

CITY OF CENTRAL, COLORADO
NOTICE OF A REGULAR MEETING of the CITY COUNCIL to be held on
Tuesday, July 16, 2013 @ 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 access channel, on the City Hall bulletin board, at the Post Office and at Washington Hall the Friday prior to the Council meeting.

7:00pm Council Meeting

1. Call to Order.
2. Roll Call.

Mayor	Ron Engels
Mayor Pro-Tem	Bob Spain
Council members	Shirley Voorhies
	Glo Gaines
	Kathy Heider
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 of July 4 and 11; and
City Council minutes: July 2, 2013.

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.

SECOND READING AND PUBLIC HEARING –

7. Ordinance No. 13-08: An ordinance of the City Council of the City of Central, Colorado amending provisions of the Municipal Code to increase the maximum fine for Municipal Ordinance violations to the amount authorized by Section 13-10-113, CR.S., as amended. (McAskin)

ACTION ITEMS: NEW BUSINESS –

8. Quartz Hill Tailings Impoundment Project – Steve Laudeman, Colorado Department of Public Health and Environment
9. Resolution No.13-08: A resolution of the City Council of the City of Central, Colorado approving an Intergovernmental Agreement with Gilpin County, Colorado regarding GIS data sharing. (Fejeran)

10. Resolution No.13-09: A resolution of the City Council of the City of Central, Colorado authorizing the City Manager to negotiate a lease agreement with AT&T for location of wireless facilities on City-owned property; and authorizing the Mayor to execute said lease agreement conditioned on the City's issuance of a Special Review Use Permit. (Fejran)
11. Resolution No.13-10: A resolution of the City Council of the City of Central, Colorado supporting the City's Great Outdoors Colorado (GOCO) grant application for the Chase Gulch Reservoir Trail Park and supporting the completion of said project conditioned upon award of the GOCO grant. (Fejran)
12. Appointment to Gilpin County Emergency Services Council (Lanning)

REPORTS –

13. 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 August 6, 2013.

Posted 7/12/13

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.

**CITY OF CENTRAL
CASH ON HAND
7/12/2013**

Total Beginning ENB Cash on Hand 6/27/2013	4,124.55
Deposits to ENB	169.95
Wires Out ENB	(3,957.60)
Cleared Checks	-
<hr/>	
7/11/2013	336.90
<less previously approved & outstanding>	-
Total ENB Cash on Hand 7/11/2013	336.90

Total Beginning CO Biz Cash on Hand 6/27/13	377,048.95
Deposits to COB	17,525.01
Wires Out COB	(67,342.23)
Cleared Checks	(109,704.85)
<hr/>	
6/2/2013	217,526.88
<less previously approved & outstanding>	(173,438.77)
Total COB Cash on Hand 7/11/2013	44,088.11

Total Beginning Colotrust Cash on Hand 6/27/2013	912,678.24
Wires into Account	94,724.69
Wires out of Account-Into CO Biz Bank	-
Total Colotrust Cash on Hand 7/11/13	1,007,402.93

***The City is currently in the process of switching the operating account from Evergreen National Bank to Colorado Business Bank. As such, you will see less and less activity out of Evergreen National and on the next cash flow report both of the operating accounts will be reflected. Once all transactions have cleared Evergreen National Bank, it will be removed from this sheet.

TOTAL CASH ON HAND 7/11/2013	1,051,827.94
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**CITY OF CENTRAL
DEBIT CREDIT CARD PURCHASES
6/27/13 thru 7/11/13**

<u>Date</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
7/1/2013	Job Target	Operations Director Ad	150.00
7/3/2013	Hurricane	Internet for City Hall	9.95
TOTAL for Debit Cards			159.95

CASH FLOW
CHECK LISTING

7/12/2013

Inv Date	Inv #	Ck. Date	CK#	Vendor	Description	Amount	Mail Date
6/25/13	62513	6/25/13	126724	Employee	Employee Pay Advance	1,000.00	clrd
		6/28/13	126725	Bobbie Hill	132 Casey-Grant progress payment	3,018.75	clrd
		6/28/13	126726	Colorado Coach Transportation	July Shuttle	35,929.62	clrd
		7/5/13	126727	Payroll 7/5		1,138.16	clrd
			126728	ICMA-401		2,156.88	clrd
			126729	ICMA-457		2,056.28	clrd
			126730	ICMA-IRA		281.00	clrd
		7/3/13	126731	Gilpin County Arts Assoc.	Employee for Arts	2,855.00	clrd
		7/9/13	123732	Colorado State University	Tyrus Schmalz Promise Program	5,000.00	
		7/9/13	126733	Metropolitan State University	Rodriguez Garcia Promise Program	3,750.00	
6/18/13	7370023471	7/11/13	126734	DPC Industries	Water Plant Supplied	827.85	
7/1/13	3rdqtr2013	7/11/13	126735	BH & CC Sanitation District	Sanitation	592.00	
6/18/13	11081	7/11/13	126736	Canyon Glass and Gutters	Windshields	687.42	
6/25/13	62513	7/11/13	126737	CIRSA	Workers Comp and Prop Casualty 3rd Qtr	31,561.00	
6/4/13	5751143693	7/11/13	126738	Clear Creek Supply	PW Supplies	34.70	
7/1/13	1319740050	7/11/13	126739	CO State Treasurer	SUTA 2nd Qtr	1,031.61	
7/2/13	613	7/11/13	126740	Gilpin County Sheriff's Office	Victim Services	500.00	
7/11/13	July2013	7/11/13	126741	Gilpin Ambulance Authority	Ambulance Service for July	12,750.00	
7/29/13	72913	7/11/13	126742	Home Depot	Water and PW Supplies	758.18	
6/21/13	ctcs607111	7/11/13	126743	Medved	Repair '12 Chevy	123.18	
6/21/13	9550770	7/11/13	126744	Nalco Chemical	Water Chemicals	1,949.70	
6/19/13	244425	7/11/13	126745	Napa Auto Parts	Auto Parts for Repair	491.66	
7/1/13	70113	7/11/13	126746	Nicoletti-Flater Assoc.	Pre-Employment for PD	175.00	
6/13/13	94239	7/11/13	126747	Office Stuff	Office Supplies	363.78	
7/3/13	70313	7/11/13	126748	Xcel Energy	Electricity	11,599.05	
6/30/13	21306194	7/11/13	126749	Utility Notification Center	Line Locates	21.19	
6/24/13	9175218883	7/11/13	126750	Grainger	Solenoid Valve	423.63	
6/13/13	707929	7/11/13	126751	Galls Inc.	FD-Mag Pouch	24.29	
6/21/13	45018	7/11/13	126752	J&S Contractors Supply	U Bolt Assembly	156.25	
7/3/13	363051	7/11/13	126753	Pitney Bowes	Postage Scale	32.25	
7/1/13	70113	7/11/13	126754	CACP	PD Form A	252.61	
7/1/13	ai95858	7/11/13	126755	McCandless Int'l Trucks	PW Heavy Equipment Parts	277.81	
7/7/13	130701	7/11/13	126756	Gilpin County Historical Society	Employee at Wash Hall	2,239.12	
7/1/13	624193	7/11/13	126757	FSH Communications	Pay Phone Service	70.00	
5/31/13	8686	7/11/13	126758	Allen Technology	Keyboard, IT Maintenance	3,391.98	
6/5/13	80535	7/11/13	126759	Transwest Truck Trailer	PW Auto Parts	23.47	
6/24/13	26434	7/11/13	126760	One Way	Residential Trash Service	3,988.16	
7/9/13	70913	7/11/13	126761	Skybeam	Internet for Water Plant	75.55	
6/25/13	si1911126	7/11/13	126762	Books West	Books for Resale at VC	220.48	
7/3/13	70413	7/11/13	126763	Sprint	Long Distance Fax	7.91	
7/1/13	10382486	7/11/13	126764	Stanley Convergent	Alarm Monitoring	447.30	
6/30/13	356204	7/11/13	126765	Golder and Associates	Water Plant Work	1,830.00	

CASH FLOW
CHECK LISTING

7/12/2013

7/8/13	4433	7/11/13	126766	Ausmus Law Firm	Prosecution for July	600.00
6/28/13	9707388186	7/11/13	126767	Verizon Wireless	Cell Phone Service and Internet for W.G.	1,051.69
6/26/13	62613	7/11/13	126768	USA Communications	Internet for Townhome and PW	149.39
6/26/13	isp5712094	7/11/13	126769	Sleuth Software	RMS Support	3,762.50
7/1/13	20130503	7/11/13	126770	Omni-Pro	City Hall Cleaning	300.00
7/1/13	70113	7/11/13	126771	T&D Car Wash	PD Car Washes	143.00
6/21/13	11027113	7/11/13	126772	Integra Telecom	Phone Service	704.43
7/10/13	Jul-13	7/11/13	126773	Deborah Wray	Historic Preservation Attendance	50.00
7/3/13	cc13103	7/11/13	126774	Robison Advertising	City Brochures	3,239.00
6/19/13	500251249	7/11/13	126775	Modular Space Corp.	PW Office Lease	136.60
6/25/13	16585	7/11/13	126776	Ideal Fencing	Guardrail Supplies	6,722.50
4/18/13	464843	7/11/13	126777	Safety Construction & Supply	Salt and Sand	3,782.27
6/24/13	46457	7/11/13	126778	JVA	Mack Brewery Nevada St, Chase Gulch	6,991.33
6/17/13	11826409	7/11/13	126779	Martin Marietta Materials	Asphalt	1,602.79
4/2/13	53273	7/11/13	126780	Nathan Bremer Dumm & Myers	Ballowe Case	10,389.57
6/24/13	5290908	7/11/13	126781	Cogent	Spring St Pump	7,091.82
7/1/13	7302749374	7/11/13	126782	Waste Management	Dumpster Pickup	858.30
6/21/13	198328	7/11/13	126783	Rex Oil Company	Fuel	8,382.20
6/27/13	1300016405	7/11/13	126784	Ally	PD Cars Lease Payment	33,747.59
6/30/13	15077	7/11/13	126785	Union Medical	Pre-Employment for PD	110.00
7/10/13	Jul-13	7/11/13	126786	Margaret Grant	Historic Preservation Attendance	50.00
7/10/13	Jul-13	7/11/13	126787	Gina Fuerst	Historic Preservation Attendance	50.00
6/25/13	828137	7/11/13	126788	Buckeye Welding	Oxygen	84.50
7/1/13	70113	7/11/13	126789	Liberty National	Life Insurance	125.85
4/23/13	42313	7/11/13	126790	Josh Korb	Fern Lake Fire Payment from State	595.67
6/20/13	1570846	7/11/13	126791	Western Paper Distributors	Trash Bags and Paper Towels	178.18
7/10/13	Jul-13	7/11/13	126792	Richard Willett	Historic Preservation Attendance	50.00
7/11/13	71113	7/11/13	126793	Robert Fejeran	Mileage Reimbursement	41.44
7/8/13	70813	7/11/13	126794	Teresa Kastel	Restitution for Municipal Court	100.00
7/8/13	70813	7/11/13	126795	Jordan Albright	Return of Bond	30.00
6/25/13	164326	7/11/13	126796	Kumar & Assoc.	Geotechnical Study on Nevada St Wall	2,469.70
5/29/13	iv18288	7/11/13	126797	Winter Equipment Company	Steel Blade	1,817.80
5/31/13	28084	7/11/13	126798	PR Diamond Products	Ductile Pipe Cry Cutter	235.00
6/21/13	3651444	7/11/13	126799	WM Recycling America	Recycling Charge	91.45
Outstanding through ENB		3,570.70			Total Issued:	406,856.86
Outstanding through COB		173,438.77			Approved & Sent Checks:	177,009.47
					Clrd & Pending Approval:	48,435.69
					Voided Checks:	3,782.27
					Total Pending Approval 7/16/13	226,065.12

**CITY OF CENTRAL
CITY COUNCIL MEETING
July 2, 2013**

CALL TO ORDER

A regular meeting of the City Council for the City of Central was called to order by Mayor Engels at 7:05 p.m., in City Hall on July 2, 2013.

ROLL CALL

Present: Mayor Engels
Alderman Spain
Alderman Voorhies
Alderman Gaines
Alderman Heider

Absent: None

Staff Present: Manager Lanning
City Clerk Bechtel
Attorney McAskin
Finance Director Flowers
Operations Director Kisselman
Utilities Superintendent Griffith

ADDITIONS AND/OR AMENDMENTS TO THE AGENDA

The agenda was approved as presented.

CONFLICTS OF INTEREST

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

CONSENT AGENDA

Alderman Spain moved to approve the consent agenda containing the regular bill lists for June 6, 13, 20 and 27, 2013; and the City Council minutes for the regular meeting on June 4 and the special meeting June 24, 2013. Alderman Voorhies seconded, and without discussion, the motion carried unanimously.

PUBLIC FORUM/AUDIENCE PARTICIPATION

No one requested time to address the Council.

