

SPECIAL MEETING

- I. CALL TO ORDER
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL
- IV. APPROVAL OF AGENDA
- V. EXECUTIVE SESSION
- VI. PUBLIC COMMENT

Public comment is intended for members of the public wishing to address the Board of Trustees about matters that are not listed for discussion on the agenda. Comments will be taken under advisement by the Board but no decisions will be made. At its discretion, the Board may elect to place a matter raised under public comment on a future agenda for further discussion and possible action.

- VII. PRESENTATIONS

- VIII. CONSENT AGENDA

- a. June 20th, 2023 Regular Meeting Minutes
- b. Parade Permit Application from Snowshoe Shuffle 5k Run/Walk for 5k Run/Walk
- c. Special Events Permit from Creede Underground Mining Museum to serve malt, vinous and spirituous liquor @ Virginia Christensen Multi-Use Facility between the hours of 5:30 PM - 11:00 PM on 8/12/2023 for the FOMCES banquet

- IX. BOARD INFORMATION ITEMS

- a. Staff Reports

- X. NEW BUSINESS

- a. Consideration and possible approval of City of Creede Resolution No. 2023-23, “A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, COLORADO AUTHORIZING STAFF TO PREPARE AND SUBMIT AN APPLICATION FOR FUNDING TO THE DOLA MAIN STREET LIVE INITIATIVE GRANT PROGRAM IN THE AMOUNT OF \$1.5M TO SUPPLEMENT AND EXPAND THE CDOT REVITALIZE MAIN STREET GRANT PROJECT”;

OPEN TO THE PUBLIC

POSTED 7/13/2023

b. Consideration and possible approval of City of Creede Resolution No. 2023-24, “A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, COLORADO AMENDING THE CITY OF CREEDE 2022 ANNUAL BUDGET”;

c. Consideration and possible approval of City of Creede Resolution No. 2023-25, “A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, COLORADO SELECTING GMS, INC. AS THE PROJECT DESIGNER FOR THE CDOT REVITALIZING MAIN STREET IMPROVEMENT PROJECT”;

XI. OLD BUSINESS

XII. BOARD REPORTS

XIII. ADJOURN

**PUBLIC WORKS DEPARTMENT
STAFF REPORT
July 2023**

Streets:

- Filled in potholes on S. Rio Grande near 149 intersection, W. 3rd at Main, Railroad Ave near 149, alley behind the “Downstream Gas & Mercantile”, E. 1st, W. 4th, E. 5th at La Garita, and the alley between N. Main and N. Loma
- Took down the 4 Senior banners along Main Street for the Creede School District and installed the Chamber of Commerce summer banners
- As requested by the Sheriff’s Department, installed yellow edge lines on the bridge on Wall Street, along with “No Parking” signs. Also constructed a safety fence in the right of way along the bend (on the West Sid) of the intersection of Wall Street and La Garita Ave, installed “No Parking” signs there as well.
- Installed “No Parking” signs on the Tomkin’s Hardware fence along the right of way on N. Loma Ave (East Side)
- Checked for fallen tree branches, etc. after high winds, removed as necessary, and straightened street signs and/or posts as needed
- Street sweeping throughout the City every Friday morning, as well as the Sunday morning after the “Donkey Dash” event

Water System:

- Replaced a 3’ section of ¾” waterline from the main to the curb shutoff valve at 1207 Gnome Hill Rd, due to low pressure being reported
- Repaired the curb shut off valve at 1010 La Garita Ave (braced & raised the outer stem)
- Performed repairs at Basham Park’s sprinkler system, continued to troubleshoot zone 3 & 4
- Ordered a replacement for the fire hydrant on E.6th Street at La Garita Ave and awaiting delivery. Installation will be performed upon delivery. (tentatively the end of July now)
- Installed packing in both booster pumps at the WTP, Al reviewed the technique with Dave and Jim
- Turned water on as requested at 111 E. 2nd Street (actually cancelled upon arriving on site however)
- Performed a water meter pit installation inspection at 1207 Gnome Hill Rd (Gray)
- Located and raised the curb shutoff valve at 1010 La Garita Ave (Romero Property)
- Responded/marked CO 1 Calls when received
- Performed water meter readings at 3 required locations in the City
- Performed water sampling as required by CDPHE throughout the Water System
- Replaced a 55-gallon drum of Sodium Hypochlorite at the WTP
- Continued to work with ORC Fred Hand on the requirements set forth by the CDPHE and meeting those requirements on a timely basis

**PUBLIC WORKS DEPARTMENT
STAFF REPORT
July 2023**

Wastewater System:

- Replaced both 10" canal gate valves in the manhole at the influent to Lagoon #1 of the WWTP
- Fabricated a new manhole lid at the WWTF inlet to lagoon #1 to aid in sampling processes
- Submitted the monthly WWTP update to the CDPHE as now required by NOV/CDO letter
- Continued to take Zinc & Cadmium wastewater samples at (4) manhole locations throughout the City for comparison to previous readings prior to the Phase 1 Sewer Upgrade project.
- Performed weekly wastewater sample studies at the WWTP as required by the CDPHE
- Responded/marked CO 1 Calls when received
- Continued to meet with ORC (Operator Responsibly in Charge) Water/Waste Water Operator Fred Hand to discuss general functions and operations of the Water and Wastewater treatment systems, verifying that all samples are being submitted in a timely and correct manner
- Continued to manually perform daily flow, temp. and Ph readings, as well as with the SCADA system, as required by the CDPHE
- Began the application of the BioScrubber PBII to the Northern most section of the WW system, and at the lagoons in order to aid in reducing any buildup of grease, fats, and oils, and to help reduce the Total Ammonia levels

Water & Wastewater Projects:

- 1) GMS Engineering advertised the Phase 3 sewer upgrade project. There was one bid for the project (Gardner Excavating), which came in well above the estimated costs. This bid was not accepted and GMS is working with the City and other known contractors to submit new bids on the project, with the time line extending into the early spring of 2024.

