, rates and charges effective on January 1, 2019 shall be calculated utilizing the increase in the CPI as measured from the first half of 2017 to the first half of 2018. If the CPI indicates a zero or negative adjustment, the water fees, rates and charges shall not be adjusted but shall remain fixed at the rates applicable in the immediately preceding calendar year. The CPI adjustment is included in the proposed Ordinance.

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. 16-06 on first reading, as may or may not be amended;

2. Direct City staff to make revisions to the Ordinance and schedule consideration of the Ordinance on a future City Council agenda for first reading; or

3. Reject or deny the Ordinance.

RECOMMENDED MOTION: “I MOVE TO APPROVE ORDINANCE NO. 16-06, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO ADOPTING WATER RATES, FEES AND CHARGES FOR WATER SERVICES ON FIRST READING, AND FURTHER MOVE THAT SECOND READING AND PUBLIC HEARING ON THE ORDINANCE BE SCHEDULED FOR TUESDAY, DECEMBER 20, 2016, AT 7:00 PM TO BE HELD IN THESE COUNCIL CHAMBERS.”

Attachments:

- Ordinance 16-06 (for first reading)
CITY OF CENTRAL, COLORADO
ORDINANCE 16-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO ADOPTING WATER RATES, FEES AND CHARGES FOR WATER SERVICES

WHEREAS, Section 12.3 of the Home Rule Charter requires that rates for services provided by City-owned utilities be established by the City Council by ordinance; and

WHEREAS, Section 13-2-320(a) of the Central City Municipal Code provides that the City shall from time to time set water rates and charges by ordinance; and

WHEREAS, the City’s water rates and charges were last amended in 2012 by and through Ordinance No. 12-15 approved by City Council on November 20, 2012; and

WHEREAS, the City’s current water rates are insufficient to maintain, operate and improve the City’s water system; and

WHEREAS, the City Council desires to establish by this Ordinance the amounts of certain water fees, rates and charges, to be effective as of January 1, 2017.

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

Section 1. Pursuant to authorization in the City’s Home Rule Charter and Municipal Code, and effective as of January 1, 2017, the City Council hereby adopts the water fees, rates and charges attached hereto as Exhibit A and incorporated herein by reference.

Section 2. The water fees, rates and charges set by this Ordinance shall supersede and replace any fees, rates or charges previously set or adopted by the City Council for the same purpose. However, the same shall not be deemed to release, extinguish, alter, modify or charge in whole or in part any liability which shall have been previously incurred, and the superseded or replaced fees, rates or charges shall be treated and held as remaining in force for the purpose of sustaining any judgment, decree, or order related to any past due water account.

Section 3. The water fees, rates and charges set forth in Exhibit A attached hereto shall be adjusted for inflation on January 1, 2018, and on January 1 of each year thereafter based on the annual percentage increase in the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for Denver-Boulder-Greeley, all items, all urban consumers, or its successor index (the “CPI”), as measured from the first half of 2016 to the first half of 2017 and each successive 12-month period thereafter. By way of example, the adjustment in water fees, rates and charges effective on January 1, 2019 shall be calculated utilizing the increase in the CPI as measured from the first half of 2017 to the first half of 2018. If the CPI indicates a zero or negative adjustment, the water fees, rates and charges shall not be adjusted but shall remain fixed at the rates applicable in the immediately preceding calendar year.
Section 4. 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 5. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 6. 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 6th day of December, 2016, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

_________________________________________________________
Ronald E. Engels, 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 December, 2016.
CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on ____________, 2016.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on ______________, 2016.
**EXHIBIT A**

**CITY OF CENTRAL WATER RATES**

Effective January 1, 2017, water rates for all accounts inside City limits are as follows (outside City limits = double these rates, unless otherwise established by contract approved by City Council, as set forth in Section 13-2-320(c) of the Municipal Code):

<table>
<thead>
<tr>
<th>JANUARY 1, 2017 RESIDENTIAL WATER RATES – 3/4&quot; SERVICE (SENIOR RATE)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Base Rate (Monthly)</strong></td>
</tr>
<tr>
<td><strong>Service Line Fee (Monthly)</strong></td>
</tr>
<tr>
<td><strong>Capital Improvements Fee (Monthly)</strong></td>
</tr>
<tr>
<td><strong>USAGE (GALLONS)</strong></td>
</tr>
<tr>
<td>Zero - 3,000</td>
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<tr>
<td>3,001 - 10,000</td>
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<tr>
<td>10,001 - 15,000</td>
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<tr>
<td>15,001 - 20,000</td>
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<tr>
<td>20,001 and over</td>
</tr>
</tbody>
</table>
### JANUARY 1, 2017 RESIDENTIAL WATER RATES – 3/4" SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Rate (Monthly)</td>
<td>$50.00</td>
</tr>
<tr>
<td>Service Line Fee (Monthly)</td>
<td>$5.00</td>
</tr>
<tr>
<td>Capital Improvements Fee (Monthly)</td>
<td>$15.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USAGE (GALLONS)</th>
<th>RATE ($/1,000 gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zero - 3,000</td>
<td>$2.75</td>
</tr>
<tr>
<td>3,001 - 10,000</td>
<td>$4.13</td>
</tr>
<tr>
<td>10,001 - 15,000</td>
<td>$5.50</td>
</tr>
<tr>
<td>15,001 - 20,000</td>
<td>$6.88</td>
</tr>
<tr>
<td>20,001 and over</td>
<td>$8.25</td>
</tr>
</tbody>
</table>