SECOND READING AND PUBLIC HEARING

Ordinance No. 13-07: *An ordinance of the City Council of the City of Central, Colorado repealing and replacing Chapter 15 of the Municipal Code in its entirety; specifically to adopt annexation policies and procedures, to adopt regulations pertaining to disconnection, and to supplement the Colorado Municipal Annexation Act of 1965.*

Attorney McAskin explained that this ordinance was approved on first reading on June 4th. Chapter 15 of the Municipal Code addresses municipal annexation of property and requires, even before an annexation petition is filed, a preliminary, two phase annexation impact study process which is not

necessary or advantageous to the City. Ordinance No. 13-07 proposes to repeal and replace the entirety of Chapter 15 to remove this cumbersome process and to provide a disconnection process in cases where property is sought to be detached from the City.

Following the May 21, 2013 work session, certain provisions of Ordinance No. 13-07 were amended.

There will likely be no negative fiscal impacts associated with the adoption of Ordinance No. 13-07. To the contrary, through Ordinance No. 13-07, the City will retain clear authority to impose annexation-related fees on property owners petitioning for annexation (subject to mutual agreement). In addition to legislatively imposed impact fees currently set forth in Article XI of Chapter 4 of the Municipal Code, Ordinance No. 13-07 will authorize the City to recover all costs associated with the annexation process, as well as other annexation impact related fees as may be negotiated between the City and a property owner.

Currently, Chapter 15 mandates a preliminary annexation impact analysis process before an annexation petition can be filed with the City. It requires:

- a. Submittal of a statement of intent from the annexing property owner to the City Council;
- b. An annexation impact statement prepared by the City Manager, based on a form on file with the City;
- c. Referral of the statement of intent and impact statement to the Planning Commission for a recommendation;
- d. After Planning Commission recommendation, a proposed annexation agreement addressing all impacts identified is required to be submitted with the annexation petition.

This process is legally unnecessary and cumbersome as it requires an annexation request to be presented to the Planning Commission for a recommendation and requires the City Manager to prepare an annexation impact statement. Ordinance No. 13-07 proposes to remove the locally-imposed steps outlined above. The process for annexation under Ordinance No. 13-07 would follow the Colorado Municipal Annexation Act requirements, including an annexation petition, annexation impact report for land over ten acres in size, annexation public hearing, and an ordinance to approve of any annexation.

In addition to cleaning up the Code provisions on annexation, Ordinance No. 13-07 proposes to authorize the City Council *on its own petition* to disconnect any property if the Council finds that the property meets the following requirements:

- The land is contiguous to the border or boundaries of the City of Central; and
- If the land is not owned or controlled by the City, the written consent of the owner of record shall be required as a condition of disconnection.

It is important to note that Ordinance No. 13-07 does not authorize a landowner to petition for disconnection. Only through the City Council may a petition be prepared and submitted. This limited petition opportunity ensures that disconnection will be a very restricted limited proceeding only undertaken when the Council as the governing body of the City desires to consider disconnection. The City Council can modify or amend this ordinance in the future should other

circumstances arise that would necessitate disconnection.

Annexation and disconnection are legislative acts authorized by the Colorado Municipal Annexation Act of 1965 (Section 31-12-101 *et seq.*, C.R.S.), and through the City's Home Rule Charter (Section 1.2). The Municipal Annexation Act of 1965 is not declared to be a matter of statewide concern, and the City, as a home rule municipality, may enact annexation and disconnection procedures that are not expressly set forth in state law.

Mayor Engels opened the public hearing at 7:09 p.m. for Ordinance No. 13-07 and invited comment. Hearing no comment, Mayor Engels closed the public hearing at 7:10 p.m.

Alderman Gaines moved to adopt Ordinance No. 13-07: An ordinance of the City Council of the City of Central, Colorado repealing and replacing Chapter 15 of the Municipal Code in its entirety; specifically to adopt annexation policies and procedures, to adopt regulations pertaining to disconnection, and to supplement the Colorado Municipal Annexation Act of 1965. Alderman Heider seconded, and without discussion, the motion carried unanimously.

NEW BUSINESS

Ordinance No. 13-08: An ordinance of the City Council of the City of Central, Colorado amending provisions of the Municipal Code to increase the maximum fine for Municipal Ordinance violations to the amount authorized by Section 13-10-113, C.R.S., as amended.

Attorney McAskin gave background as follows: Council is asked to consider and approve Ordinance 13-08 which increases the maximum fine amount that the Central City Municipal Court may impose from \$1,000 to \$2,650, subject to an annual inflationary adjustment.

The proposed Ordinance was discussed at the July 2, 2013 work session.

The City established and operates a municipal court of record to hear and try alleged violations of the City's ordinances. For more than twenty years, by state law, every municipal court was authorized to impose fines up to a maximum of One Thousand Dollars (\$1,000.00). The City's Municipal Code reflects this state authorized maximum fine amount in several provisions of the Code, including the general penalty provision set forth in Section 1-4-20(a) of the Code (discussed in additional detail below).

During the 2013 legislative session, House Bill 13-1060 was adopted and signed into law by the Governor. A copy of the bill is attached to the Communication Form as Attachment 1 and is incorporated herein by reference.

In recognition of inflation, this legislation increases the maximum fine amount which a municipal court may impose for violation of a municipal ordinance to Two Thousand Six Hundred Fifty (\$2,650.00), adjusted for inflation annually on January 1st (based on the percentage change in the U.S. Department of Labor, Bureau of Labor Statistics, CPI for Denver-Boulder).

City Staff is bringing forward Ordinance 13-08 to authorize the Municipal Court to impose a fine up to and including the revised maximum fine limit if, in the judge's discretion and within minimum and maximum fine amounts as may be set for some specific violations, a violation should ever warrant a higher fine.

As the maximum fine limit is set forth in numerous sections of the Municipal Code, the ordinance amends those sections by referring back to the general penalty provision which sets forth this increased fine authority.

The City's Municipal Court Presiding Judge, David Gloss, has reviewed the form of this proposed ordinance and has no objection to the increased discretionary fine authority.

A legislative version (strikethrough/uppercase additions) of the general penalty provision set forth in Section 1-4-20(a) of the Municipal Code is set forth below:

(a) All violations of any provision of this Code or any other ordinance of the City are hereinafter deemed noncriminal offenses and are civil matters, except those violations that are expressly designated as criminal offenses in Chapter 10 of this Code and which are punishable by imprisonment under any counterpart state statute. Trial of noncriminal offenses shall be to the Court. No defendant found civilly liable for a noncriminal offense shall be punished by imprisonment for said offense, but may be fined any amount not to exceed ~~one thousand dollars (\$1,000.00)~~ TWO THOUSAND SIX HUNDRED FIFTY DOLLARS (\$2,650.00), AS SHALL BE ADJUSTED FOR INFLATION ON JANUARY 1, 2014, 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, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS SUCCESSOR INDEX. Any person convicted of a criminal violation of any section of this Chapter shall be fined in a sum not more than ~~one thousand dollars (\$1,000.00)~~ TWO THOUSAND SIX HUNDRED FIFTY DOLLARS (\$2,650.00), AS SHALL BE ADJUSTED FOR INFLATION ON JANUARY 1, 2014, 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, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS SUCCESSOR INDEX, or imprisoned not to exceed one (1) year or both so fined and so imprisoned, except as hereinafter provided in Section 1-4-30 below. In addition, such person shall pay all court costs imposed by the court.

The proposed Ordinance is authorized by House Bill 13-1060.

Alderman Gaines moved to adopt Ordinance No. 13-08: An ordinance of the City Council of the City of Central, Colorado amending provisions of the Municipal Code to increase the maximum fine for Municipal Ordinance violations to the amount authorized by Section 13-10-113, CR.S., as amended and set the Public Hearing for July 16, 2013 at 7:00 p.m. Alderman Spain seconded, and without discussion, the motion carried unanimously.

Central City Promise Program for Maria Rodriguez Garcia and Tyrus Schmalz
Finance Director Flowers explained that the Central City Promise Program was initiated by City Council to encourage high school graduates and G.E.D. recipients of Central City to make post-secondary education a priority. The Promise Program helps make it possible for Central City residents to attend a university, community college or trade school by providing assistance with the costs associated with attending one of these educational institutions.

Both applicants graduated from Gilpin County Re-1 High school on May 18, 2013 and both have lived in Central City long enough to qualify for full Promise Program benefits.

Ms. Rodriguez Garcia has submitted all of the required information and paperwork and is requesting Promise Program funds in the amount of \$15,000 over the four (4) year course of her education. As requests must be made annually, Ms. Rodriguez Garcia is requesting \$3,750.00 with this application for 2013. This is Ms. Rodriguez Garcia's first application to the Promise Program and the amount requested is \$1,750 below the maximum annually allowed.

Mr. Schmalz has submitted all of the required information and paperwork and is requesting Promise Program funds in the amount of \$20,000 over the four (4) year course of his education. As requests must be made annually, Mr. Schmalz is requesting \$5,000.00 with this application for 2013. This is Mr. Schmalz first application to the Promise Program and the amount requested is the maximum allowed for the year.

The 2013 Budget has \$15,000 allocated for the Promise Program. Granting the above requests will leave this line item with a remaining budget of \$6,250. This is the first request of the year for funding from this program. Allocated funding can support both requests and leave \$6,250 remaining to fund other requests that may come in during the rest of the year.

Mayor Engels added that he was very impressed with the quality of the packet by each applicant.

Alderman Gaines moved to award post-secondary educational tuition assistance to Maria Rodriguez Garcia for \$3,750 and to Tyrus Schmalz for \$5,000. Alderman Spain seconded, and without discussion, the motion carried unanimously.

Lawrence Street Waterline Funding

Utilities Superintendent Griffith explained that at the June 4th work session, Council asked staff to bring a request for repair to the next meeting. As Manager Lanning stated in the work session, the budget does not have funds for the Lawrence Street repair this year. Due to the condition of this line and the lack of fire protection, the Water Department is requesting approval for the distribution of RFP's (Request for Proposals) for contractors to install 1800 feet of water line on Lawrence Street. The engineers estimate is approximately \$250, 000. This section between C Street and D Street on Lawrence has been identified as a priority line replacement. Preliminary engineering has been conducted by JVA and with some additional work should be ready for installation in relatively short order.

The following chain of events, indicators and mitigating circumstances are as follows:

- 330, 360, and 400 Lawrence have been identified with significant curb stop issues. It is believed that all of these stops are either damaged, concealed or nonfunctional. There may be others, but these stops are certain.
- There is a fire hydrant on this main that services this area. It is connected to the restricted/damaged 4 inch line. It provides a flow of about 30 gpm.
- The existing 4 inch main is galvanized and is believed to be close to 50 years old.
- On May 22nd, we excavated a service line at 360 Lawrence for the purpose of putting in a meter pit. During that excavation the curb stop located in the middle of the street was able to be shut off, but not turned on without leaking. The meter pit installation was halted, as the integrity of the service was questioned. However, during the course of shutting off the service line, rust and detritus broke loose and restricted the flow to a trickle. The line had to be cut, and flushed in both directions to return water movement. We were about 15 feet from the stop.

- As with all service lines in the City, the regulations place the responsibility on the tap owner. We have/are requiring 222 Eureka and 105 H ST to repair/replace their damaged service lines. In fact they have applied for HP grants. It should be noted that their service lines terminate on a main line that is in good condition and has integrity. The tap owners on Lawrence do not have this luxury.

To conclude, if we require new service lines on Lawrence the property owner will be connecting to a line that is likely to fail and if the pipe is disturbed or tapped it is also likely to fail. Requiring new service saddles is likely to result in the City having to replace the main line under emergency conditions. The Lawrence Street line is an accident waiting to happen. We now have firsthand knowledge of the poor condition of the pipe as well as the seriously deficient fire hydrant. The City can replace this line under one of two scenarios. We can replace the line in an orderly fashion, with proper engineering, non-emergency mobilization, and proper RFP's. An RFP will take 4-6 weeks. Or, we can replace the line when it fails which is extremely likely, and under emergency situations with adverse financial consequences.

Operations Director Kisselman explained that we received a grant for the design of Lawrence Street. This preliminary engineering has been done by JVA. The grant also includes project management. This project will be ready to go as soon as funds are available.

Council consensus is to direct staff to come back with low interest financing options to move this project forward as soon as possible rather than let it sit on the shelf.

STAFF REPORTS

Manager Lanning reported the following:

Parking Structure meeting – rescheduled for July 18th at 6:00 pm to cover financial information

Water Information meeting – scheduled for August 1st at 6:00 pm

Operations Director – thanked Kent Kisselman for his service and hard work for the City and stated that an ad for that position is posted and we are getting resumes back

Alderman Gaines asked Finance Director Flowers to explain how the BID audit being late affects our audit. Flower explained that the City can have one more extension with August 31 as a final date at which time we will be found in violation. She will look into the possibility of not considering them as a companion audit for 2013.

COUNCIL COMMENTS

Alderman Gaines reminded residents that there will be trash pick-up on July 4th. She asked staff to bring a options for parking solutions on July 16th for the residents on Lawrence Street that are challenged by business users of those parking spaces. Also, she asked Council to look at revisions to the sign code for buntings and flags.

Alderman Heider stated her concern for traffic on the Casey on July 4th. Police Chief Krelle stated that the street will be closed at 6:00 p.m.