Storm Water:

- Cleaned inlets and outlets of culvert pipes on Bee McClure at Helfin Lane
- Trimmed the grass in the ditch line on Loma from K Belle down to 6th Street

Equipment/Assets:

- Installed a new rear 3" diameter LED light, and the short & long runners on the '98 Pellican Street sweeper
- Greased the backhoe and wheel loader

**PUBLIC WORKS DEPARTMENT
STAFF REPORT
July 2023**

Parks & Buildings:

- Removed a wooden desk, installed shelving, hung a bulletin board, and installed LED light bulb upgrades in the Administration Office at Town Hall. Also remounted the paper towel holder in the Admin bathroom
- Public Works crew installed a new “Wall Hydrant” spigot on the South end wall of the Rec Center
- Applied topsoil and grass seed, and weed & feed to the outfield portion of the ball field at Hargrave’s Park, and low area at Basham Park
- Removed the Christmas lights on the cotton wood trees in Basham Park (only the ones reachable by 10’ step ladder) and put into storage for the next holiday season
- Installed road base for a level floor surface and constructed a metal tool shed at the Creede Community Center Garden
- Scott submitted a cost estimate and a brief report to Louis in April on the installation of a new roof at the Chamber of Commerce Visitor’s Center. There was only one contractor that responded to the RFP’s (Request for Proposals) and Sunset Construction presented a cost of \$20,500. This matter is now being presented to the Chamber of Commerce, as per the original maintenance agreement with the City.
- Installed a new ball valve for the hot water in the utility room at Hargrave’s Restroom building
- Applied wax remover, then cleaned and polished the floors of the restrooms at Basham Park
- Marked all the sprinkler heads at Hargrave’s Park baseball field prior to the “Run Off- Run Off” event to prevent damage
- Installed the solar powered landscape lights along the walking trail from Sieme Park down to W. 2nd Street
- Started all generators and topped off with gas in preparation for the 4th of July events
- Moved 4 picnic tables to the gravel parking lot for the 4th of July events, along with the “Bouncy House”, safety mats, mounting stakes, pump, and easy up tent
- Installed the 2 pavilion tents for eating over the 4 picnic tables
- Took all metal barricades to Basham Park and K Belle parking lot for the weekend set up for the 4th of July events
- Cut grass as needed at all park facilities, townhall, and around the PW garage. “Dragging” of the infield of the baseball field at Hargrave’s Park was performed as needed as well
- Continued to clean Basham Park, Hargrave’s, and the REC Center restroom facilities

Projects/Upcoming Projects:

1. Louis and Scott continue to meet with Rentricity via zoom meetings on the Micro-Hydro Project. This project’s construction start date has not been officially established at this time, but it is moving forward presently. More info to come....

**PUBLIC WORKS DEPARTMENT
STAFF REPORT
July 2023**

2. RMS Utilities finished the post construction camera evaluations of the new sewer pipe installed on the Phase 2 Sewer Upgrade Project. SGM will provide an update on the review of the camera evaluations presented. Finalization of the project is now scheduled to be completed in July.
3. GMS has continued to work with Scott, Louis, and CDOT on the Main Street sidewalk safety project (crosswalks and sidewalk ramp upgrades from approximately 3rd Street up to N. 1st Street), and CDOT's "Revitalizing Main Streets" grant. Efforts made to combine these 2 projects were successful and this project is scheduled to begin possibly in 2024. (Sewer upgrades (Phase 4) will need to start in early April of 2024 in order for completion prior to the Main Street project starting)
4. The New Public Works Complex/Town Hall Building project- Louis has applied for grant funding for the design work. We are hoping to get a positive response back for this funding grant by the end of June. Potential for the PW Complex to be at the City-owned property, where MDS is presently located, is up in the air at this particular moment. (The Board was to work with Rick Samson on the status of this property and/or updating an agreement with this company. - I do not have an update on the status of the agreement)
5. The New Entrance to Rec Center- final design drawings have been completed and approved by the BOT's at the last May meeting. Funding acquisition/verification for the construction drawings have been arranged and hopefully this project can move into the construction phase soon thereafter.
6. Chamber of Commerce Visitor's Center Roof Replacement- A quote was received, but this project is now being presented to the Chamber of Commerce as it is actually their responsibility as per the agreement with the city.

Special Events:

- Traffic Cones, traffic Control and metal pedestrian barricades were delivered to Hargrave's Park and the OHV trail along Airport Rd (CR 806) for the "Run Off Run Off" event sponsored by the Headwater Alliance. The cones and barricades were also picked up and stockpiled afterwards
- Traffic control barricades were provided for the Chamber of Commerce-sponsored "Donkey Dash" event held on Saturday June 10th. They were also picked up and stockpiled afterwards.

Training/Education:

- Dave and Al began training Jase Laing on all of the aspects of the Part-Time weekend Public Works Parks & Buildings Maintenance position.

Other:

- Jase Laing became the new Part-Time (weekend) Public Works Parks & Buildings Maintenance employee. His first day of employment and training was June 24th. If you see Jase, please say hello and welcome him to the City Staff team!