### JANUARY 1, 2017 RESIDENTIAL WATER RATES – 1" SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Rate (Monthly)</td>
<td>$75.00</td>
</tr>
<tr>
<td>Service Line Fee (Monthly)</td>
<td>$7.50</td>
</tr>
<tr>
<td>Capital Improvements Fee (Monthly)</td>
<td>$22.50</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>USAGE (GALLONS)</th>
<th>RATE ($/1,000 gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zero - 3,000</td>
<td>$2.75</td>
</tr>
<tr>
<td>3,001 - 10,000</td>
<td>$4.13</td>
</tr>
<tr>
<td>10,001 - 15,000</td>
<td>$5.50</td>
</tr>
<tr>
<td>15,001 - 20,000</td>
<td>$6.88</td>
</tr>
<tr>
<td>20,001 and over</td>
<td>$8.25</td>
</tr>
</tbody>
</table>
### JANUARY 1, 2017 WATER RATES – WATER GENERAL

<table>
<thead>
<tr>
<th>Usage (Gallons)</th>
<th>Rate ($/1,000 gallons)</th>
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</thead>
<tbody>
<tr>
<td>Zero - 3,000</td>
<td>$55.00</td>
</tr>
<tr>
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<tr>
<td>10,001 - 15,000</td>
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<td>15,001 - 20,000</td>
<td>$137.50</td>
</tr>
<tr>
<td>20,001 and over</td>
<td>$165.00</td>
</tr>
</tbody>
</table>

### JANUARY 1, 2017 COMMERCIAL WATER RATES – 3/4" SERVICE

<table>
<thead>
<tr>
<th>Usage (Gallons)</th>
<th>Rate ($/1,000 gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Rate (Monthly)</td>
<td>$50.00</td>
</tr>
<tr>
<td>Service Line Fee (Monthly)</td>
<td>$5.00</td>
</tr>
<tr>
<td>Capital Improvements Fee (Monthly)</td>
<td>$15.00</td>
</tr>
<tr>
<td>Usage (Gallons)</td>
<td>Rate ($/1,000 gallons)</td>
</tr>
<tr>
<td>Zero - 3,000</td>
<td>$5.50</td>
</tr>
<tr>
<td>3,001 - 10,000</td>
<td>$8.25</td>
</tr>
<tr>
<td>10,001 - 15,000</td>
<td>$11.00</td>
</tr>
<tr>
<td>15,001 - 20,000</td>
<td>$13.75</td>
</tr>
<tr>
<td>20,001 and over</td>
<td>$16.50</td>
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</table>
### JANUARY 1, 2017 COMMERCIAL WATER RATES – 1" SERVICE

<table>
<thead>
<tr>
<th>Usage (Gallons)</th>
<th>Rate ($/1,000 Gallons)</th>
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</thead>
<tbody>
<tr>
<td>Zero - 3,000</td>
<td>$5.50</td>
</tr>
<tr>
<td>3,001 - 10,000</td>
<td>$8.25</td>
</tr>
<tr>
<td>10,001 - 15,000</td>
<td>$11.00</td>
</tr>
<tr>
<td>15,001 - 20,000</td>
<td>$13.75</td>
</tr>
<tr>
<td>20,001 and over</td>
<td>$16.50</td>
</tr>
</tbody>
</table>

### JANUARY 1, 2017 COMMERCIAL WATER RATES – 1.5" SERVICE

<table>
<thead>
<tr>
<th>Usage (Gallons)</th>
<th>Rate ($/1,000 Gallons)</th>
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</thead>
<tbody>
<tr>
<td>Zero - 3,000</td>
<td>$5.50</td>
</tr>
<tr>
<td>3,001 - 10,000</td>
<td>$8.25</td>
</tr>
<tr>
<td>10,001 - 15,000</td>
<td>$11.00</td>
</tr>
<tr>
<td>15,001 - 20,000</td>
<td>$13.75</td>
</tr>
<tr>
<td>20,001 and over</td>
<td>$16.50</td>
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### JANUARY 1, 2017 COMMERCIAL WATER RATES – 2" SERVICE

<table>
<thead>
<tr>
<th>Base Rate (Monthly)</th>
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<tbody>
<tr>
<td>Service Line Fee (Monthly)</td>
<td>$20.00</td>
</tr>
<tr>
<td>Capital Improvements Fee (Monthly)</td>
<td>$60.00</td>
</tr>
</tbody>
</table>

#### USAGE (GALLONS)  RATE ($/1,000 gallons)

| Zero - 3,000                | $5.50   |
| 3,001 - 10,000              | $8.25   |
| 10,001 - 15,000             | $11.00  |
| 15,001 - 20,000             | $13.75  |
| 20,001 and over             | $16.50  |