PUBLIC FORUM/AUDIENCE PARTICIPATION

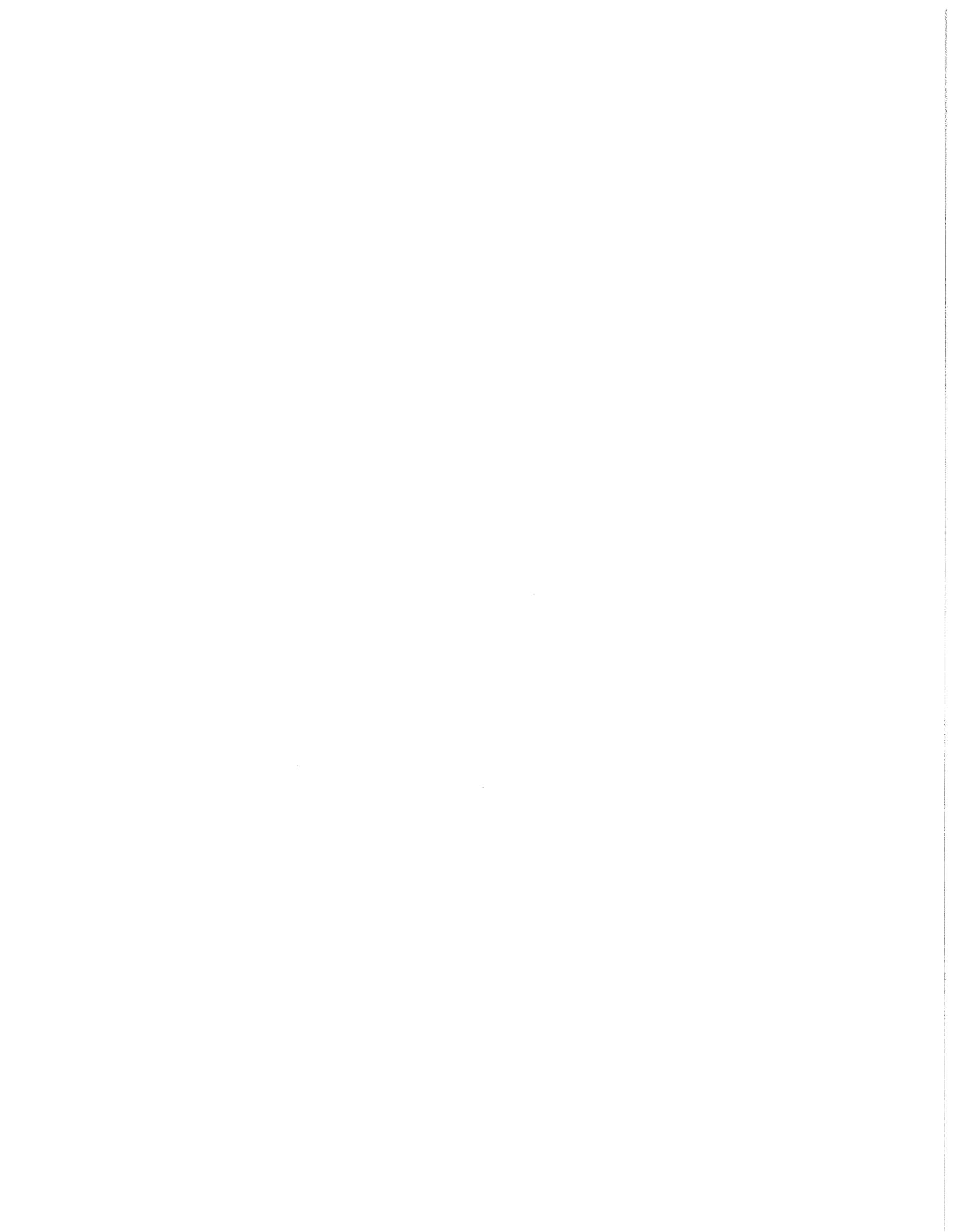
Joe Behm, President of the BID, stated that they will be using a new accountant which will correct the problems of the delinquent audit. Mr. Behm questioned the Council decision to postpone the previous Parking Garage Community meeting as different schedules are always a challenge to work for

everyone and stated that he will choose to attend this meeting on the 18th rather than a meeting he already had scheduled.

Hearing no further business, Mayor Engels adjourned the meeting at 7:44 p.m.
The next Council meeting is scheduled for July 16, 2013 at 7:00 p.m.

Ronald E. Engels, Mayor

Reba Bechtel, City Clerk





AGENDA ITEM # 7

CITY COUNCIL COMMUNICATION FORM

FROM: Marcus McAskin, City Attorney

DATE: July 10, 2013

ITEM: Ordinance 13-08 Amending Provisions of the Municipal Code to Increase the Maximum Fine for Municipal Ordinance Violations to the Amount Authorized by Section 13-10-113, C.R.S., as amended

ORDINANCE
 MOTION
 INFORMATION

- I. **REQUEST OR ISSUE:** Council is asked to consider and approve Ordinance 13-08 which increases the maximum fine amount that the Central City Municipal Court may impose from \$1,000 to \$2,650, subject to an annual inflationary adjustment.

The proposed Ordinance was discussed at the July 2, 2013 work session. The Ordinance was approved on first reading on July 2, 2013, and a public hearing scheduled for July 16, 2013.

- II. **RECOMMENDED ACTION / NEXT STEP:** Approve Ordinance No. 13-08 on second reading following the July 16, 2013 public hearing.

- III. **FISCAL IMPACTS:** There is no anticipated fiscal impact from this change.

- IV. **BACKGROUND INFORMATION:** The City established and operates a municipal court of record to hear and try alleged violations of the City's ordinances. For more than twenty years, by state law, every municipal court was authorized to impose fines up to a maximum of One Thousand Dollars (\$1,000.00). The City's Municipal Code reflects this state authorized maximum fine amount in several provisions of the Code, including the general penalty provision set forth in Section 1-4-20(a) of the Code (discussed in additional detail below).

During the 2013 legislative session, House Bill 13-1060 was adopted and signed into law by the Governor. A copy of the bill was attached to the Communication Form distributed prior to first reading.

City Staff is bringing forward Ordinance 13-08 to authorize the Municipal Court to impose a fine up to and including the revised maximum fine limit if, in the judge's discretion and

within minimum and maximum fine amounts as may be set for some specific violations, a violation should ever warrant a higher fine.

As the maximum fine limit is set forth in numerous sections of the Municipal Code, the ordinance amends those sections by referring back to the general penalty provision which sets forth this increased fine authority.

A legislative version (strikethrough/uppercase additions) of the general penalty provision set forth in Section 1-4-20(a) of the Municipal Code is set forth below:

(a) All violations of any provision of this Code or any other ordinance of the City are hereinafter deemed noncriminal offenses and are civil matters, except those violations that are expressly designated as criminal offenses in Chapter 10 of this Code and which are punishable by imprisonment under any counterpart state statute. Trial of noncriminal offenses shall be to the Court. No defendant found civilly liable for a noncriminal offense shall be punished by imprisonment for said offense, but may be fined any amount not to exceed ~~one thousand dollars (\$1,000.00)~~ TWO THOUSAND SIX HUNDRED FIFTY DOLLARS (\$2,650.00), AS SHALL BE ADJUSTED FOR INFLATION ON JANUARY 1, 2014, 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, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS SUCCESSOR INDEX. Any person convicted of a criminal violation of any section of this Chapter shall be fined in a sum not more than ~~one thousand dollars (\$1,000.00)~~ TWO THOUSAND SIX HUNDRED FIFTY DOLLARS (\$2,650.00), AS SHALL BE ADJUSTED FOR INFLATION ON JANUARY 1, 2014, 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, ALL ITEMS, ALL URBAN CONSUMERS, OR ITS SUCCESSOR INDEX, or imprisoned not to exceed one (1) year or both so fined and so imprisoned, except as hereinafter provided in Section 1-4-30 below. In addition, such person shall pay all court costs imposed by the court.

V. **LEGAL ISSUES:** The proposed Ordinance is authorized by House Bill 13-1060.

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

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

- (1) Adopt Ordinance No. 13-08 on second reading, following public hearing, 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; or
- (3) Reject or deny the Ordinance.

**CITY OF CENTRAL, COLORADO
ORDINANCE 13-08**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CENTRAL, COLORADO, AMENDING PROVISIONS OF THE
MUNICIPAL CODE TO INCREASE THE MAXIMUM FINE FOR
MUNICIPAL ORDINANCE VIOLATIONS TO THE AMOUNT
AUTHORIZED BY SECTION 13-10-113, C.R.S., AS AMENDED**

WHEREAS, the City of Central is a home rule municipal corporation created and organized pursuant to Article 20 of the Colorado Constitution and the Home Rule Charter of the City of Central; and

WHEREAS, by virtue of Section 8.2 of the City's Home Rule Charter, the City has established a municipal court of record to hear and try all alleged violations of the ordinances of the City; and

WHEREAS, by adoption of House Bill 13-1060, the State of Colorado has recently amended Section 13-10-113, C.R.S., to increase the maximum fine amount which a municipal court may impose for violation of a municipal ordinance; and

WHEREAS, the previous maximum authorized penalty which the municipal court could impose for violation of the ordinances of the City was One Thousand Dollars (\$1,000.00); and

WHEREAS, the City desires to increase the maximum penalty which the municipal court may impose to conform to state law; and

WHEREAS, the maximum fine limit is set forth in numerous sections of the Municipal Code, all of which are amended as set forth herein.

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

Section 1. Incorporation of Recitals. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. Amendment of Municipal Code Section 1-4-20(a). Section 1-4-20(a) of the City of Central Municipal Code is hereby amended to read as follows:

- (a) All violations of any provision of this Code or any other ordinance of the City are hereinafter deemed noncriminal offenses and are civil matters, except those violations that are expressly designated as criminal offenses in Chapter 10 of this Code and which are punishable by imprisonment under any counterpart state statute. Trial of noncriminal offenses shall be to the Court. No defendant found civilly liable for a noncriminal offense shall be punished by imprisonment for said offense, but may be fined any amount not to exceed two thousand six hundred fifty dollars (\$2,650.00), as shall be adjusted for inflation on January 1, 2014, 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, all items, all urban consumers, or its

successor index. Any person convicted of a criminal violation of any section of this Chapter shall be fined in a sum not more than two thousand six hundred fifty dollars (\$2,650.00), as shall be adjusted for inflation on January 1, 2014, 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, all items, all urban consumers, or its successor index, or imprisoned not to exceed one (1) year or both so fined and so imprisoned, except as hereinafter provided in Section 1-4-30 below. In addition, such person shall pay all court costs imposed by the court.

Section 3. Amendment of Municipal Code Section 1-4-30. Section 1-4-30 of the City of Central Municipal Code is hereby amended to read as follows:

Every person who, at the time of commission of the offense, was at least ten (10) but not yet eighteen (18) years of age, and who is subsequently convicted of or pleads guilty or nolo contendere to, a violation of any provision of this Code, except those provisions of Chapter 8, Article I of this Code, shall be punished by a fine not to exceed the maximum fine authorized by Section 1-4-20 of this Code.

Section 4. Amendment of Municipal Code Section 7-3-60(c). Section 7-3-60(c) of the City of Central Municipal Code is hereby amended to read as follows:

(c) Violations of this Section are punishable by a fine not to exceed the maximum fine authorized by Section 1-4-20 of this Code.

Section 5. Amendment of Municipal Code Section 8-1-40(16), subsection (3)(a). Section 8-1-40(16), subsection (3)(a) of the City of Central Municipal Code is hereby amended to read as follows:

(3)(a) Traffic infractions shall be subject to the following penalties:

Minimum Penalty	Maximum Penalty
A fine of \$25.00	A fine of up to the maximum fine authorized by Section 1-4-20 of the Municipal Code

Traffic offenses shall be subject to the following penalties:

Minimum Sentence / Penalty	Maximum Sentence / Penalty
1 day imprisonment, or fine of \$25.00, or both	Up to 1 year imprisonment, or a fine of up to the maximum fine authorized by Section 1-4-20 of the Municipal Code, or both

Section 6. Amendment of Municipal Code Section 8-1-60(d)(2). Section 8-1-60(d)(2) of the City of Central Municipal Code is hereby amended to read as follows:

(2) Every person convicted of a violation of any provision of this Article or of the Model Traffic Code shall be punished by a fine not exceeding the maximum

fine authorized by Section 1-4-20 of the Municipal Code, or by imprisonment not exceeding one (1) year, or by both such fine and imprisonment, pursuant to and in accordance with the Fine Schedule, as the same may be amended from time to time.

Section 7. Amendment of Municipal Code Section 10-5-120(b). Section 10-5-120(b) of the City of Central Municipal Code is hereby amended to read as follows:

(b) The Fire Department, Police Department, and other City officials shall actively enforce the ban against open fires. Any person who maintains or allows an open fire shall be deemed to be guilty of a misdemeanor and fined up to the maximum fine authorized by Section 1-4-20 of this Code.