Creede Parks and Recreation Director's Report
Kathryn Ash
July 10, 2023

Gym Programs

- Yoga
- Chair Yoga
- Spin
- Tots Gym
- Archery Open Gym
- Pickleball

Kids Activities

- Rec Week / Read it to Watch it
- Sweety's in Lake City
- Splashland

Teen GOCO Activities

- Teen Night
- Hooper Pool
- Drive In Movie
- Swimming

4th of July Vendors

The vendors at the 4th of July went really well. A big thankyou to Kristeen, Joe (our Americorp) and Scott's Public Works Crew for making it work so well.

GOCO Gen Wild

We have received the first half of our Generation Wild grant! Field trips so far have included trips to Swim, Bowl, the Boys and Girls Teen Center, Raft, Sweetys in Lake City, Freemons guest Ranch, the Great Sand Dunes, and the Drive in Movie Theater. The kids really seem to be having a great summer!

Gym

This week the Ladies Aid has rented the gym for their annual Bazaar. We close down completely to accommodate all the craziness, but in my opinion, it is really great to see the gym used to serve so many people for such a great purpose.

COG Lighting Project

Our lighting project for the Rec Center and Bathrooms is complete! We are very happy with the upgrade. The next step is to apply for reimbursement from our COG grant.

RESOLUTION NO. 2023-23

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, COLORADO AUTHORIZING STAFF TO PREPARE AND SUBMIT AN APPLICATION FOR FUNDING TO THE DOLA MAIN STREET LIVE INITIATIVE GRANT PROGRAM IN THE AMOUNT OF \$1.5M TO SUPPLEMENT AND EXPAND THE CDOT REVITALIZE MAIN STREET GRANT PROJECT

WHEREAS, the City of Creede, a Colorado Town has received approximately \$1.5M in funding from CDOT as part of the Revitalizing Main Street Program in order to implement a \$1.9M Main Street improvement project in 2024; and

WHEREAS, the City of Creede is not able to complete the Main Street improvement project in its entirety with the CDOT funds awarded due to increased material and labor costs; and

WHEREAS, the City of Creede would like to submit a \$1.5M grant request to the DOLA Main Street Live Initiative for funding to complete the Main Street improvement project in its entirety; and

WHEREAS, the City of Creede will utilize the CDOT Revitalizing Main Street Grant as the local match requirement for the DOLA Main Street Live Initiative grant request with no other local matching funds required;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CITY OF CREEDE A COLORADO TOWN, that:

SECTION 1. The Board of Trustees authorizes the preparation and submission of a DOLA Main Street Live Initiative grant application to the Colorado Department of Local Affairs for \$1.5M in funding to augment the existing CDOT Revitalizing Main Street so that the City can complete the Main Street improvement project in its entirety.

INTRODUCED AND APPROVED by the Board of Trustees this 7th day of February, 2023.

City of Creede

ATTEST:

Jeffrey Larson, Mayor Date

Josie Bielenberg, City Clerk Date

Main Street LIVE: Livability Investments for Vibrant Economies

Grants, Eligibility, Process



COLORADO
Department of Local Affairs
Division of Local Government

Directing place-based development, redevelopment, and housing in downtowns is a critical component to a robust and active economy, local government fiscal health, and sustainable development patterns. Main Street LIVE will fund downtown public infrastructure and facilities as Livability Investments for Vibrant Economies. This \$17.5 million infusion will reinvest in our downtowns and enhance long-term sustainability, add to the built environment (buildings, streets, infrastructure), attract workforce, and augment other energy and housing projects.

The Initiative supports a reduced local match. All applications in this Initiative will follow the regularly planned cycles of the Energy and Mineral Impact Assistance Fund (EIAF) Program.

Eligible Projects

- More competitive projects will meet 2021 International Energy Conservation Code (IECC) and International Existing Building Code (IEBC) (as applicable), include renewable energy sources (as applicable), bringing buildings up to code (electrical, plumbing, fire suppression, insulation, etc.), contribute to affordable housing goals, include age-friendly amenities to the project, and/or improve the overall livability and vibrancy of downtown.
- Infrastructure and streetscape improvements: water, sewer, stormwater, energy, sidewalks, and streetscape or place-making improvements (including, but not limited to, high efficiency street lights, benches, accessibility improvements, parklets, breezeway and alley activation improvements.)
- Investments in public buildings/facilities, gathering/event spaces, downtown public art programs, public restrooms, public electric vehicle (EV) charging stations, and downtown wayfinding, as part of a broader streetscape project).
- ADA accessibility upgrades and energy-efficiency improvements to public buildings (building facade improvements eligible as part of this work).
- Design, engineering and project-specific certification costs for above projects.

Ineligible Projects

- Ineligible projects include parking lots (except for multi-floor, multi-modal downtown parking structure/multi-modal hub)
- Grant funds spent on private property or private infrastructure are ineligible. However, local matching funds can be used to leverage resources (e.g., local facade improvement grants to businesses or grants to convert second stories to attainable, accessible housing).

Funding

\$17.5M is established as an initiative within the EIAF Program through June 30, 2026 or when funds run out. Other agencies' funding (such as CDOT's Revitalizing Main Streets grant program) are eligible matching funds. Local facade grant programs can also be used as match.

- Match lowered to 25% and maximum request is increased to \$1.5M. Planning projects at 10% match under consideration.
- Applicants must contact their [Regional Manager](#) prior to submitting any application and must be "ready to go" in order to be accepted into an EIAF grant cycle.
- Application opens June 30, 2023 on the [EIAF website](#).