### JANUARY 1, 2017 COMMERCIAL WATER RATES – 3" SERVICE

<table>
<thead>
<tr>
<th>Base Rate (Monthly)</th>
<th>$300.00</th>
</tr>
</thead>
<tbody>
<tr>
<td>Service Line Fee (Monthly)</td>
<td>$30.00</td>
</tr>
<tr>
<td>Capital Improvements Fee (Monthly)</td>
<td>$90.00</td>
</tr>
</tbody>
</table>

#### USAGE (GALLONS)  RATE ($/1,000 gallons)

| Zero - 3,000                | $5.50   |
| 3,001 - 10,000              | $8.25   |
| 10,001 - 15,000             | $11.00  |
| 15,001 - 20,000             | $13.75  |
| 20,001 and over             | $16.50  |
### JANUARY 1, 2017 COMMERCIAL WATER RATES – 4" SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
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<tbody>
<tr>
<td>Base Rate (Monthly)</td>
<td>$400.00</td>
</tr>
<tr>
<td>Service Line Fee (Monthly)</td>
<td>$40.00</td>
</tr>
<tr>
<td>Capital Improvements Fee (Monthly)</td>
<td>$120.00</td>
</tr>
<tr>
<td><strong>USAGE (GALLONS)</strong></td>
<td><strong>RATE ($/1,000 gallons)</strong></td>
</tr>
<tr>
<td>Zero - 3,000</td>
<td>$5.50</td>
</tr>
<tr>
<td>3,001 - 10,000</td>
<td>$8.25</td>
</tr>
<tr>
<td>10,001 - 15,000</td>
<td>$11.00</td>
</tr>
<tr>
<td>15,001 - 20,000</td>
<td>$13.75</td>
</tr>
<tr>
<td>20,001 and over</td>
<td>$16.50</td>
</tr>
</tbody>
</table>

### JANUARY 1, 2017 COMMERCIAL FIRE SUPPRESSION WATER RATES – 4" SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Rate (Monthly)</td>
<td>$100.00</td>
</tr>
<tr>
<td>Service Line Fee (Monthly)</td>
<td>$10.00</td>
</tr>
<tr>
<td>Capital Improvements Fee (Monthly)</td>
<td>$30.00</td>
</tr>
</tbody>
</table>

### JANUARY 1, 2017 COMMERCIAL FIRE SUPPRESSION WATER RATES – 6" SERVICE

<table>
<thead>
<tr>
<th>Description</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Rate (Monthly)</td>
<td>$200.00</td>
</tr>
<tr>
<td>Service Line Fee (Monthly)</td>
<td>$20.00</td>
</tr>
<tr>
<td>Capital Improvements Fee (Monthly)</td>
<td>$60.00</td>
</tr>
</tbody>
</table>
AGENDA ITEM # 9
CITY COUNCIL COMMUNICATION FORM

TO: Mayor Engels and Members of City Council
FROM: Jason Nelson, Utilities Director
THROUGH: Christiana McCormick, Assistant City Attorney
DATE: November 28, 2016 (Meeting Date December 6, 2016)
ITEM: Resolution No. 16-35: Adopting a Cost-Sharing Policy for Residential Water Meters and Scheduling Repayment of Costs to Commence on January 1, 2017

|   | ORDINANCE | X | MOTION / RESOLUTION | INFORMATION |

I. **REQUEST OR ISSUE:** Resolution 16-35 ("Resolution") adopts a cost-sharing policy for installation of water meters on residential properties pursuant to Section 13-2-120(a) of the Municipal Code and institutes the procedure for reimbursing the City for the portion of installation costs to be borne by residential property owners. Specifically, the Resolution authorizes the imposition of a "Residential Meter Repayment Charge" of $7.50 per month. The Residential Meter Repayment Charge will be added to each residential customer’s water bill commencing with the February 2017 water bill (for January 2017 service) and terminated with the January 2018 water bill (for December 2017 service).

A copy of the Resolution is attached to this Council Communication Form for reference. This topic was presented to City Council at the November 15th work session.

II. **RECOMMENDED ACTION / NEXT STEP:** Approval of Resolution No. 16-35. It is the intent of City staff to begin adding a monthly water meter repayment charge on water bills to residential customers beginning with the bill for January 2017 water service, which will be sent out in February of 2017.
III. **FISCAL IMPACTS:** The Resolution authorizes the City to be reimbursed for 50% of the cost of water meter installation on residential properties, equal to $90.00 of the total $180.00 residential meter charge incurred by the City on each property.

IV. **BACKGROUND INFORMATION:** Pursuant to Section 13-2-120(a) of the Municipal Code, the City required the installation of water meters on all residential and nonresidential properties. For the meters installed on residential properties, the City contemplated a cost-sharing policy where the City paid for 50% of the installation costs and each residential property owner would be responsible to pay for the other 50% of installation costs.

The Resolution formally adopts the cost-sharing policy contemplated in the Municipal Code and sets forth the procedure for recouping the property owners' share of the installation costs. Each residential property owner on whose property the City installed a water meter owes the City $90.00, which will be paid in twelve (12) equal monthly installments of $7.50. The Residential Meter Repayment Charge will appear on the water bills (for all residential customers) beginning with the bills for January 2017 water service, which will be distributed to customers in February of 2017.