Section 8. Amendment of Municipal Code Section 13-2-180(b). Section 13-2-180(b) of the City of Central Municipal Code is hereby amended to read as follows:

(b) Water to be used for purposes other than fighting fires such as construction water, temporary irrigation use or out-of-City water hauling may be withdrawn from the City's Water General system after establishing an account to do so with the Finance Department and prepaying the applicable fees. The rates for purchase of water from the Water General will be established by ordinance of the City Council and shall be included in the City's fee schedule. Any person withdrawing water from a hydrant or the Water General without the required written authorization, through tampering or otherwise, shall be subject to a fine of up to the maximum fine authorized by Section 1-4-20 of this Code in addition to any other fees and penalties authorized by this Chapter. To the extent that the City may reasonably estimate the amount of water taken by a person illegally from a hydrant or the Water General, such person shall also pay three hundred percent (300%) of the normal rate applicable to such water usage.

Section 9. Amendment of Municipal Code Section 18-5-120(a)(2). Section 18-5-120(a)(2) of the City of Central Municipal Code is hereby amended to read as follows

(2) Fine the defendant property owner for each violation an amount not less than two hundred fifty dollars (\$250.00) nor more than the maximum fine authorized by Section 1-4-20 of this Code for this first violation; not less than five hundred dollars (\$500.00) nor more than the maximum fine authorized by Section 1-4-20 of this Code for the second violation; and not less than seven hundred fifty dollars (\$750.00) nor more than the maximum fine authorized by Section 1-4-20 of this Code for the third and each subsequent violation arising under this Article. No portion of any minimum fine may be suspended or held in abeyance by the Municipal Court.

Section 10. 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 11. 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 12. 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 2nd day of July, 2013, 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 16th day of July, 2013.

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 July 4, 2013.

POSTED AND PUBLISHED BY TITLE [AND SUMMARY IF AMENDED ON SECOND READING] in the Weekly Register Call newspaper on July 18, 2013.

CITY OF CENTRAL, COLORADO

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel City Clerk

ITEM #8

Quartz Hill Reclamation Project Summary

- On-site regrading - no import or export of tailings
 - Dust control and monitoring during work
 - Coarse rock cover on slopes
 - Lights and poles removed from property
- Storm sewer installation on Nevada Street
 - Traffic impacts
 - Bedrock excavation (?)

∞∞

Colorado Department of Public Health and Environment
Project Contacts:

Steve Laudeman, Project Manager
Jim Lewis, Construction Oversight
Warren Smith, Community Involvement



AGENDA ITEM # 9

CITY COUNCIL COMMUNICATION FORM

FROM: Robert Fejeran, City Planner

DATE: July 11, 2013

ITEM: Resolution No.13-08: A resolution of the City Council of the City of Central, Colorado approving an Intergovernmental Agreement with Gilpin County, Colorado regarding GIS data sharing.

ORDINANCE
 MOTION (TO APPROVE RESOLUTION)
 INFORMATION

- I. **REQUEST OR ISSUE:** An Intergovernmental Agreement (IGA) between Central City and Gilpin County will help establish and maintain a Geographic Information System (GIS) Basemap of pertinent spatial data layers that will assist the City and County with managing their respective infrastructure and assets. Although most of the County's GIS data is available to the City, the IGA is intended to improve coordination and communication between the parties, with respect to development activities within the City and Gilpin County.
- II. **RECOMMENDED ACTION / NEXT STEP:** Approve Resolution No. 13-08 following discussion at the July 16, 2013 regular meeting.
- III. **FISCAL IMPACTS:** None.
- IV. **BACKGROUND INFORMATION:** Previous efforts in establishing and maintaining a GIS basemap have been almost non-existent. Recently, the City has implemented a GIS system, but such system has proved insufficient with respect to providing the planning department with useful and accurate data. Entering into the IGA will help reduce data redundancy and inaccuracies while saving time and cost in preparing and maintaining a GIS Basemap.
- V. **LEGAL ISSUES:** N/A.
- VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** N/A.
- VII. **SUMMARY AND ALTERNATIVES:** City Council has the following options:
- (1) Adopt Resolution No. 13-08, as presented;

- (2) Direct staff to make revisions to the Resolution and schedule consideration of the Resolution on a future City Council agenda; or
- (3) Reject or deny the resolution.

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 13-08**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH
GILPIN COUNTY, COLORADO REGARDING GIS DATA SHARING**

WHEREAS, the City of Central and Gilpin County, Colorado desire to establish and maintain a GIS (Geographic Information System) basemap and share GIS data to improve the coordination and communication between the City and the County with respect to development activities in Gilpin County and other health, safety and welfare issues; and

WHEREAS, the City and County have agreed upon the terms of an Intergovernmental Agreement Regarding GIS Data Sharing (the "IGA"), a copy of which is attached to this Resolution as **Exhibit A** and is incorporated herein by reference.

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

Section 1. The City Council hereby (a) approves the IGA, in substantially the form attached hereto as **Exhibit A**; (b) authorizes the City Attorney to make such changes as may be needed to correct any nonmaterial errors or language or to negotiate such changes to the IGA as may be appropriate that do not substantially increase the obligations of the City, and (c) authorizes the Mayor or City Manager to execute the same on behalf of the City with the approval of the City Attorney.

Section 2. Effective Date. This Resolution shall take effect upon its approval by the City Council.

ADOPTED THIS 16th DAY OF JULY, 2013.

CITY OF CENTRAL, COLORADO

By: _____
Ronald E. Engels, Mayor

ATTEST:

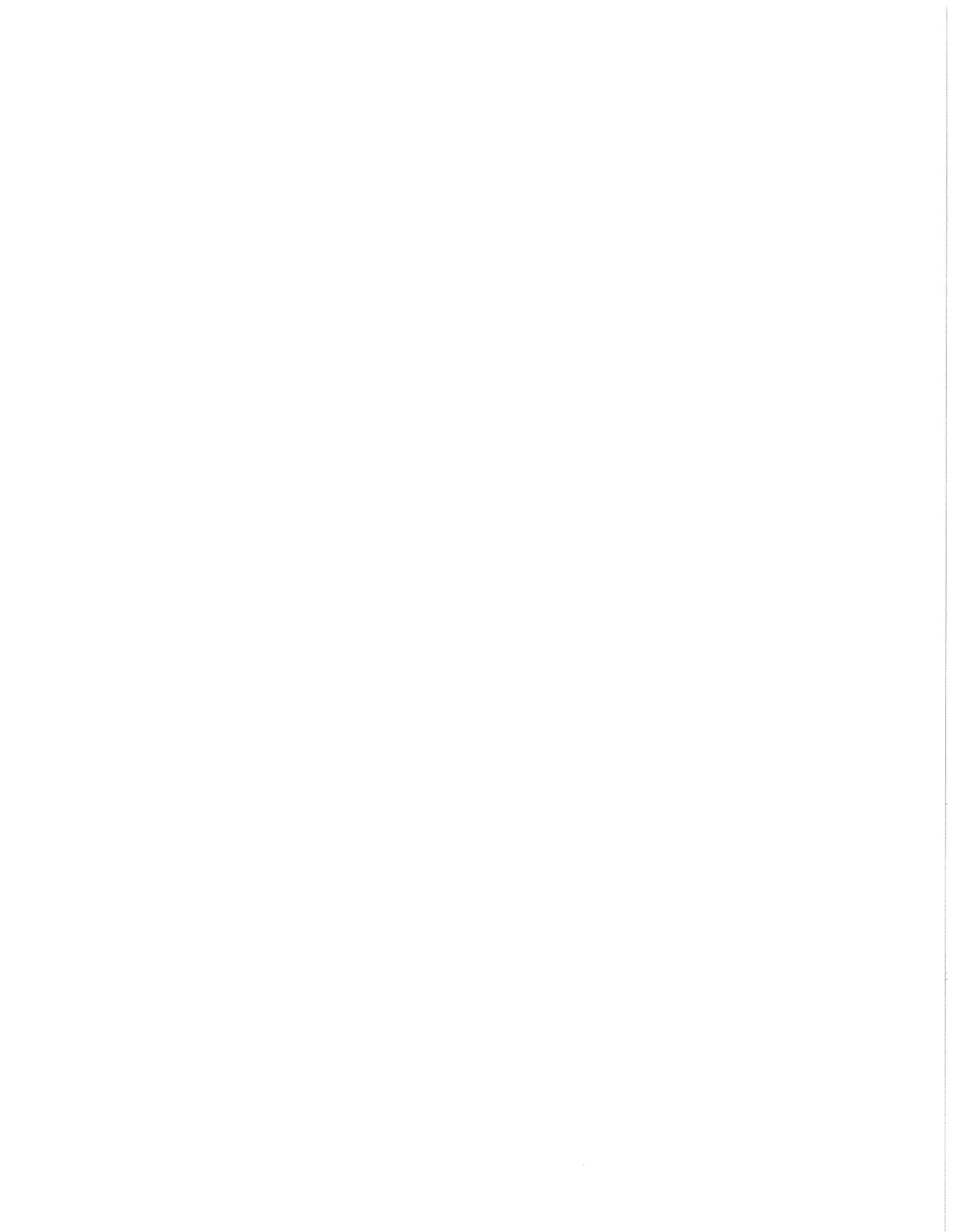
APPROVED TO FORM:

By: _____
Reba Bechtel, City Clerk

By: _____
Marcus A. McAskin, City Attorney

Resolution Exhibits:

Exhibit A – IGA Regarding GIS Data Sharing



**INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF CENTRAL,
AND GILPIN COUNTY, COLORADO
REGARDING GIS DATA SHARING**

THIS INTERGOVERNMENTAL AGREEMENT REGARDING GIS DATA SHARING (the "Agreement") is entered into by and between GILPIN COUNTY, COLORADO (the "County"), and the CITY OF CENTRAL ("Central City"), home rule municipal corporation of the State of Colorado (collectively, the "Parties"), and is effective as of the ___ day of _____, 2013.

RECITALS

WHEREAS, the Parties, as Colorado governments, are constitutionally and statutorily empowered pursuant to Colo. Const., Article XIV, §18 and C.R.S. § 29-1-201, *et seq.*, to cooperate or contract via intergovernmental agreement with one another to provide functions, services or facilities authorized to each cooperating government; and

WHEREAS, the Parties desire to establish and maintain a GIS (Geographic Information System) basemap (the "Basemap") and otherwise share GIS data as set forth in this Agreement; and

WHEREAS, the development of the Basemap and continued sharing of GIS data as contemplated by this Agreement will benefit both Parties and will ensure improved coordination and communication regarding development activities in Gilpin County; and

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth, the sufficiency of which is hereby acknowledged, the Parties do hereby agree as follows:

COVENANTS AND AGREEMENTS

1. Sharing of GIS Basemap and GIS Data. Following the effective date of this Agreement, the Parties will establish and maintain the Basemap (as more specifically defined in **Exhibit A**), and will also provide such other supplemental or updated GIS data ("data") to the other as more specifically set forth in **Exhibit A**. The Parties agree to update the data and Basemap on an as-needed basis, and further agree to share the updated data with each other upon request of the other party.
2. Cooperation. The Parties agree to cooperate in good faith to accomplish the purposes of this Agreement. Neither party shall charge the other for any GIS data sharing conducted in accordance with this Agreement.
3. Ownership. It is expressly understood by all Parties that each party retains all rights to the respective data provided to the other party, and that through the Agreement each party conveys rights for use, but not ownership of the data provided by such party.
4. Disclaimer of Warranty. Each party makes no warranties or representations regarding

applicability of their shared data to the other party or compatibility of their shared data with the systems or infrastructure used by the other party. Neither party shall be liable for any direct, indirect, incidental, special or consequential damages arising out of the use of the shared data, or inability to use the shared data, or out of any breach of any warranty. Each party makes no warranties as to the accuracy of the shared data. Each party also makes no warranties of merchantability or warranty of fitness for a particular purpose.

5. Notices. Any notices, demands or other communications regarding this Agreement, shall be given in writing, delivered personally or sent by U.S. Mail, addressed to the parties at the addresses set forth below or at such other address as either party may hereafter or from time to time designate by written notice to the other party.

To the County:
Gilpin County
Community Development
203 Eureka Street, 3rd Floor
P.O. Box 661
Central City, Colorado 80427

To Central City:
Central City
Attn: City Manager
141 Nevada St.
Central City, CO 80427

6. Term of the Agreement. This Agreement shall commence on the date set forth above. The Agreement shall remain in full force and effect unless either party elects to terminate the Agreement, pursuant to section 7 of this Agreement.

7. Termination. This Agreement may be terminated by either party at any time upon thirty (30) days prior written notice. Upon termination of this Agreement either party may continue to use the data received from the other party, provided that data exchanged prior to such termination shall be subject to the restrictions and terms of this Agreement.

8. Records Requests. Each party shall respond to any public records requests for the GIS data maintained by such party pursuant to the Colorado Open Records Act (“CORA”) and shall provide the other party of notice of the same. Any reproduction of this data in any format shall include the following notice:

“The Party providing this data (whether Gilpin County, or the City of Central) furnish this information on an "as is" basis without warranties of any kind, either express or implied, including but not limited to warranties of title or implied warranties of merchantability or fitness for a particular purpose, or any warranty of the accuracy of the information, and shall not be liable for damages of any kind arising out of the use of data, or inability to use data in any way. Any person or party, by accepting or using this data in any way, agrees to such condition and to waive any claims, against the Party providing this data (whether Gilpin County, or the City of Central), arising from any injuries or damages that may be claimed from their acceptance or use.”