RESOLUTION No. 2023-24

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, COLORADO AMENDING THE CITY OF CREEDE 2022 ANNUAL BUDGET

A resolution summarizing revenues and expenditures for each fund and adopting a revised budget for the City of Creede, Colorado, for the calendar year beginning on the first day of January, 2022 and ending on the last day of December, 2022.

WHEREAS; upon due and proper notice, published or posted in accordance with the law, said adopted budget is open for inspection by the public and given the opportunity to file or register any objections to said adopted budget, and;

WHEREAS; whatever increases may have been made in the expenditures, like increases were added to the revenues so that the budget remains in balance, as required by law.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Trustees of the City of Creede, A Colorado Town that:

SECTION 1: That estimated revenues and expenditures for each fund are as follows:

	Revenue	Expense
General Fund	\$	\$
Capital Improvement	\$	\$
Virginia Christensen	\$	\$
Conservation Trust	\$	\$
Water & Sewer	\$	\$

SECTION 2: That the budget is submitted and herein summarized by fund, and hereby approved and adopted as the budget of the City of Creede for the year stated above.

SECTION 3: That the budget is hereby approved, adopted and appropriated and made a part of the public records of the City of Creede, A Colorado Town.

APPROVED AND ADOPTED, this 18th, day of July 2023.

Attest:

Mayor Date
Jeffrey Larson

City Clerk Date
Josie Bielenberg

CITY OF CREEDE, COLORADO
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
GENERAL FUND
For the Year Ended December 31, 2022

	<u>BUDGETED AMOUNTS</u>		<u>ACTUAL</u>	<u>VARIANCE WITH FINAL BUDGET</u>
	<u>ORIGINAL</u>	<u>FINAL</u>		
REVENUES				
Taxes	\$ 612,915	\$ 612,915	\$ 696,238	\$ 83,323
Licenses and Permits	10,500	10,500	21,391	10,891
Intergovernmental Revenue	2,000	2,000	284,793	282,793
Interest Income	7,500	7,500	6,416	(1,084)
Other Revenue	58,600	58,600	44,229	(14,371)
TOTAL REVENUES	<u>691,515</u>	<u>691,515</u>	<u>1,053,067</u>	<u>361,552</u>
EXPENDITURES				
General Government	382,805	382,805	661,202	(278,397)
Highways and Streets	287,195	287,195	226,383	60,812
Culture and Recreation	160,355	160,355	165,855	(5,500)
Debt Service				
Principal	-	-	-	-
Interest	-	-	-	-
Capital Outlay	-	-	17,620	(17,620)
TOTAL EXPENDITURES	<u>830,355</u>	<u>830,355</u>	<u>1,071,060</u>	<u>(240,705)</u>
Excess (deficiency) of revenues over expenditures	<u>(138,840)</u>	<u>(138,840)</u>	<u>(17,993)</u>	<u>120,847</u>
OTHER FINANCING SOURCES (USES)				
Transfers From Other Funds	70,000	70,000	58,000	(12,000)
TOTAL OTHER FINANCING SOURCES (USES)	<u>70,000</u>	<u>70,000</u>	<u>58,000</u>	<u>(12,000)</u>
Net Change in Fund Balance	(68,840)	(68,840)	40,007	108,847
Fund Balance, Beginning of Year	<u>1,712,324</u>	<u>1,712,324</u>	<u>1,643,040</u>	<u>(69,284)</u>
Fund Balance, End of Year	<u>\$ 1,643,484</u>	<u>\$ 1,643,484</u>	<u>\$ 1,683,047</u>	<u>\$ 39,563</u>

Notes to Required Supplementary Information

The basis of budgeting is the same as GAAP.
The schedule is presented on the GAAP basis.

CITY OF CREEDE, COLORADO
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
VIRGINIA G. CHRISTENSEN TRUST
For the Year Ended December 31, 2022

	<u>BUDGETED AMOUNTS</u>		<u>ACTUAL</u>	<u>VARIANCE WITH FINAL BUDGET</u>
	<u>ORIGINAL</u>	<u>FINAL</u>		
REVENUES				
Interest Income	\$ 181,200	\$ 181,200	\$ 59,395	\$ (121,805)
Net Increase (Decrease) in Investment	-	-	(915,698)	(915,698)
TOTAL REVENUES	<u>181,200</u>	<u>181,200</u>	<u>(856,303)</u>	<u>(1,037,503)</u>
EXPENDITURES				
Culture and Recreation Distributions	<u>95,000</u>	<u>95,000</u>	<u>105,505</u>	<u>(10,505)</u>
TOTAL EXPENDITURES	<u>95,000</u>	<u>95,000</u>	<u>105,505</u>	<u>(10,505)</u>
Excess (deficiency) of revenues over expenditures	<u>86,200</u>	<u>86,200</u>	<u>(961,808)</u>	<u>(1,048,008)</u>
OTHER FINANCING SOURCES (USES)				
Transfers to Other Funds	<u>(100,000)</u>	<u>(100,000)</u>	<u>(50,000)</u>	<u>50,000</u>
TOTAL OTHER FINANCING SOURCES (USES)	<u>(100,000)</u>	<u>(100,000)</u>	<u>(50,000)</u>	<u>50,000</u>
Net Change in Fund Balance	(13,800)	(13,800)	(1,011,808)	(998,008)
Fund Balance, Beginning of Year	<u>404,684</u>	<u>404,684</u>	<u>5,564,049</u>	<u>5,159,365</u>
Fund Balance, End of Year	<u>\$ 390,884</u>	<u>\$ 390,884</u>	<u>\$ 4,552,241</u>	<u>\$ 4,161,357</u>

Notes to Required Supplementary Information

The basis of budgeting is the same as GAAP.