V. **LEGAL ISSUES:** N/A

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A

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. 16-35, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO, ADOPTING A COST-SHARING POLICY FOR RESIDENTIAL WATER METERS AND SCHEDULING REPAYMENT OF COSTS TO COMMENCE ON JANUARY 1, 2017.”

**ATTACHMENT TO CCF:** Resolution No. 16-35
CITY OF CENTRAL, COLORADO
RESOLUTION NO. 16-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO, ADOPTING A COST-SHARING POLICY FOR RESIDENTIAL WATER METERS AND SCHEDULING REPAYMENT OF COSTS TO COMMENCE ON JANUARY 1, 2017

WHEREAS, the City previously required the installation of water meters in all residential and nonresidential properties; and

WHEREAS, meters were installed in all nonresidential properties at the property owner’s expense; and

WHEREAS, meters were installed in all residential properties and in accordance with Section 13-2-120(a) of the Municipal Code, which states, in relevant part, that “the cost of the meter shall be borne equally by the City and [each property owner] pursuant to a City-adopted cost-sharing policy”; and

WHEREAS, the City Council desires to formally adopt the cost-sharing policy contemplated in Chapter 13 of the Municipal Code; and

WHEREAS, water meters were installed in all residential properties at a cost of one hundred and eighty dollars ($180.00) per meter; and

WHEREAS, each residential property owner’s fifty-percent (50%) share of the $180 per meter charge is equal to ninety dollars ($90.00); and

WHEREAS, the City Council desires to adopt a policy that will require residential property owners to repay the customer’s $90.00 share of meter costs during calendar year 2017, commencing with the February 2017 water bill (for January 2017 service) and terminating with the January 2018 water bill (for December 2017 service); and

WHEREAS, the customer’s share of meter costs shall be repaid to the City in twelve (12) equal installments of seven dollars and fifty cents ($7.50) (the “Residential Meter Repayment Charge”); and

WHEREAS, City Council desires to instruct City Staff to add the Residential Meter Repayment Charge to each residential owner’s water bill beginning with the water bill for January 2017 water service.

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

Section 1. Establishment of Water Meter Cost Sharing Policy. The recitals set forth above are adopted and, taken together with the balance of this Resolution, shall constitute the
cost-sharing policy contemplated in Section 13-2-120(a) of the Municipal Code. The City Council hereby approves adding the Residential Meter Repayment Charge in the amount of $7.50 per month to the water bill for each residential customer commencing with the February 2017 water bill (for January 2017 service) and terminating with the January 2018 water bill (for December 2017 service).

**Section 2.** City Staff is directed to include the Residential Meter Repayment Charge on water bills to residential customers in the amount and for the 12-month time period set forth in this Resolution. Any customer failing to pay the Residential Meter Repayment Charge shall be subject to the penalties set forth in Chapter 13 of the Municipal Code. All residential customers shall have the option of paying the total Residential Meter Repayment Charge of $90.00 in one lump-sum.

**Section 3.** City Staff is further instructed to notify all residential customers regarding adoption of the cost-sharing policy and establishment of the Residential Meter Repayment Charge by: (a) including a written notice regarding same with the January 2017 water bills (for December 2016 service); and (b) causing a notice regarding the same to be posted on the City’s website, which notice shall remain available on the website through January 31, 2017.

**Section 4. Effective Date.** This Resolution shall take effect upon its approval by the City Council.

ADOPTED THIS 6th DAY OF DECEMBER, 2016.

CITY OF CENTRAL, COLORADO

By: ____________________________________________

 Ronald E. Engels, Mayor

ATTEST: ________________________________

Reba Bechtel City Clerk

APPROVED TO FORM: ________________________________

Marcus A. McAskin, City Attorney
AGENDA ITEM # 10
CITY COUNCIL COMMUNICATION FORM

FROM: Marcus McAskin, City Attorney
DATE: December 6, 2016
ITEM: Ordinance 16-07 Imposing a Temporary 180-Day Moratorium on the Submission, Acceptance, Processing and Approval of Any Application for a City Permit or License Related to the Operation of a Marijuana-Related Business

X ORDNANCE
MOTION
INFORMATION

I. REQUEST OR ISSUE: Ordinance No. 16-07 approves a temporary 180-day moratorium on the issuance of medical and/or retail marijuana licenses under applicable provisions of the City of Central Municipal Code.

II. RECOMMENDED ACTION / NEXT STEP: Approve Ordinance No. 16-07 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 20, 2016 at 7:00 p.m.

III. FISCAL IMPACTS: Approval of the Ordinance is not expected to have any significant fiscal impact on the City.

IV. BACKGROUND INFORMATION:
Many municipalities in the Denver and Boulder metropolitan areas have instituted restrictions on the number or concentration of marijuana establishments within their jurisdictions, and, not being a jurisdiction with such restrictions currently, Central City has started receiving increased interest from individuals and business entities desiring to set up marijuana establishments within the City.
The greater interest has the potential to generate an increase in marijuana establishment license applications and therefore a greater number of marijuana establishments within Central City. Higher numbers of such businesses within the City may remove commercial properties from the market necessary to provide for the broader range of products and services needed and desired within Central City.