9. Entire Agreement. This Agreement constitutes the final and complete expression of the Parties' agreements with respect to their respective rights and obligations, except to the extent that this Agreement may later be amended by a written instrument.

10. Applicable Law. All parties agree that in performing their respective obligations under this Agreement, they shall each comply with all applicable federal, state and local laws, charter provisions, rules, regulations, ordinances and orders of any governmental authority having jurisdiction. Any disputes arising under this Agreement shall be resolved in Gilpin County District Court in the State of Colorado. The parties may select informal resolution of disputes.

11. No Third Party Beneficiaries. None of the terms, conditions or covenants contained in this Agreement shall be deemed to be for the benefit of any person not a party hereto.

12. Amendment. This Agreement may be amended, modified, or changed, in whole or in part, only by written agreement executed by the parties hereto.

13. Severability. If any clause or provision herein contained shall be adjudged to be invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, such invalid or unenforceable clause or provision shall not affect the validity of the Agreement as a whole and all other clauses or provisions shall be given full force and effect.

14. Assignability. No party to this Agreement shall assign or transfer any of its rights or obligations hereunder without the prior written consent of the non-assigning party to this Agreement.

15. Binding Effect. The provisions of this Agreement shall bind and shall inure to the benefit of parties hereto and to their respective successors and permitted assigns.

16. Enforceability. The parties hereto agree and acknowledge that this Agreement may be enforced in law or in equity, by decree of specific performance or damages or such other legal or equitable relief as may be available subject to the provisions of the laws of the State of Colorado.

17. Appropriations. Notwithstanding any other term, condition or provision herein, each and every obligation of the parties is subject to the requirement of a prior appropriation of funds therefore by the parties.

18. Indemnification. To the extent permitted by law, the parties agree to release, indemnify and hold harmless each other, their commissioners, officers, directors, agents and employees from any and all claims, damages, suits, costs, expenses, liability, actions or procedures of any kind or nature whatsoever, of or by anyone whomsoever in any way resulting from or arising out of, directly or indirectly, this Agreement; provided, however, that the parties need not release, indemnify or save harmless each other, their commissioners, officers, directors, agents and employees from damages resulting from the sole negligence of the other parties' commissioners, officers, directors, agents and employees.

19. Governmental Immunity. Nothing herein shall be construed as a waiver of the rights and privileges of the parties pursuant to the Colorado Governmental Immunity Act, Section 24-10-101, *et seq.*, C.R.S.

IN WITNESS WHEREOF, the parties have executed this Agreement the day and year first above written.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement, effective as of the day and year first above written.

GILPIN COUNTY, COLORADO

Buddy Schmaltz, Chair

ATTEST:

Clerk or Deputy Clerk

CITY OF CENTRAL, COLORADO, a home
rule municipal corporation

Ronald E. Engels, Mayor

ATTEST:

Reba Bechtel, City Clerk

EXHIBIT A
GIS Basemap and GIS Data

The Parties agree that the Basemap shall contain the following information:

1. Infrastructure layers
 - a. All existing and new State DOT Roads
 - b. All existing and new County roads
 - c. All existing and new City roads
 - d. All existing and new railways
 - e. All existing and new airports
2. Physical Resources layers
 - a. Prime forest lands
 - b. Natural vegetation areas
 - c. Water ways
 - d. Drainage basins
 - e. Reservoirs
 - f. Dams
 - g. Aqueducts
3. Elevation layers
 - a. LiDAR Terrain data (if available)
 - b. Digital Elevation Model (1:5,000) (if available)
4. Environmental Layers
 - a. Impervious Surface (if available)
5. Jurisdictional/Administrative layers
 - a. County boundaries
 - b. City boundaries
 - c. Neighborhood boundaries
 - d. Division of Fisheries and Wildlife boundaries
 - e. Assessor parcel levels (blocks, lots and parcels)
 - f. Council districts (if available)
 - g. School districts
 - h. Urban/rural boundaries
 - i. County/City land uses
 - j. Zoning
6. Regulated areas layers
 - a. FEMA National Flood Hazard layer
 - b. Ground water discharge layers

The City of Central Shall Provide to the County. The City Central will the County with the following GIS data:

1. City permits
2. Historic Preservation
3. City water lines
4. City sewer lines
5. Specific plans
6. Subdivision activity

The County Shall Provide to Central City. The County will provide City Central with the following GIS data:

1. Updated property ownership
2. Specific plans
3. Subdivision activity
4. Flood areas



AGENDA ITEM # 10

CITY COUNCIL COMMUNICATION FORM

FROM: Robert Fejeran, City Planner

DATE: July 10, 2013

ITEM: Resolution No. 13-09: AT&T Lease Agreement. Resolution delegating authority to City Manager to negotiate final lease agreement with AT&T and delegating authority to Mayor to execute said lease agreement, conditioned upon AT&T securing a Special Review Use (SRU) Permit from the City.

ORDINANCE
 MOTION (TO APPROVE RESOLUTION)
 INFORMATION

-
- I. **REQUEST OR ISSUE:** AT&T has approached the City to locate a 75' stealth wireless communication tower and related facilities (the "Wireless Facilities") on City-owned property. Prior to installation of the Wireless Facilities, AT&T will be required to secure a Special Review Use (SRU) permit from the City. If the SRU permit is approved, the City would proceed to enter into a long term (25 year) lease arrangement, which would permit the Wireless Facilities to be located on City-owned property. Staff is seeking approval of the resolution delegating authority to the City Manager to negotiate the lease agreement with AT&T, conditioned upon the approval SRU permit by the City. Approval of the proposed resolution will allow the finalization of the lease agreement to be expedited following the conclusion of the SRU process.
- II. **RECOMMENDED ACTION / NEXT STEP:** Approve Resolution No. 13-09 following discussion at the July 16, 2013 regular meeting.
- III. **FISCAL IMPACTS:** If the SRU permit is approved by the City, the City will benefit from lease revenue (to be paid monthly). The lease payments are subject to negotiation.
- IV. **BACKGROUND INFORMATION:** AT&T has evaluated several sites throughout Central City and has determined to move forward with proposing to site the Wireless Facilities on adjacent to the "Greek Lots" off of Nevadaville Road. This issue was originally discussed at the July 2 worksession.
- V. **LEGAL ISSUES:** The City's SRU permit process is set forth in Chapter 16 of the Municipal Code. AT&T's application will be submitted to the Planning Commission, which will make a recommendation to City Council. City Council will ultimately have the final decision as to whether or not to grant the SRU permit. The City Attorney will also review and comment on

the proposed long-term lease. Section 14.4 of the Home Rule Charter requires that any conveyance of an interest in land (such as a long-term leasehold interest) be executed by the Mayor and attested by the City Clerk, under seal of the City. If the siting of the Wireless Facilities is ultimately approved from a land-use perspective, the Mayor will be required to execute the lease agreement.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES: N/A

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

- (1) Adopt Resolution No. 13-09, as presented;
- (2) Direct staff to make revisions to the Resolution and schedule consideration of the Resolution on a future City Council agenda; or
- (3) Reject or deny the resolution.

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 13-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO AUTHORIZING THE CITY MANAGER TO NEGOTIATE A LEASE
AGREEMENT WITH AT&T FOR LOCATION OF WIRELESS FACILITIES ON
CITY-OWNED PROPERTY; AND AUTHORIZING THE MAYOR TO EXECUTE SAID
LEASE AGREEMENT CONDITIONED ON THE CITY'S ISSUANCE OF A
SPECIAL REVIEW USE PERMIT**

WHEREAS, the City Council is authorized to enter into contracts on behalf of the City;
and

WHEREAS, AT&T (the "Applicant"), is seeking authorization from Central City to occupy and use a portion of City-owned property located off of Nevadaville Road as more specifically described in the materials submitted to the City by the Applicant (the "City Property") for purposes of locating a 75' stealth wireless telecommunications tower and related facilities (the "Wireless Facilities"); and

WHEREAS, the Applicant's proposed siting of the Wireless Facilities on the City Property is subject to land-use approval through the City's use by special review process; and

WHEREAS, the City Council desires to specifically authorize the City Manager to negotiate the terms and conditions of a lease agreement between the Applicant and the City for the City Property (the "Lease Agreement"); and

WHEREAS, the City Council further desires to specifically authorize the Mayor to execute the Lease Agreement if the Applicant is granted a special review use permit for the Wireless Facilities.

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

Section 1. The City Council hereby (a) authorizes the City Manager to negotiate the terms and conditions of the Lease Agreement authorizing the location of the Wireless Facilities on the City Property; and (b) authorizes the City Attorney, in consultation with the City Manager and the Mayor, to make such changes as may be needed to correct any nonmaterial errors or language or to negotiate such changes to the Lease Agreement as may be appropriate that do not substantially increase the obligations of the City, and (c) authorizes the Mayor to execute the Lease Agreement on behalf of the City and in accordance with Section 14.4 of the Home Rule Charter with the approval of the City Attorney.

Section 2. The Mayor shall not execute the Lease Agreement unless and until the City has authorized the location and placement of the Wireless Facilities on the City Property through the City's use by special review process.

Section 3. **Effective Date.** This Resolution shall take effect upon its approval by the City Council.

ADOPTED THIS 16th DAY OF JULY, 2013.

CITY OF CENTRAL, COLORADO

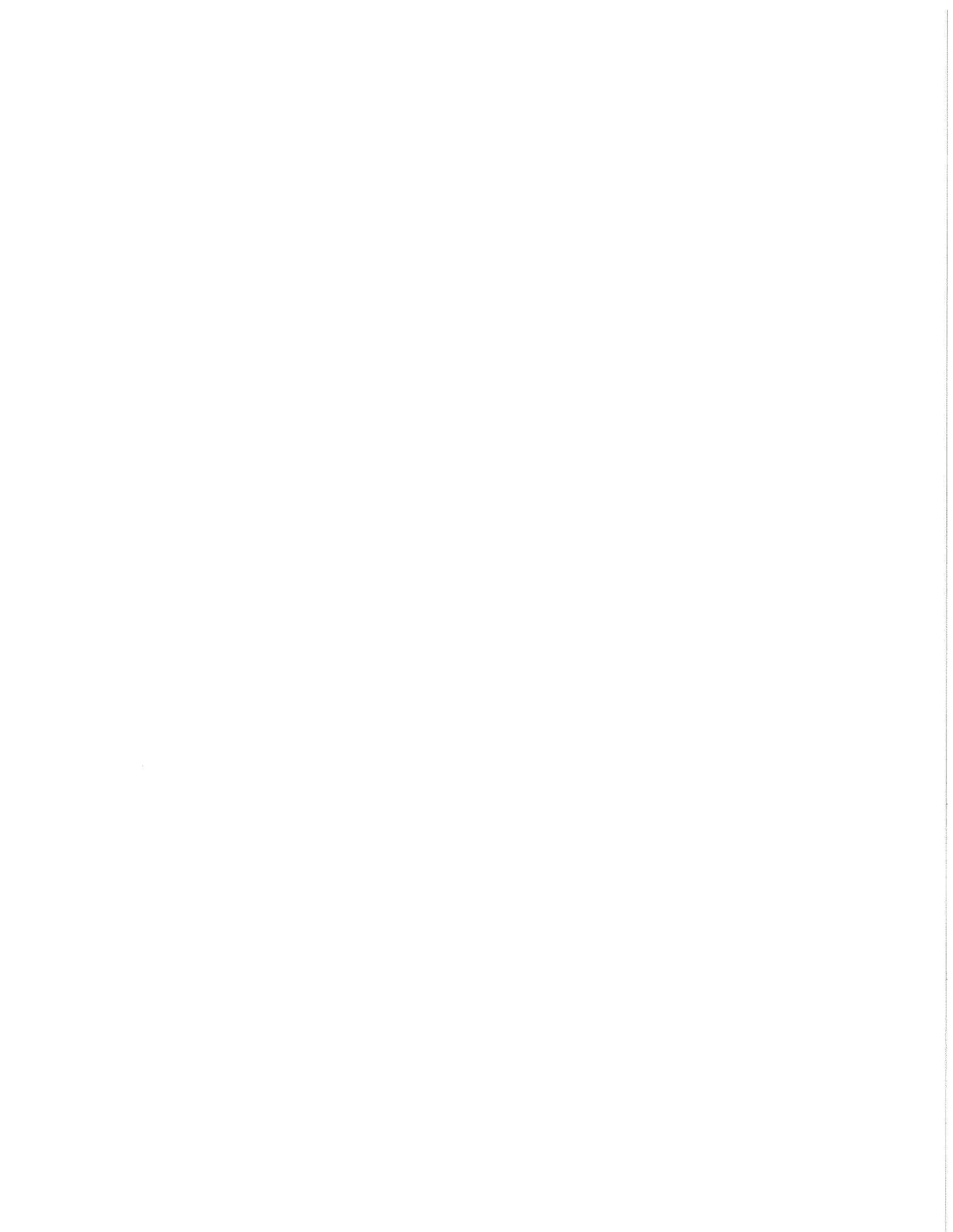
By: _____
Ronald E. Engels, Mayor

ATTEST:

APPROVED TO FORM:

By: _____
Reba Bechtel, City Clerk

By: _____
Marcus A. McAskin, City Attorney









188 INVERNESS DRIVE WEST
SUITE 400
ENGLEWOOD, CO 80112

Smartlink

PLANS PREPARED BY:



CHARLES STECKLY ARCHITECTURE, Inc.
ARCHITECTURE - PLANNING - DESIGN
5535 20TH AVENUE, SUITE 280
DENVER, CO 80202
OFFICE: 303.932.9774
FAX: 303.932.6561

PROJECT NO: C015229
DRAWN BY: SGP
CHECKED BY: SGP

REV	DATE	DESCRIPTION
B	07/16/13	CLIENT COMMENTS
A	07/09/13	CONCEPT

LEONORRE INC.