The schedule is presented on the GAAP basis.

CITY OF CREEDE, COLORADO
SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN
FUND BALANCE - BUDGET AND ACTUAL
CAPITAL IMPROVEMENTS FUND
For the Year Ended December 31, 2022

	BUDGETED AMOUNTS		ACTUAL	VARIANCE WITH FINAL BUDGET
	ORIGINAL	FINAL		
REVENUES				
Taxes	\$ 480,000	\$ 480,000	\$ 587,404	\$ 107,404
Intergovernmental	1,738,000	1,738,000	-	(1,738,000)
Interest Income	3,600	3,600	10,019	6,419
TOTAL REVENUES	<u>2,221,600</u>	<u>2,221,600</u>	<u>597,423</u>	<u>(1,624,177)</u>
EXPENDITURES				
General Government	-	-		
Culture & Recreation	-	-	-	-
Capital Outlay	2,535,000	2,535,000	11,604	2,523,396
TOTAL EXPENDITURES	<u>2,535,000</u>	<u>2,535,000</u>	<u>11,604</u>	<u>2,523,396</u>
Excess (deficiency) of revenues over expenditures	<u>(313,400)</u>	<u>(313,400)</u>	<u>585,819</u>	<u>899,219</u>
OTHER FINANCING SOURCES (USES)				
Transfers From Other Funds	50,000	50,000	-	(50,000)
Transfers To Other Funds	-	-	(356,974)	(356,974)
TOTAL OTHER FINANCING SOURCES (USES)	<u>50,000</u>	<u>50,000</u>	<u>(356,974)</u>	<u>(406,974)</u>
Net Change in Fund Balance	(263,400)	(263,400)	228,845	(4,554,547)
Fund Balance at Beginning of year	<u>844,274</u>	<u>844,274</u>	<u>1,040,870</u>	<u>196,596</u>
Fund Balance at End of year	<u>\$ 580,874</u>	<u>\$ 580,874</u>	<u>\$ 1,269,715</u>	<u>\$ 688,841</u>

CITY OF CREEDE, COLORADO
SCHEDULE OF REVENUES, EXPENSES, AND CHANGES IN
NET POSITION - BUDGET AND ACTUAL
WATER AND SEWER FUND
For the Year Ended December 31, 2022

	<u>BUDGETED AMOUNTS</u>		<u>ACTUAL</u>	<u>VARIANCE WITH FINAL BUDGET</u>
	<u>ORIGINAL</u>	<u>FINAL</u>		
OPERATING REVENUES				
Charges for Services	\$ 358,800	\$ 358,800	\$ 382,113	\$ 23,313
TOTAL OPERATING REVENUES	<u>358,800</u>	<u>358,800</u>	<u>382,113</u>	<u>23,313</u>
OPERATING EXPENSES				
Personnel Services	204,058	204,058	179,136	24,922
Materials and Supplies	20,000	20,000	28,319	(8,319)
Testing Fees	17,000	17,000	22,990	(5,990)
Professional Services	75,000	75,000	101,230	(26,230)
Repairs	40,000	40,000	4,084	35,916
Utilities	49,200	49,200	59,510	(10,310)
Other Expenses	19,200	19,200	46,868	(27,668)
TOTAL OPERATING EXPENSES	<u>424,458</u>	<u>424,458</u>	<u>442,137</u>	<u>(17,679)</u>
Operating Income (Loss)	<u>(65,658)</u>	<u>(65,658)</u>	<u>(60,024)</u>	<u>5,634</u>
NONOPERATING REVENUES (EXPENSES)				
Interest Income	500	500	481	(19)
Debt Service Payments	(50,000)	(50,000)	(60,956)	(10,956)
Other Revenue	11,500	11,500	3,360	(8,140)
TOTAL NONOPERATING REVENUES (EXPENSES)	<u>(38,000)</u>	<u>(38,000)</u>	<u>(57,115)</u>	<u>(19,115)</u>
Income (Loss) Before Other Revenue	(103,658)	(103,658)	(117,139)	(13,481)
Transfers In	-	-	348,974	348,974
Capital Contributions	12,000	12,000	545,703	533,703
Net Income (Loss) - Budgetary Basis	(91,658)	(91,658)	777,538	869,196
Less: Depreciation Expense			(111,756)	
Add: Principal Payments on Debt			<u>41,532</u>	
Change in Net Position - GAAP Basis			707,314	
Net Position, Beginning of Year	<u>1,824,027</u>	<u>1,824,027</u>	<u>2,361,808</u>	<u>537,781</u>
Net Position, End of Year	<u>\$ 1,732,369</u>	<u>\$ 1,732,369</u>	<u>\$ 3,069,122</u>	<u>\$ 1,336,753</u>

RESOLUTION No. 2023-25

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CITY OF CREEDE, COLORADO SELECTING GMS, INC. AS THE PROJECT DESIGNER FOR THE CDOT REVITALIZING MAIN STREET IMPROVEMENT PROJECT

WHEREAS; the City of Creede was awarded approximately \$1.7M in funding from the Colorado Department of Transportation to complete a Main Street improvement project; and

WHEREAS; the City advertised a request for qualifications (RFQ) for a qualified design firm to design the improvements; and

WHEREAS; the City received one response to the RFQ, from GMS, Inc.; and

WHEREAS; the City had determined that GMS, Inc. is a qualified design firm that is capable of designing said improvements;

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Trustees of the City of Creede, A Colorado Town that:

SECTION 1: GMS, Inc. is hereby selected as the design firm for the City's CDOT Revitalizing Main Street project.