The proposed Ordinance establishes a temporary moratorium on the approval and issuance of licenses for all new marijuana establishments but does nothing to interfere with the operations of already-existing businesses. The purpose of the moratorium is to give the City time to determine whether and how to amend the Municipal Code to address the potential increase in marijuana establishments within the City. In particular, it provides City staff with time to analyze potential regulatory amendments to the Municipal Code, including whether additional restrictions on the number or concentration of marijuana establishments allowed within the City boundaries are merited.

V. **LEGAL ISSUES:**

The proposed temporary moratorium established by Ordinance 16-07 is well within legal parameters and should not expose the City to increased legal liability.

When a municipality adopts an ordinance creating a moratorium, there is the potential that it could face eminent domain challenges under the Takings Clause of the United States Constitution. When determining whether a temporary moratorium is a “taking” that requires compensation, courts consider the circumstances of each situation, such as “the economic impact of the regulation, the extent to which the regulation interferes with distinct investment-backed expectations, and the character of the governmental action.”

However, temporary moratoriums that are reasonable in duration and are made in good faith for a legitimate government purpose do not constitute a taking or require compensation to a property owner. In Colorado, courts have upheld temporary moratoriums for as long as ten (10) months, including in *Williams v. City of Central*, 907 P.2d 701 (Colo. App. 1995), when Central City enacted a moratorium on issuing licenses for new casinos while it studied the impact of allowing more casinos into the community. Depending on the basis for the moratorium, the reasonable effective time frame of the moratorium could be much longer. For example, in a 2002 case *Tahoe-Sierra Preservation Council, Inc. v. Tahoe Regional Planning Agency*, the U.S. Supreme Court upheld a development moratorium in California that lasted thirty-two (32) months in order to complete environmental assessments and reports on Lake Tahoe.

Central City’s Ordinance 16-07 sets forth legitimate reasons for a moratorium on issuing new medical and/or retail marijuana business licenses, and it is well under the ten (10) months allowed in the *Williams* case. Evaluating the impact of allowing more marijuana businesses into the City and determining whether amendments to the Municipal Code are warranted are legitimate government reasons for enacting the moratorium. In addition, the moratorium would not affect existing marijuana businesses, which can continue to operate. Finally, the moratorium gives the City six (6) months to complete its decision-making process regarding any amendments to the Municipal Code, but the decision is not expected to take the entire six months. The City Council may terminate the moratorium via adoption of another ordinance prior to the six-month expiration of the moratorium.

In consideration of these factors, the proposed ordinance imposing a temporary moratorium
on the acceptance and approval of new applications for marijuana establishment licenses is a valid exercise of the City Council's police power authority.

VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A

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

1. Adopt Ordinance No. 16-07 on first reading, as may or may not be amended;

2. Direct staff to make revisions to the Ordinance and schedule consideration of the Ordinance on a future City Council agenda for first reading; or

3. Reject or deny the Ordinance.

**RECOMMENDED MOTION:** "I MOVE TO APPROVE ORDINANCE NO. 16-07, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO IMPOSING A TEMPORARY 180-DAY MORATORIUM ON THE SUBMISSION, ACCEPTANCE, PROCESSING, AND APPROVAL OF ANY APPLICATION FOR A CITY OF CENTRAL PERMIT OR LICENSE RELATED TO THE OPERATION OF A MARIJUANA-RELATED BUSINESS AND DECLARING THE INTENTION OF THE CITY COUNCIL TO CONSIDER THE ADOPTION OF AMENDMENTS TO EXISTING CITY REGULATIONS CONCERNING THE LOCATIONS OF SUCH BUSINESSES AND THE ADOPTION OF LIMITATIONS ON THE NUMBER OF SUCH BUSINESSES WITHIN THE CITY ON FIRST READING, AND FURTHER MOVE THAT SECOND READING AND PUBLIC HEARING ON THE ORDINANCE BE SCHEDULED FOR TUESDAY, DECEMBER 20, 2016, AT 7:00 PM TO BE HELD IN THESE COUNCIL CHAMBERS."

**Attachments:**

- Ordinance 16-07 (for first reading)
CITY OF CENTRAL, COLORADO
ORDINANCE 16-07


WHEREAS, the City of Central ("City") is a home rule municipal corporation organized and existing under Article XX of the Colorado Constitution; and

WHEREAS, Article XVIII, Section 14, of the Colorado Constitution provides for the use and possession of medical marijuana and the Colorado Medical Marijuana Code provides for the creation of business operations known as medical marijuana centers, medical marijuana products manufacturers, and optional premises (for the purpose of cultivation of marijuana); and

WHEREAS, Article XVIII, Section 16, of the Colorado Constitution provides for the personal use and regulation of recreational marijuana and, along with the Colorado Retail Marijuana Code, provides for the creation of business operations known as "marijuana establishments," which are entities in the business of selling at retail, cultivating, manufacturing and/or testing marijuana, marijuana accessories and marijuana products; and