CONSULTANT:

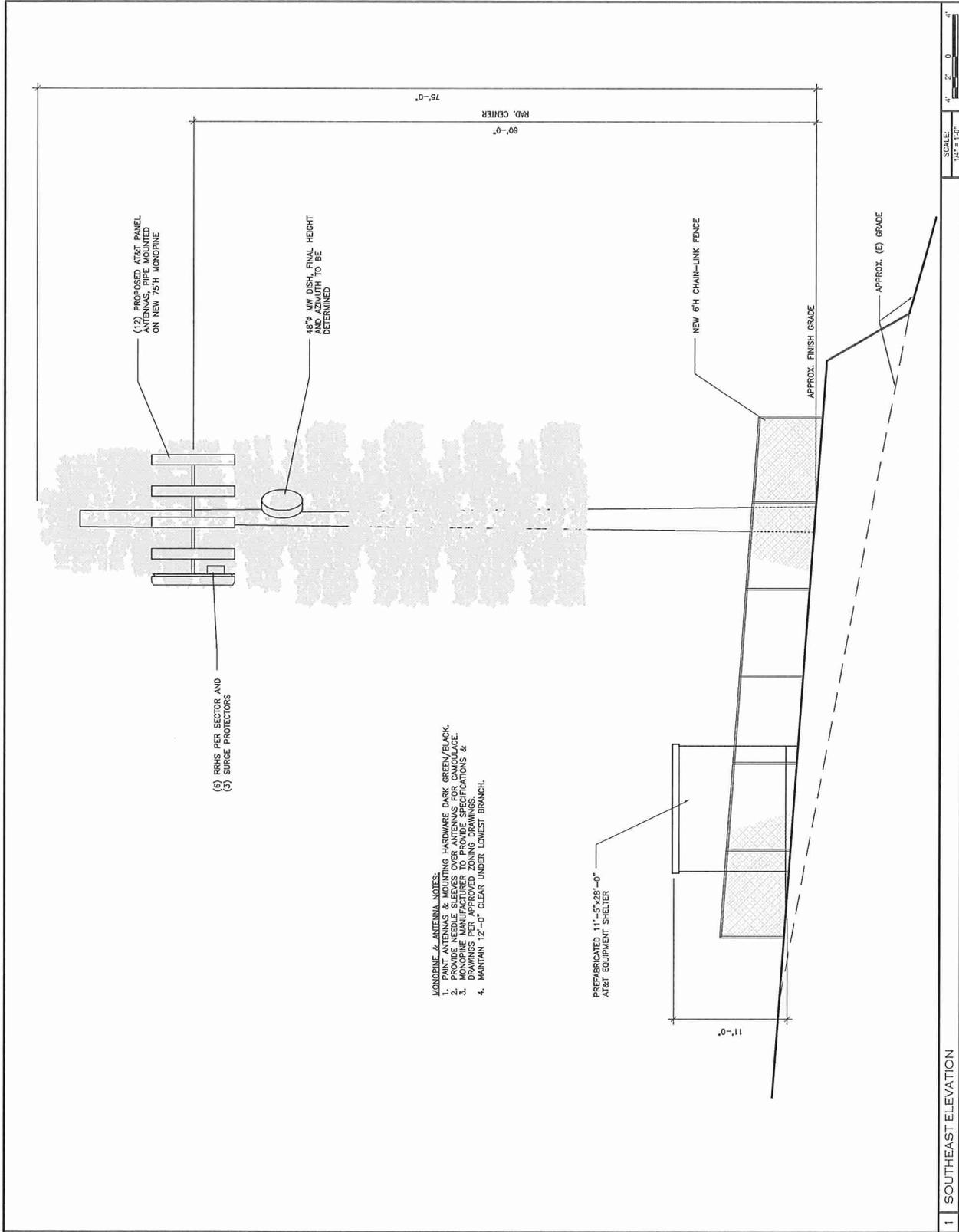
SITE NAME
CENTRAL CITY
C015229
CENTRAL CITY
COLORADO
NEW BUILD

SHEET TITLE

ELEVATION

SHEET NUMBER

C-2



(12) PROPOSED AT&T PANEL ANTENNAS, PIPE MOUNTED ON NEW 75' MONOPINE

48" MW DISH, FINAL HEIGHT AND AZIMUTH TO BE DETERMINED

(6) RISERS PER SECTOR AND (3) SURGE PROTECTORS

- MONOPINE & ANTENNA NOTES:
1. PAINT ANTENNAS & MOUNTING HARDWARE DARK GREEN/BLACK.
 2. PROVIDE NEEDLE SLEEVES OVER ANTENNAS FOR CAMOUFLAGE.
 3. MONOPINE MANUFACTURER TO PROVIDE SPECIFICATIONS & DRAWINGS FOR ANTENNA MOUNTING.
 4. MAINTAIN 12'-0" CLEAR UNDER LOWEST BRANCH.

PREFABRICATED 11'-5" X 28'-0" AT&T EQUIPMENT SHELTER

NEW 6' CHAIN-LINK FENCE

APPROX. FINISH GRADE

APPROX. (E) GRADE

1 SOUTHEAST ELEVATION

SCALE: 1/4" = 1'-0"

0 2' 4'



188 INVERNESS BLVD WEST
SUITE 400
ENGLEWOOD, CO 80112



PLANS PREPARED BY
CSAI
CHARLES STERCKY ARCHITECTURE, INC.
ARCHITECTS AND ENGINEERS
3033 SOUTH ZANG STREET, SUITE 2300
LITTLETON, COLORADO 80127
TEL: 303.932.9974
FAX: 303.932.8561

PROJECT NO: COU5229
DRAWN BY: SCP
CHECKED BY: SCP

REV	DATE	DESCRIPTION
B	07/19/13	CLIENT COMMENTS
A	07/09/13	CONCEPT

CONSULTANT:

SITE NAME:
CENTRAL CITY
COU5229
CENTRAL CITY
COLORADO
NEW BUILD

TITLE SHEET

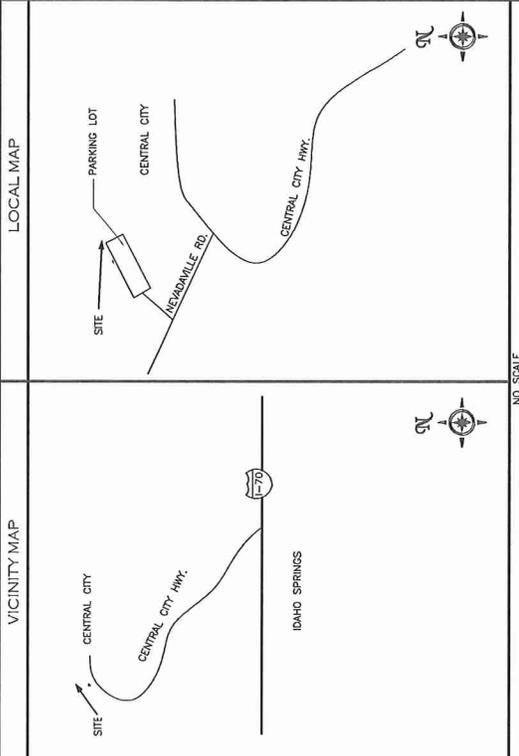
SHEET NUMBER:
T-1

APPROVALS
THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AS SHOWN ON THESE PLANS. ALL DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND MAY IMPOSE CHANGES OR SITE MODIFICATIONS.
AT&T COMPLIANCE: _____ DATE: _____
AT&T RF ENGINEER: _____ DATE: _____
AT&T OPERATIONS: _____ DATE: _____
AT&T PM: _____ DATE: _____
CONSTRUCTION: _____ DATE: _____
SITE ACQ: _____ DATE: _____
SITE OWNER: _____ DATE: _____

DRAWING INDEX

SHEET	TITLE
T-1	TITLE SHEET
C-1	SITE PLAN
C-2	ELEVATION

CENTRAL CITY
NEVADAVILLE RD & ACADEMY ST.
COU5229
FA:12775377
CASPR:TBD



DRIVING DIRECTIONS
DIRECTIONS FROM NEAREST AT&T OFFICE:
I-70 WEST TO DAKOTA SPRINGS
EXIT CENTRAL CITY HWY
LEFT ON NEVADAVILLE RD, BEFORE CENTRAL CITY
TO END OF PARKING LOT TO SITE ON THE LEFT.

DO NOT SCALE DRAWINGS
SUBCONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME

UNDERGROUND SERVICE ALERT
UTILITY NOTIFICATION CENTER OF COLORADO
(800) 822-1987
WWW.UCC.ORG

3 WORKING DAYS UTILITY NOTIFICATION PRIOR TO CONSTRUCTION

ENGINEERING
2012 INTERNATIONAL BUILDING CODE
I/A/E/A-222-5 OR LATEST EDITION

GENERAL NOTES
THE FACILITY IS UNMANNED AND NOT FOR HUMAN OCCUPANCY. THE PROJECT IS FOR ROUTINE MAINTENANCE. THE PROJECT WILL NOT RESULT IN ANY SIGNIFICANT DISTURBANCE OR EFFECT ON DRAINAGE, NO SANITARY SEWER SERVICE, AND NO COMMERCIAL SIGNAGE IS PROPOSED.

PROJECT DESCRIPTION
THE PROJECT CONSISTS OF THE INSTALLATION AND MAINTENANCE OF ANTENNA AND ASSOCIATED EQUIPMENT CABINETS FOR AT&T'S WIRELESS TELECOMMUNICATIONS NETWORK.

SITE INFORMATION
PROPERTY OWNER: CENTRAL CITY, CO 80427
ADDRESS: 141 NEVADA ST., CENTRAL CITY, CO 80427
SITE NAME: CENTRAL CITY
SITE NUMBER: COU5229
SITE ADDRESS: NEVADAVILLE RD & ACADEMY ST., CENTRAL CITY, CO 80427
COUNTY: GIPLIN COUNTY
LATITUDE (NAD 83): 38.799942 N
LONGITUDE (NAD 83): -105.51622 W
ZONING JURISDICTION: CITY OF CENTRAL
ZONING DISTRICT: LCC LIMITED COMMUNITY COMMERCIAL
PARCEL #: 183512300037
OCCUPANCY GROUP: U
CONSTRUCTION TYPE: V-B
POWER COMPANY: XCEL
TELEPHONE COMPANY: CENTURILINK
RF ENGINEER: WINNIE LAI
720.412.9905
SITE ACQUISITION MANAGER: DALE HADLEY
CENTURILINK
CELL: 801.360.3942
ARCHITECT: CSAI
3035 S. ZANG ST., SUITE 280
LITTLETON, CO 80120
OFFICE: 303.932.9974

DRAWINGS ARE TO SCALE AT 24x36
USE BAR SCALE FOR 11x17 PLOTS



AGENDA ITEM # 11

CITY COUNCIL COMMUNICATION FORM

FROM: Robert Fejeran, City Planner

DATE: July 11, 2013

ITEM: Resolution No. 13-10: Great Outdoors Colorado Grant. Resolution for Great Outdoors Colorado (GOCO) Local Parks and Outdoor Recreation grant to show support and commitment for the Central City Chase Gulch Reservoir Trail Park Improvements.

ORDINANCE
 MOTION (TO APPROVE RESOLUTION)
 INFORMATION

-
- I. **REQUEST OR ISSUE:** Central City will be submitting a grant application to Great Outdoors Colorado (GOCO), requesting a GOCO grant in the amount of \$220,337. If awarded, the grant funds will be used to complete the Central City Chase Gulch Reservoir Trail improvements that will provide enhanced recreational and park facilities to the public (the "Project"). As part of the grant application process, GOCO requires a City Council resolution expressing support for the grant application process and completion of the Project.
 - II. **RECOMMENDED ACTION / NEXT STEP:** Approve Resolution No. 13-10 following discussion at the July 16, 2013 regular meeting.
 - III. **FISCAL IMPACTS:** If the grant is approved, the City will receive \$220,337 from GOCO to be used toward the completion of the Project in 2014.
 - IV. **BACKGROUND INFORMATION:** The Chase Gulch Reservoir was designed in 2006 but the Project has not been implemented due to funding and budget constraints. The City's trail master plan was updated and identified the Project as a priority capital improvement project for the City. If the grant is awarded, the City will be in a position to commence the construction of the Project.
 - V. **LEGAL ISSUES:** N/A.
 - VI. **CONFLICTS OR ENVIRONMENTAL ISSUES:** The Project was designed by DHM and Environmental Specialist, Wright Water Engineers, ensuring that the Project is environmentally friendly and provides re-vegetation, parking, and trail development along specified portions of the Chase Gulch reservoir perimeter. City residents have voiced a high level of local support for the Project. There are no known conflicts or environmental issues.