APPROVED AND ADOPTED, this 18th, day of July 2023.

Attest:

Mayor
Jeffrey Larson

Date

City Clerk
Josie Bielenberg

Date

**ENGINEERING SERVICES PROPOSAL
BY
GMS, INC., CONSULTING ENGINEERS
FOR THE
CITY OF CREEDE**



Project Title: Request for Qualifications for
Professional Engineering Services
City of Creede Main Street Revitalization Project

Submitted To: City of Creede

Submittal Date: June 15, 2023

Submitted By: GMS, Inc., Consulting Engineers
611 North Weber Street, Ste. 300
Colorado Springs, CO 80903
Telephone: (719) 475-2935
Telefax: (719) 475-2938
Contact: Jason D. Meyer, P.E.
jmeyer@gmsengr.com

GMS, INC.
CONSULTING ENGINEERS
611 NORTH WEBER, SUITE 300
COLORADO SPRINGS, COLORADO 80903-1074

TELEPHONE (719) 475-2935
TELEFAX (719) 475-2938

EDWARD D. MEYER, P.E.
ROGER J. SAMS, P.E.
JASON D. MEYER, P.E.
DAVID R. FRISCH, P.L.S.

THOMAS A. McCLERNAN, P.E.
MARK A. MORTON, P.E.
KEN L. WHITE, P.L.S.

June 15, 2023

Ms. Sarah Efthim-Williamson, Town Clerk
City of Creede
2223 N. Main Street
PO Box 457
Creede, CO 81130

***Via Electronic Mail: clerk@creedetownhall.com
No Hard Copy to Follow***

RE: Request for Qualifications
Professional Engineering Services
City of Creede Main Street Revitalization Project

Dear Ms. Efthim-Williamson:

Thank you very much for providing the opportunity for GMS, Inc., Consulting Engineers, to provide professional engineering services to the City of Creede. Specifically for the City's Request for Qualifications regarding the Professional Engineering Services for the Main Street Revitalization Project. We welcome the opportunity and look forward to being of service to the City.

We have prepared our response in accordance with your submittal requirements as outlined in your Request for Qualifications. We trust that this response to your Request for Qualifications dated May 25, 2023, demonstrates our capabilities, experience, and desire to participate with the City of Creede in this important project.

Our organization has been serving Colorado communities for 45 years with extensive experience in addressing questions, needs and projects that are exactly what is being requested by the City of Creede. In addition, our firm meets the insurance requirements outlined in the Request for Qualifications.

GMS, Inc. is uniquely qualified to serve the City of Creede. Since the inception of the organization in 1978, GMS, Inc. has focused our work on local governments including the cities, towns, special districts, counties, and water providing nonprofit organizations. This is further concentrated with our main client population ranging from 200 to 5,000 people. Thus, GMS, Inc. is structured to serve rural communities. We understand the need to be available, responsive, and attentive to the community when called upon. We understand the need to know the facilities as well as the community staff. We understand the need to have a strong relationship between our staff and the community's staff. We understand that we need to be efficient, effective and honest with our time on behalf of the community. We understand that we need to be prudent and act as a fiduciary on behalf of the community. This is how we will serve the City.

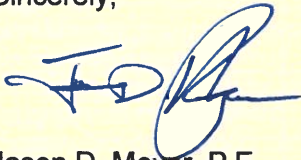
Ms. Sarah Eftim-Williamson, Town Clerk
June 15, 2023
Page 2

My contact information is as follows:

Jason D. Meyer, P.E.
GMS, Inc., Consulting Engineers
611 N. Weber Street, Suite 300
Colorado Springs, CO 80903
(719) 475-2935 - Office
jmeyer@gmsenr.com

Please feel free to contact us if you require any additional information or documentation. A significantly expanded list of references may be provided beyond that enclosed, upon request. We look forward to hearing back from you and being a service to the City.

Sincerely,

A handwritten signature in blue ink, appearing to read 'JDM', with a large, stylized flourish extending from the end of the signature.

Jason D. Meyer, P.E.

JDM/cg
Attachment

Section 1 – Project Team Experience

1. Firm Organization

GMS, Inc., Consulting Engineers (Meyer & Sams, Inc., dba GMS, Inc.), and its predecessor, Gilbert, Meyer & Sams, Inc., have been providing professional engineering services throughout Colorado since 1978. The GMS, Inc. team has focused on addressing the needs of cities, towns, counties and special districts in their water, wastewater, storm water, drainage and roadway systems. For the last 45 years, GMS, Inc. has been providing engineering, planning, surveying, funding administration, GIS consulting and construction contract administration to our clients throughout Colorado, and more recently in western Kansas.

GMS, Inc., Consulting Engineers, is a single office professional civil engineering firm located in downtown Colorado Springs. All GMS, Inc. staff work from this office with occasional use of staff member's own home office. The principals who would have daily input and administration responsibilities for this project are identified below with their contact information:

Meyer & Sams, Inc., dba GMS, Inc.
611 North Weber Street, Suite 300
Colorado Springs, CO 80903
Phone: (719) 475-2935
Fax: (719) 475-2938

Mr. Jason Meyer, P.E.
jmeyer@gmsengr.com

GMS, Inc. staff are an exceptionally qualified team of professionals with the capability and integrated design knowledge to achieve project excellence. The staff of GMS, Inc. is presently composed of 27 individuals.