WHEREAS, the Colorado Constitution, as well as the Colorado Medical Marijuana Code and the Colorado Retail Marijuana Code allows a municipality to determine whether or not medical and/or retail marijuana business establishments will be permitted within the municipality, and, if permitted, allows municipalities to regulate the time, place and manner under which such operations may be conducted; and

WHEREAS, the City has previously adopted regulations that allow, subject to various time, place and manner limitations, for the conduct of medical and retail marijuana businesses within the City; and

WHEREAS, a majority of municipalities within the state and within the Denver and Boulder metropolitan areas have determined to either prohibit medical and retail marijuana business operations within their jurisdictions, or have imposed moratoria on the establishment of any such operations pending either a decision to permit and regulate or to prohibit such operations; and

WHEREAS, the City Council finds that the result of said prohibitions or moratoria has been to cause those jurisdictions that allow for medical or retail marijuana businesses, such as the
City, to be presented with applications and proposals for such uses that greatly exceed the reasonable needs and desires of the community for such uses; and

WHEREAS, the City Council finds that the pressure for the establishment of such operations within the City threatens to create undue concentrations of such uses, and to remove or threaten to remove from the marketplace commercial properties that are necessary to provide for the broad range of commercial products and services that are needed and desired in the community; and

WHEREAS, the imposition of a moratorium to and through Friday, June 30, 2017, on the submission, acceptance, processing, and approval of any applications for City permits and licenses concerning the operation of marijuana businesses will allow the City staff and the City Council to develop and implement regulations designed to limit the concentration and/or number of marijuana businesses within the City; and

WHEREAS, a moratorium to and through June 30, 2017 is reasonable and no longer than necessary for the City to properly investigate, develop, and if appropriate, adopt and implement any regulations designed to limit the number and/or concentration of marijuana businesses within the City; and

WHEREAS, no person will be unduly prejudiced by the imposition of such moratorium; and

WHEREAS, the pending ordinance doctrine is a legal doctrine recognized by the courts in Colorado that allows a local government to apply ordinances that have yet to be officially enacted, but that are legally pending on the date of a permit application; and

WHEREAS, the pending ordinance doctrine permits a municipality to amend its ordinances and regulations without the threat of landowners or applicants racing to beat the clock by filing an application and thus obtaining vested rights under existing regulations; and

WHEREAS, the City finds that under the pending ordinance doctrine, it is authorized to apply the pending moratorium ordinance to marijuana land use/licensing applications that have not been deemed fully complete as of the date of first reading of this Ordinance, being December 6, 2016; and

WHEREAS, the City Council hereby finds, determines and declares that this Ordinance is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort and convenience of the City of Central and the inhabitants thereof; and

WHEREAS, City Council conducted a public hearing, with proper notice provided, to consider adoption of this Ordinance as required by law.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CENTRAL, COLORADO THAT:
Section 1. Findings. The above recitals are incorporated herein by reference and adopted as findings of the City Council of the City of Central.

Section 2. Imposition of Temporary Moratorium. Subject to the provisions of Section 3 below, a moratorium is hereby imposed on the submission, acceptance, processing, and approval of any application for a City permit or license to operate a marijuana-related business within the City pursuant to applicable state and City laws. Subject to the provisions of Section 3 below, the City Clerk and City Staff are directed to refuse to accept for filing, and not to process or review any application for a marijuana-related business within the City during the moratorium period.

Section 3. Applicability and Effective Date of Temporary Moratorium. The City Council finds and determines that, in the context of the licensing of marijuana-related businesses, it is unfair and inequitable to impose new licensing standards on license applications that were pending, but not yet approved, at the time the new standards were adopted. Accordingly, it is the intent of the City Council that the moratorium established by this Ordinance 16-04 shall not be applied to any application for a license that has been deemed fully complete and is pending approval as of December 6, 2016. The moratorium imposed by this ordinance shall commence as of the effective date of this Ordinance, and shall expire on June 30, 2017, unless sooner repealed.

Section 4. Staff to Investigate and Prepare Proposed Regulations. Before the expiration of the moratorium imposed by this Ordinance, City staff, working with the City Attorney, shall investigate, review and analyze potential new City regulations for marijuana-related businesses that are designed to limit the concentration and/or number of marijuana businesses within the City. Such investigation, review and analysis shall be completed promptly and with due diligence, and submitted to the City Council for consideration. The City Council declares that it will give due and timely consideration to the adoption of any proposed regulations.

Section 5. Existing Marijuana Businesses. The provisions of this Ordinance shall not affect the validity of any lawfully existing retail marijuana or medical marijuana licensed business operating pursuant to state law and Chapter 6, Articles VII and IX of the Municipal Code of the City of Central.

Section 6. Authority. The City Council hereby finds, determines and declares that it has the power to adopt this ordinance pursuant to: (i) the authority granted to home-rule municipalities by Article XX of the Colorado Constitution; (ii) the powers contained in the City of Central Home Rule Charter; (iii) the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S.; (iv) Part 3 of Article 23 of Title 31, C.R.S. (concerning municipal zoning powers); (v) Section 31-15-103, C.R.S. (concerning municipal police powers); and (vi) Section 31-15-401, C.R.S. (concerning municipal police powers).
Section 7. 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 8. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 9. 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 6th day of December, 2016, at Central City, Colorado.