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

- (1) Adopt Resolution No. 13-10, as presented;
- (2) Direct staff to make revisions to the Resolution and schedule consideration of the Resolution on a future City Council agenda; or
- (3) Reject or deny the resolution.

**CITY OF CENTRAL, COLORADO
RESOLUTION NO. 13-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CENTRAL,
COLORADO SUPPORTING THE CITY'S GREAT OUTDOORS COLORADO (GOCO)
GRANT APPLICATION FOR THE CHASE GULCH RESERVOIR TRAIL PARK AND
SUPPORTING THE COMPLETION OF SAID PROJECT CONDITIONED UPON
AWARD OF THE GOCO GRANT**

WHEREAS, City Staff has submitted a grant application to Great Outdoors Colorado ("GOCO") for the Central City Chase Gulch Reservoir Trail Park (the "Project"); and

WHEREAS the grant application requests a GOCO grant in the amount of \$220,337 for assistance in completing the Project; and

WHEREAS, if the GOCO grant is awarded, the City County supports the timely completion and continued maintenance of the Project.

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

Section 1. The City Council strongly supports the GOCO grant application. The City has, or will, appropriate sufficient matching funds to enable the Project to be timely completed following the award of the grant requested.

Section 2. If the \$220,337 grant is awarded, the City Council strongly supports the completion of the Project.

Section 3. The City of Central authorizes the expenditure of funds necessary to meet the terms and obligations of any GOCO grant awarded for the Project, following said funds being appropriated by the City for said purpose.

Section 4. The real property on which the Project will be located is owned by the City, and will be owned by the City for a minimum of 25 years following the date on which the City and GOCO enter into the grant agreement.

Section 5. The City agrees that reasonable public access shall be provided to the Project if the City is awarded the GOCO grant specified in this Resolution.

Section 6. Conditioned upon award of the GOCO grant, the City will continue to maintain the Project in a high quality condition and will appropriate necessary funds for said maintenance in the City's annual budget.

Section 7. If the grant is awarded, the City Council hereby (a) authorizes the City Manager or the Mayor to execute the grant agreement with GOCO; and (b) authorizes the City Attorney, in consultation with the City Manager and the Mayor, to make such changes as may be

needed to correct any nonmaterial errors or language or to negotiate such changes to the grant agreement as may be appropriate that do not substantially increase the obligations of the City.

Section 8. **Effective Date.** This Resolution shall take effect upon its approval by the City Council.

ADOPTED THIS 16th DAY OF JULY, 2013.

CITY OF CENTRAL, COLORADO

By: _____
Ronald E. Engels, Mayor

ATTEST:

APPROVED TO FORM:

By: _____
Reba Bechtel, City Clerk

By: _____
Marcus A. McAskin, City Attorney



AGENDA ITEM # 12

CITY COUNCIL COMMUNICATION FORM

FROM: Alan Lanning, City Manager

DATE: 07/16/2013

ITEM: Gilpin County Emergency Services Council

NEXT STEP: Council Discussion

ORDINANCE
 MOTION
 INFORMATION

I. REQUEST OR ISSUE:

We are requesting Council appoint a Council member to serve in an advisory capacity for the Gilpin County Emergency Services Council. The by-laws are attached.

II. RECOMMENDED ACTION / NEXT STEP:

Appoint a Council member to the Council to serve in an advisory capacity.

III. FISCAL IMPACTS:

None.

IV. BACKGROUND INFORMATION:

This group was re-formed and the City was asked to appoint two members to the group. Some time back, the Council appointed Chief Krelle and Chief Allen to serve on the Council. After the re-formation of the group, it is requested each entity appoint and elected official, to serve in an advisory capacity and that would

be coordinated with Chief Krelle and Chief Allen, but would not rise to the level of a standing committee.

V. LEGAL ISSUES:

The GCSEC has asked for the formal appointment of an elected official.

VI. CONFLICTS OR ENVIRONMENTAL ISSUES:

None.

VII. SUMMARY AND ALTERNATIVES:

Appoint a Council member.

Seek other alternatives/direction.

Article I: Organization

Section 1.01: Name

The name of this council shall be the Gilpin County Emergency Services Council (GCESC).

Section 1.02: Boundaries

The boundaries for the GCESC will be the county boundaries for Gilpin County. The boundaries can be amended by a two-thirds vote, provided that quorum is present.

Article II: Vision and Mission

Section 2.01: Vision Statement

The vision of the GCESC is to be a community leader in advocacy for our community through the coordination and planning of emergency personnel, support services and community volunteers.

Section 2.02: Mission Statement

The mission of the GCESC is to serve the community and elected officials of Gilpin County through effective leadership and planning for all-hazard incidents, particularly those whose scale, timing, or unpredictability threatens to overwhelm routine activities.

Section 2.03: Purpose

The purpose of the GCESC is to provide a forum for cooperation, communication, and coordination among the agencies providing emergency and support services to the community of Gilpin County. These agencies are comprised of the primary and advisory members of the GCESC defined in Article III and specifically designated in Appendix A. The GCESC shall serve as the Gilpin County Local Emergency Planning Committee as mandated in C.R.S. 24-22.5-1504.

Article III: Membership

Both primary members and advisory members are considered members of the GCESC. The specifications of their membership responsibilities and privileges are outlined below.

Section 3.01: Primary Members

Primary Members are those agencies identified as such in Appendix A and serve the community of Gilpin County. Primary Members will have voting privileges, must follow these bylaws and are expected to send a representative to attend each meeting.

Agencies can become Primary Members by a request in writing from two (2) current Primary Members. Current Primary Members may also be removed by a request in writing from two (2) current Primary Members. These requests should be presented to the chairperson, and approval or denial of request will be determined by the current Primary Members. The GCESC will review the roster of Primary Members annually.

Each Primary Member will select one person from their agency to become their representative on the GCESC and attend all meetings. If the agency representative cannot attend, they will appoint an alternate to serve in their place. Alternates will identify themselves and their role during role call at the beginning of the meeting.

Failure to provide representation to three consecutive meetings may be grounds for loss of Primary Member status.

Section 3.02: Advisory Members

Advisory Members are those agencies identified as such in Appendix A and serve the community of Gilpin County. Advisory Members are considered GCESC members; however they do not have voting privileges, are requested to follow these bylaws and can send a representative to attend each meeting. An agency can become an Advisory Member by presenting a written request to the chairperson. Approval or denial of request will be determined by the current Primary Members.

Section 3.03: Subject Matter Experts

Due to the multi-disciplinary nature of all-hazard incidents, the GCESC will identify on an on-going basis subject matter expert (SME) partners. These SME partner agencies and individuals can be invited to attend the GCESC meetings and participate in a limited, as-needed, advisory capacity by the chairperson or by a Primary Member or Advisory Member. SMEs are not members of the GCESC, they do not have voting privileges and are requested to follow these bylaws when participating.

Article IV: Committees

Committees may be established for specific planning efforts. These groups may meet only once or on an ongoing basis. All products created by the committees are subject to final approval by the Primary Members of the GCESC. The chairperson may serve on any committee that they choose at their discretion.

Section 4.01: Homeland Security

This committee will work in cooperation with the members to submit grants to the North Central Region of Homeland Security, as well as other grants deemed appropriate.

Section 4.02: Training

This group will coordinate trainings and work to set up new trainings.

Article V: Officers

Officers of the GCECS will be a chairperson, vice chairperson, and secretary. All officers must be from a Primary Member agency and represent three distinct agencies. These officers must be elected by the Primary Members. Officers will be elected by a paper ballot at the first meeting of every odd numbered calendar year. Officers will be elected for a term of two (2) years. Elected Officers will not be term limited.

Section 5.01: Chairperson

The chairperson will preside at all meetings of the GCECS. The chairperson will provide all GCECS members with an agenda for the next meeting, at least 72 hours prior to that meeting. The chairperson will also function as the contact for the GCECS and complete any other duties outlined in these bylaws. The chairperson shall vote only to break a tie vote.

Section 5.02: Vice Chairperson

The vice chairperson will preside in the absence of the chairperson, and will perform any other duties assigned by the chairperson or the GCESC's Primary Members.

Section 5.03: Secretary

The secretary will preside in the absence of both the chairperson and vice chairperson. The secretary will keep the minutes of the meetings of the GCESC and attendance records, and will supply all members with a copy of the minutes within twenty-one (21) days of the meeting. In the absence of the secretary, the chairperson may appoint a member to keep minutes. The secretary will also maintain a contact list for all GCESC representatives.

Article VI: Meetings

The GCECS shall have one general meeting on the fourth Thursday of each month. Agencies will rotate hosting the meetings.

Section 6.01: Establishment of Presence of Agencies at GCECS Meetings

In order for a Primary Member to be considered present, a representative from that agency must be physically in attendance at the beginning of the meeting.

Section 6.02: Voting & Quorum

Recommendations of the GCECS will be based on a majority vote of the Primary Members. Primary Members that are considered present at a meeting may vote at that meeting. Each Primary Member will have one (1) vote. A quorum must be achieved for a vote to take place. For voting purposes, a quorum will be considered 50% of the Primary Members, unless otherwise outlined in these bylaws. Members may not vote by conference call, absentee vote, or proxy vote.

This council can and should make recommendations for each Primary Member to enhance the service provided, either as a single resource or in an effort to streamline unified command at a major incident. This council can NOT set and/or mandate policy, guidelines, or procedures for any Primary or Advisory Member.

Section 6.03: Meeting Types

Section 6.03.01: General Meetings

A general meeting is one that includes all members of the GCECS (Primary Members and Advisory Members) and invited SME. Agenda includes items related to all agencies, including reports from the Emergency Manager, grants, training groups, other sub-committee(s), and reports from each agency.

Section 6.03.02: Executive Meetings

An executive meeting is a special session meeting that follows the general meeting when requested by a Member Agency. This meeting is considered confidential and includes those Primary and Advisory Members involved with item(s) to be discussed.

Section 6.03.03: Special Meetings

Special meetings may be called by the chairperson, at the request of two (2) or more Primary Members. The chairperson will notify all if the GCECS members at least two (2) days prior to special meetings. Unless otherwise indicated by the chairperson, special meetings will follow the same rules as a general meeting.

Section 6.04: Conduct of Meetings

All GCESC meetings will be called to order, conducted, and adjourned by the chairperson. Common courtesy will guide the conduct of members at the GCESC meetings. The chairperson may limit the time for which any speaker may have the floor to address the GCESC.

Section 6.05: Meeting Confidentiality

This group is not bound by the Colorado Open Meetings Act and therefore meetings will not be posted publicly. The Council will provide a copy of general meeting minutes and/or a summary document to Primary and Advisory Members. GCESC members may provide information and recommendations from these meeting to the agencies that they represent.

Section 6.06: Meeting Attendies

General meetings are only open to Primary Members, Advisory Members, SMEs and those invited by a Primary Member with a timely request to the chairperson.

Section 6.07: Cancelling and Rescheduling of Regular Meetings

The meeting date and/or location may be changed with notice given to all members at least (2) two weeks before the meeting (or with less notice if circumstances warrant).

Article VII: Compensation

GCESC agencies will not receive any compensation for their services on this council.

Article VIII: Amendments

Unless otherwise stated, these bylaws can be amended by a two-thirds (2/3) vote of all Primary Members, provided that notice of the proposed amendment was made at the previous meeting, or was made in writing to all GCESC members two (2) weeks prior to action on the proposed amendment. The Amended Bylaws will become effective upon approval.

Article IX: Calendar

The GCESC will follow the calendar year, beginning in January and ending in December.

Article X: Sustainability

In order to promote on-going sustainability, GCESC will annually review these bylaws to determine that the purpose and processes of this council are in the best interest of the vision and mission of the council, and that the vision and mission are still relevant. Changes should be made as needed to promote the best interest of all GCESC Primary Members and the communities they each serve.

Article XI: Response

The GCESC will function as a planning council and the council will have no formal response responsibilities.

Article XII: Fiscal Policies

GCESC will not have or make any fiscal commitments, with the exception of those dictated by grants. This article may be amended at any time if needed, by a two-thirds (2/3) vote, provided that quorum is present. However, if an amendment made to this article must also include an amendment to Article X to address financial sustainability.