- Eight licensed professional engineers
- Two licensed professional land surveyors
- Five staff engineers
- Two staff surveyors
- Five design technicians/resident project representatives
- Five administrative support staff

Our experienced staff makes our firm extremely unique when compared to other firms of similar size and background coupled with the longevity of over 45 years in business. GMS, Inc. has been fortunate in being able to create a professional employment environment where a significant number of personnel have obviously chosen to commit many years, and in some cases their entire professional lifetime, to providing services to GMS, Inc. clients.

Name	No. of Yrs. With GMS, Inc.	Total Years of Experience	CO Prof. License No.
Roger J. Sams, P.E.	45 years	52 years	11884
David R. Frisch, P.L.S.	34 years	44 years	22095
Ken L. White, P.L.S.	33 years	38 years	25382
Thomas A. McClernan, P.E.	29 years	42 years	24170
Mark A. Morton, P.E.	27 years	27 years	35820
Jason D. Meyer, P.E.	22 years	26 years	40767
Mark A. Leasure, L.S.I.	17 years	17 years	N/A
Dannah M. Koeniger, P.E.	7 years	26 years	37106
Josh B. Armstrong, P.E.	7 years	13 years	50662
Sam Wood, P.E.	6 years	15 years	60152
Trevis D. Smith, P.E.	1 years	26 years	61669
Erica Countryman, Staff Engineer	4 years	4 years	N/A
Andrew Purgiel, E.I.	2 years	3 years	N/A
Jonny Stephens, E.I.	1 year	1 year	N/A
Jackson Mendenhall, Staff Engineer	1 year	1 year	N/A

a. Proposed Design/Engineering Team

GMS, Inc. key team members offer the City the experience, qualification, design knowledge and management approach to effectively collaborate with City staff to achieve the City’s goals, objectives and overall vision. Following is a list of the proposed team members to work with the City.

1. Jason D. Meyer, P.E., will be the Principal-In-Charge for this project. Jason has been with the firm for 22 years and became one of the owners of GMS, Inc. on January 1, 2015. Jason has been engaged in virtually every project passing through GMS, Inc. and has direct contact with all clients. Jason will be responsible for overall project management and application of GMS, Inc. staff for project implementation.
2. Trevis D. Smith, P.E., will serve as the Project Manager and he brings 26 years of experience. Trevis has managed and/or designed over twenty-five transportation improvement projects with the majority of those projects focused on rehabilitating and revitalizing downtown areas. Trevis’ role will be to manage the overall design process and coordinate with the City, CDOT, and the design team to ensure that the City’s project goals are met while ensuring that the project scope is maintained within the defined budget.
3. Mark A. Leasure, L.S.I., will be the Survey Manager and CDOT Design Coordinator on this project. Mark is one of our Project Managers with 14 years of experience and leads our infield surveying and GIS services. Mark has expanded our surveying capabilities with the latest technology in surveying equipment and software with scanning, robotic and GPS technology. This technology coupled with Mark’s attention to available survey information, onsite utilities, topography and surface improvements have resulted in a solid foundation to begin any design effort. Furthermore, Mark’s role includes the layout of pipeline and road alignments and overseeing the

construction phase of projects. This provides projects with the full background from conception, data collection, design and construction in one individual, thereby providing efficient and effective means to meet project budgets, schedule and constructability.

4. Ken L. White, P.L.S., will be assigned to complete all right-of-way (ROW) work. Ken is a seasoned Senior Design Technician within our organization and a registered Professional Land Surveyor. He is a key player with over 40 years of experience. Ken's role encompasses the layout of road alignments, providing expert witness testimony on surveying issues, undertaking extensive site work and grading plans to leading the office side of GMS, Inc.'s construction management services. Ken has an unsurpassable ability to layout drainage projects, pipeline alignments, road alignments and overall facility layout.
5. Erica M. Countryman, Staff Engineer, will be taking the lead on environmental review, SWMP, and drainage design. Erica has taken on several different roles in her time at GMS, Inc. Even though she doesn't have as many years of experience as the rest of the team, she has worked through several GIS designs, drainage analyses, and drainage designs while working with GMS, Inc. She also has experience working through several steps of the funding process, including environmental reviews. Erica is a certified CDOT SWMP designer.
6. Entech Engineering, Inc. will be the Geotechnical Engineer subcontractor for pavement and soils evaluation. Entech is located in Colorado Springs and has been in operation for 37 years. Entech's staff of professional geologists and geotechnical engineers have completed subsurface explorations programs and designs for a wide variety of projects including residential and commercial developments, industrial buildings, municipal bridges and roadways, municipal facilities, and utility providers. In addition, Entech regularly performs land use and geologic hazard studies.

b. Qualifications and Experience of Proposed Team

This team represents a group of professionals who have worked together over multiple years to decades, on projects similar in nature to the Main Street Revitalization Project to be undertaken by the City. The exception to this is Trevis, who has been with GMS, Inc. for just one year, but he is already managing three similarly scoped CDOT funded projects with the same design team.

These individuals will all be supported by other GMS, Inc. professional staff as required in addition to support staff. This includes administrative roles as well as the needed surveying, GIS, and AutoCAD related activities.

The brief resumes of each the primary project team members are included in Attachment A to this response to Request for Qualifications of professional engineering services. Each staff member listed has a unique set of gifts, talents and skills that can be tapped to complete this project on behalf of the City of Creede.

Section 2 – Firm Capabilities, Past Performance and Experience

a. Firm Profile

As indicated in Section 1 – Firm Organization, the professional engineering services provided by GMS, Inc. address public utilities for water and wastewater management together with storm water management and roadway systems. GMS, Inc. also provides a very significant amount of consulting services for day-to-day operations of our public utilities and public works clients. More specifically, each of these disciplines are addressed by our services to include the activities listed below.