CITY OF CENTRAL, COLORADO

________________________
Ronald E. Engels, 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 December, 2016.
CITY OF CENTRAL, COLORADO

____________________________________
Ronald E. Engels, Mayor

ATTEST:

____________________________________
Reba Bechtel, City Clerk

POSTED IN FULL AND PUBLISHED BY TITLE AND SUMMARY in the Weekly Register Call newspaper on ____________ , 2016.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on ____________ , 2016.
AGENDA ITEM #11
CITY COUNCIL COMMUNICATION FORM

FROM:         Daniel Miera, City Manager
DATE:        December 6, 2016
ITEM: Resolution 16-36 A Resolution of the City Council of the City of Central Colorado Adopting and Appropriating the 2017 Budget, Adopting the Capital Improvement Plan, Setting a Property Tax Mill Levy and Approving the Central City BID 2017 Operating Plan and Budget

NEXT STEP: Make a motion to approve Resolution 16-36

___ ORDINANCE
X ___ MOTION
___ INFORMATION

I. REQUEST OR ISSUE: Over the course of the past few months City Council and staff have developed the attached 2017 Budget. As required by State law and City Charter, staff formally presented Council with the proposed budget at several budget workshops. Notice of the 2017 Budget process was subsequently published in the newspaper and stated final adoption would occur on December 6, 2016.

Resolution 16-36 officially adopts the 2017 Budget and appropriates funding for the expenditures from the funds indicated. Resolution 16-36 also adopts the Capital Improvement Plan, sets the City's property tax mill levy at 9.701 mills and approves the Central City Business Improvement District's 2017 Operating Plan and Budget.

In accordance with Article X, Section 10.6 of the City Charter, a Public Hearing is being held on December 6, 2016 prior to adoption of Resolution 16-36. 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 2017 Budget document.
II. **RECOMMENDED ACTION / NEXT STEP:** Hold a public hearing on Resolution 16-36 and make a motion to approve the same.

III. **FISCAL IMPACTS:** Please see the attached 2017 Budget document which includes detailed financial information.

IV. **BACKGROUND INFORMATION:** While the 2017 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 2017 Budget by December 15, 2016.

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

VII. **SUMMARY AND ALTERNATIVES:**
1. Make a motion to approve Resolution 16-36.
2. Make a motion to approve Resolution 16-36 with amendments.
CITY OF CENTRAL
RESOLUTION NO. 16-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL
ADOPTING AND APPROPRIATING THE 2017 BUDGET,
ADOPTING THE CAPITAL IMPROVEMENT PLAN,
SETTING A PROPERTY TAX MILL LEVY,
AND APPROVING THE CENTRAL CITY BID 2017 OPERATING PLAN AND
BUDGET

WHEREAS, the City Manager has submitted the proposed 2017 Budget pursuant to City Charter and Colorado law; and notice has been published and City Council has conducted a public hearing on the proposed 2017 Budget pursuant to City Charter and Colorado law; and

WHEREAS, there are sufficient revenues and fund balances to pay for the 2017 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 2017 Budget is necessary for the certification of the mill levy to Gilpin County for 2016 taxes, paid in 2017; and

WHEREAS, the Capital Improvement Plan is incorporated into the 2017 Budget and adopted in conjunction with the 2017 Budget, and

WHEREAS, the Central City Business Improvement District has submitted its 2017 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 2017 budget attached to the proposed Resolution as Exhibit 1.

Section 2. The 2017 property tax mill levy is 9.701 mills.

Section 3. The Capital Improvement Plan included in the 2017 Budget document is adopted.

Section 4. The Central City Business Improvement District 2017 Operating Plan and Budget is adopted.

Section 5. Effective Date. This Resolution shall take effect upon its approval by the City Council.
ADOPTED THIS 6th DAY OF DECEMBER, 2016

CITY OF CENTRAL, COLORADO

By: __________________________
    Ronald E. Engels, Mayor

ATTEST:

By: __________________________
    Reba Bechtel, City Clerk

APPROVED TO FORM:

By: __________________________
    Marcus A. McAskin, City Attorney
To: Mayor and Council
From: Daniel R. Miera, City Manager
Date: December 6, 2016
Re: Staff Report

❖ General

❖ Legal

❖ Finance

❖ Community Development / Planning

❖ Intergovernmental Relations
❖ Water

- Worked with Water Department personnel Jason Nelson and Jack Beard, Water Engineer Will Ratz, and City Attorney McAskin to make changes to various Ordinances/Resolutions that will allow the Council to update water rates and other related matters.
To: Mayor Engels, City Council, and City Manager Miera
From: Reba Bechtel, City Clerk
Date: December 6, 2016
Re: Bi-weekly Report

- Prep for the Regular Council meeting of 12/6.
- Processed and issued the renewal for a Tavern Liquor License for Jan’s Tavern LLC dba Jan’s Tavern at 132 Lawrence Street.
- Processed and issued the renewal for Retail Marijuana License for Green Grass LLC dba Green Grass Central City at 440 Lawrence Street.
- Processed and issued the renewal for Retail Marijuana License for Annie’s Tobacco Emporium, LLC dba The Annie’s at 135 Nevada Street.
- Misc information regarding: sign permits, special events, building permits, code questions, HP, records response, liquor, and marijuana.
To: Daniel R. Miera, City Manager
Cc: Mayor and Council
From: Abigail R. Adame, Finance Director
Date: December 6, 2016
Re: Staff Report

➢ Finance

- Finalized the 2017 Budget by updating financial figures, updated the five-year Capital Improvement Project list, budget introduction, organizational chart, 2017 budget resolution, etc.