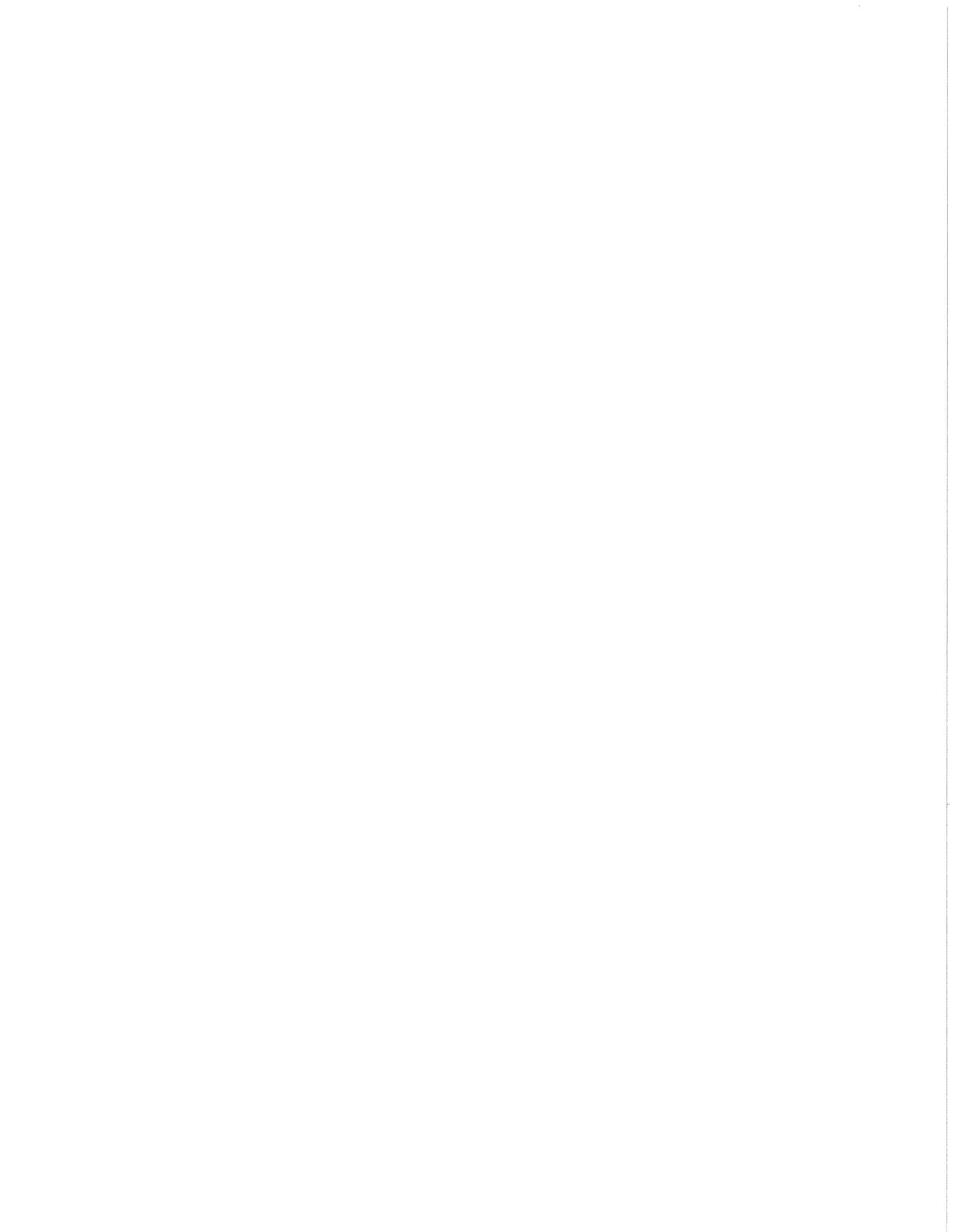
APPENDIX A: GCESC Members

Primary Members (Voting Agencies)

1. Black Hawk Fire Department	ESF-4
2. Black Hawk Police Department	ESF-13
3. Central City Police Department	ESF-13
4. Central City Fire Protection District	ESF-4
5. Colorado Division of Gaming	ESF-13
6. Colorado State Patrol	ESF-13
7. Coal Creek Canyon Fire Protection District	ESF-4
8. Gilpin County Ambulance Authority	ESF-4
9. Gilpin County Emergency Manager	ESF-5
10. Gilpin County Public Health	ESF-8
11. Gilpin County Sheriff's Office	ESF-13
12. Golden Gate State Park	ESF-13
13. Timberline Volunteer Fire Protection District	ESF-4

Advisory Members (Non-Voting Agencies)

1. American Red Cross	ESF-6
2. Black Hawk City Council Representative	ESF-14
3. Black Hawk Road & Bridge	ESF-1
4. Casino District Representative	ESF-14
5. Central City Council Representative	ESF-14
6. Central City Road & Bridge	ESF-1
7. Colorado Dept of Transportation	ESF-1
8. Colorado Forest Service	ESF-11
9. Gilpin County Animal Rescue Team	ESF-11
10. Gilpin County Board of County Commissioner's Representative	ESF-14
11. Gilpin County Dept. of Human Services	ESF-6
12. Gilpin County Public Works	ESF-1
13. Local Business Representative	ESF-14
14. Salvation Army	ESF-6
15. U.S. Forest Service	ESF-11



DATE: July 12, 2013

TO: Alan Lanning, City Manager
Mayor & Council

FROM: Shannon Flowers, Finance Director/Treasurer

Following is an update of the Finance Department's activities from Friday, June 28th through Friday July 12th ..

- Began June Bank Reconciliation
- Began preparing 2014 Budget worksheets for department directors
- Prepared Device Fee invoices for July
- Worked with City Attorney on personnel Unemployment issue
- Made revisions to Volunteer Firefighter Length of Service Plan
- **Still have not received the BID's audit or even draft audit.**
- Talked with City banks about possibilities for short term loan options
- Investigated status of old outstanding checks to be turned over to the State
- Prepared check listing
- Processed Bi-weekly payroll and all associated tax and retirement filings
- Finance Clerk Processed Accounts Payable
- Finance Clerk processed Accounts Receivable and prepared weekly deposits
- Finance Clerk administered Court

City Clerk's Office

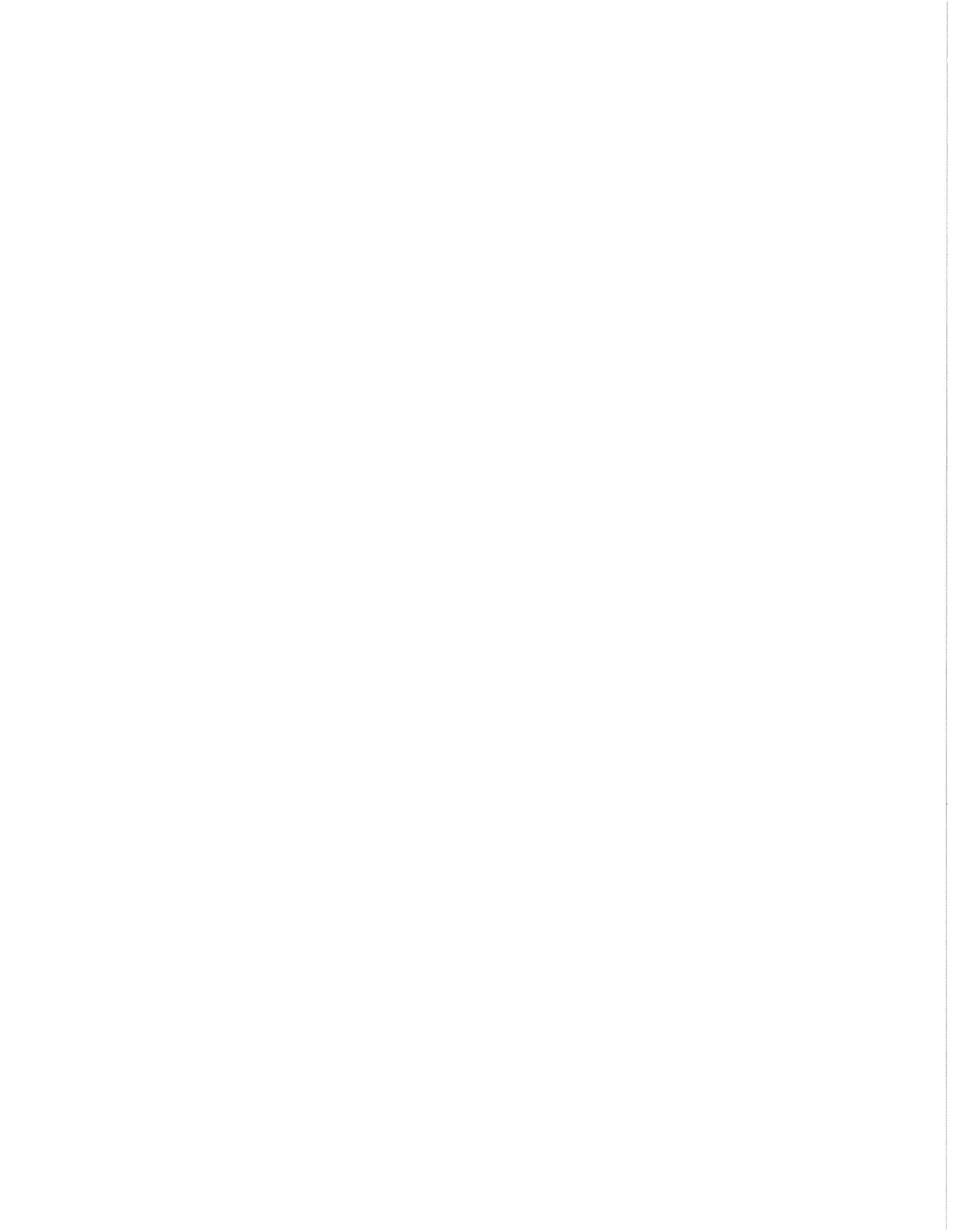
To: City Manager Alan Lanning, Mayor Engels, and City Council

From: Reba Bechtel, City Clerk

Date: July 16, 2013

Re: Bi-weekly Report

- Council minutes and packet prep
- HPC minutes and packet prep
- Attended HPC meeting as recording secretary
- Liquor renewals processed and issued for:
Dostal Alley
- Attended the 1-70 Coalition meeting at the Teller House on the 11th.
They asked us as new members to host a meeting. It was interesting
to have Central City as a part of that very important conversation.



To: Alan Lanning, City Manager

From: Terry Krelle, Chief of Police

Date: July 11, 2013

Subject: Weekly Report – Week Ending 07-12-13

Weekly Statistics:

Report Period:	Current Period	YTD	2012	2011	2010	2009
April 7, 2013 to July 7, 2013						
ACTIVITY:						
Assist other Agency	17	46	168	141	175	166
Assist by other Agency	0	0	2	4	3	25
Drugs	1	7	16	14	11	4
Forgery/Fraud	0	3	10	4	6	9
Thefts	12	36	65	47	54	32
Crimes Against Persons	25	63	97	100	89	64
Crimes Against Property	12	37	47	36	55	62
Patrol-Chase Gulch Reservoir/Parks	61	168	733	768	660	662
Arrests	29	67	118	69	56	44
Intoxicated Parties/Detox Sobriety Checks	37	109	223	219	261	118
TRAFFIC:						
DUI/DUID	7	12	2	7	5	5
Traffic Accidents	10	50	83	42	47	56
Traffic Citations	105	219	337	334	262	140
Traffic Warnings	342	702	793	560	603	726
ORDINANCE						
City Ordinance Violations	36	68	143	190	192	242
ALL OTHER CASES	77	242	707	817	774	1148
Residential Patrols	403	812	2529	1917	1342	1506
Prospector's Run Patrols	69	160	388	317	339	669
TOTAL CASES	1243	2804	6511	5926	4934	5638

Calls for Service this period: 2092

2012 Calls for Service: 9425

2010 Calls for Service: 7153

2008 Calls for Service: 9126

2013 Year to Date Calls for Service: 4867

2011 Calls for Service: 7512

2009 Calls for Service: 7219

STATISTICS

These statistics reflect reports and calls for service taken by the officers.

CALLS OF INTEREST

During the period, there have been eighteen parking tickets written, most were for vehicles parked in no parking zones. On 05/06, an officer received a report of a suicidal party at D and Lawrence Streets. The officer responded and found a female in her car. The female was transported to the hospital for a mental health evaluation. On 05/07, a car that failed to stop at the stop sign at Spring and Gregory Streets was stopped. It was determined that the driver was intoxicated. The driver was arrested and jailed for DUI; his BAC was over twice the legal limit at .161. On 05/09, a purse was stolen from the trunk of a car in the Century parking structure. Officers were able to track down several leads and after an extensive investigation, three arrests have been made. On 05/09, a rollover accident occurred on the Parkway. Upon investigation, it was determined that the driver was intoxicated. The subject was hospitalized for his injuries, but was issued summonses for DUI. The toxicology showed the subjects BAC to be .354. On 05/29, an officer responded to a disturbance involving five people at an apartment in Gold Mountain Village. The subjects were in a dispute over the dumping of trash. The issue was resolved with no arrests. On 06/01, an officer responded to Dostal Alley on a report of a theft of the tip jar. The suspect was located and arrested. On 06/03, a vehicle was stopped for speeding on the Parkway. The driver was determined to be intoxicated and was arrested and jailed. The subject's BAC was .323.

TRAINING

All officers attended firearms training and qualification over the period.

MISC.

I have conducted normal weekly administrative duties. I have been updating the Police Department web page and procedure manual. We have been testing applicants for our vacant officer position.

PARKWAY ISSUES

This past reporting period, there were two accidents on the Parkway. Since the road has opened, we have issued 4716 warnings; most were for speeding.

This period:
144 Warnings, 59 Summonses

Since opening day, November 19, 2004

Written Warnings	Traffic Summons
4716	1576