- Prepared the Mill Levy Certification which is due to the County by 12/15/16.

➢ Human Resources

- Coordinated the hiring of the Senior Public Works Maintenance Worker position.

- Filed a Worker’s Compensation Claim with CIRSA.

- Filed two vehicle/property casualty claims with CIRSA.
To: Central City Council
From: Ray W. Rears, Community Development Director
Date: December 6, 2016
Re: Department Update

Development

1) Colvin Tract – Parking Lot – City of Black Hawk – Fmr. Clinic site.
   a. TCO Issued – Pole Lights Installed
2) GIS Services – Revised parcel layer has been released along with some utility lines
   i. Meeting held which will restart in January 2017.
4) CDBG – Resilience Planning Grant received - $75,000 (no match).
   a. First meeting held.
5) Enterprise Zone – Association of Government of Northwest Colorado supportive the expansion.
   a. Expansion estimated to be complete by January 2017.
6) Scarletts buildings development pending. 7 Healing Stars – Awaiting building permit application.
7) Wayfinding/ Monument Signage – Beginning install of base – Completion in mid-December
8) Various initial development/building inquires addressed.

IT/Web/Audio Visual

1) Website, Facebook and Twitter internal administration continues.
2) Channel 20 – Revising the media for winter
3) Resiliency Project tab added has been updated with latest information

Historic Preservation

1) Belvidere
   a. RFP – Phase 2 planned for December
2) Historic Preservation Cases – 23

Code Enforcement – Active

1) Total Cases: 35  Total cases

Events / Marketing

1) Analytical data analysis on traffic counts from NB Parkway vehicles and capture rate vs. revenue
2) Full review of guest counts in Visitor Center, Historical Society referrals and tours
3) Tracking hotel occupancy % and comparing to neighboring towns in effort to find ranking
4) Attending Main Street meetings. Working on CC Photo Contests, Holiday Tree Contest, Tommyknocker Event, RFP for Historic Commercial Building Inventory with DOLA
5) Billboard
   a. City Billboard Use
      i. St. Mary's – December/January
      ii. Gilpin History – May/June
      iii. CC Opera – July/August
6) Working with Denver Media Center in effort to create 4 TV (commercial) spots
7) Conversing with WebiMax for Digital Marketing Campaign in 2017
8) Partnering with Central City Opera for joint advertisement opportunities
9) Acquisition of GF Gaming shuttle - in process –
10) Proposed media partnership with KSE (Altitude Sports, Mix 100, 92.5 the Wolf, Kool 105)
11) Marketing Matching Grant – Denied
12) A survey is being prepared to get feedback regarding events and Main Street potential changes.
13) Creating Full 2017 Marketing Plan
   a. 2017 Event Calendar being prepared.

Visitor Center
1) New inventory ordered
2) Plans to renovate and update items throughout including photos, partial layout, incased items, story board
3) Sales and foot traffic up yr/yr
4) Quarterly meeting held.

Staffing

1) Staff was selected to be a GOCO Peer Reviewer for 2017 grant applications.
2) IT support staff facilitation continues.
3) Refresh of Council Chambers investigated.
4) Investigating an employee wellness program.
   a. Fitbit’s program to increase activity is moving forward
To: Mayor Engels, City Council, and City Manager
From: Sam Hoover, Public Works Director
Date: November 30, 2016
Re: Bi-weekly Report

Over the past two-weeks, public works staff has performed the following activities:

- Plowed roadways
- Vehicle maintenance
- Installed Christmas Tree and decorations
- Swept downtown areas

Some people may have noticed a "white residue" on the roadways after snowstorms. This is a residue left from IceSlicer. The city has used IceSlicer for several years but we recently increased the percentage of IceSlicer from fifteen to thirty percent. This increased percentage of IceSlicer to sand improves the melting characteristics of the material. The improved melting reduces the number of passes and the length of time it takes snow crews to reach bare pavement. When exposed to moisture the "white residue" will be reconstituted and help the snow from bonding to the roadway.
**Captain Tom Ihme**

Gilpin County Sheriff's Office  
2960 Dory Hill Rd.  
Black Hawk, Co. 80422  

Direct # 303-515-4304  
Admin # 303-582-1060  
Fax # 303-582-3813  

**CENTRAL CITY STATS**  
Month of November  
Dates and time: 11/01/16 to 11/31/16  

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**Other Calls of Interest**  
Animal 5  
Business checks 302  
Camping 3