- Project identification, evaluation, planning and programming
- Conduct of preliminary engineering evaluations and reporting together with acknowledgement of funding challenges and identification of project funding approaches including local entity reserve funds, and grant and loan packages generally sourced through Colorado State agencies, Colorado State administered Federal programs and Federal programs
- Preparation of concept, schematic, and final designs and construction documents
- Preparation of procurement and bidding documents and administration of those processes
- Administration of construction contracts
- Onsite resident project representation
- Utility user charge and rate studies assessing utility operations, renewals and replacements, capital improvement financing, development of plant investment fees and programming revenue models to support complete utility agency operations
- Consultations on day-to-day challenges of public utilities and public works operations with agency staff

b. Capability to Provide Audited Indirect Cost Rate

GMS did not exceed \$500,000 in fees for CDOT administered projects in calendar year 2022, therefore an audited internal cost rate was not conducted. GMS can readily provide published labor categories and associated rates for all staff. Indirect costs are billed at actual cost with 10% markup and a summary of indirect costs is provided with each invoice.

c. Three Similar Projects

We offer the following prior projects that are similar in nature to that being requested by the City of Creede.

Town of Hugo Sidewalks Improvements Project

Project Name:	Sidewalks Improvements Project
Owner:	Town of Hugo
Contact:	Maria Nestor, Town Clerk PO Box 367 507 Fourth Street Hugo, CO 80821 (719) 743-2485
Project Size:	1,300 SY of sidewalk, 500 SY of driveway, and miscellaneous improvements
Project Status:	90% Design Completion (FOR Submittal)

Estimated Budget: \$1,268,000
Summary of Work: The Town is utilizing state funding through CDOT for the removal and replacement of existing curb, gutter and sidewalk along several street segments within the Town of Hugo.

Town of Limon Main St. Ped Safety Improvements

Project Name: East Main (Hwy 24/40) & First Street Improvements
Owner: Town of Limon
Contact: Ms. Chris Snyder, Town Clerk
PO Box 9
100 Civic Center Drive
Limon, CO 80828
(719) 775-2346
Project Size: Reconstruct 2,300 feet of 2-lane gravel road with new asphalt section including two travel lanes and a bike lane, 1,210 SY of new sidewalk and ADA curb ramps, storm, lighting, and other miscellaneous improvements.
Project Status: 30% Design (FIR Submittal)
Estimated Budget: \$3,011,500
Summary of Work: The Town is utilizing federal and state funding through CDOT to improve multi-modal connectivity and improve a deficient street within the downtown area of Limon.

Beaty Avenue Bridge Replacement Project

Project Name: Beaty Avenue Bridge Replacement Project
Owner: Town of Manzanola
Contact: Ms. Shirley Adams, Mayor
PO Box 187
301 North Park Street
Manzanola, CO 81058
(719) 462-5544
Project Size: Replacement of the existing bridge structure at Beaty Avenue and the Catlin Canal crossing with a new, precast concrete box culvert, 100-feet of roadway reconstruction, replacement of 150-feet of water main, and other miscellaneous improvements.
Project Status: Construction completion, April 2021
Construction contract \$478,907.36 (Awarded construction amount)
Final construction total \$454,219.97 (Final contract amount, includes (1) project cost saving change order)
Project Description: The Town utilized CDOT Federal Off-Stem Bridge Funds to replace the Beaty Avenue bridge failing bridge over the Catlin Canal. GMS provided design, contract administration, funding administration, and construction management services throughout the whole project.

Ryus Avenue Bridge Replacement Project

Project Name: Ryus Avenue Bridge Replacement Project
Owner: Town of La Veta
Contact: Ms. Heather Hillis, Town Clerk
PO Box 174
209 South Main Street
La Veta, CO 81055
(719) 742-3631

Project Size: Replacement of the existing bridge structure at West Ryus Avenue and Cucharas River crossing with a new wider, precast concrete arch bridge, 150-feet of roadway reconstruction, and other miscellaneous improvements.

Project Status: Construction completion, August 2018

Construction contract \$875,100.30 (Awarded construction amount)

Final construction total \$799,856.40 (Final contract amount, includes (1) project cost saving change order)

Project Description: The Town utilized CDOT funding to replace the Ryus Avenue bridge at the Cucharas River Crossing. GMS provided construction management services to ensure that the design was followed and CDOT requirements were met.

d. Familiarity with CDOT Design Specifications

GMS, Inc. has extensive experience with DOT based standard specifications, including CDOT's. The 2022 CDOT Standard Specifications will provide the general conditions and overall project requirements. CDOT Standard Special Provisions will be incorporated as necessary based on the project scope and funding requirements. It is anticipated that numerous Project Special Provisions (PSP's) will be required due to the unique scope and nature of a downtown rehabilitation project that falls outside the typical scope of work covered in the standard specifications. Previously approved CDOT generated PSP's will be utilized wherever possible and consultant generated PSP's will be created as needed for all other unique project elements.

e. Familiarity with FHWA or CDOT Funded Projects

GMS, Inc. is familiar with each phase of CDOT funded local agency projects. The firm's experience spans from the Design Scoping Review meeting through Construction Closeout documentation. GMS, Inc. has partnered with five separate local agencies with work scopes ranging from bridge replacement, to sidewalk infill, to complete street reconstruction. Additionally, several of these projects have been completed in downtown areas where projects provide their own unique set of design challenges in order to work in and around existing infrastructure and historic features. These types of projects require additional coordination with both CDOT and the Local Agency client in order to meet CDOT requirements while providing a tailored design that serves the local agency and its unique community.

f. Pending Litigation

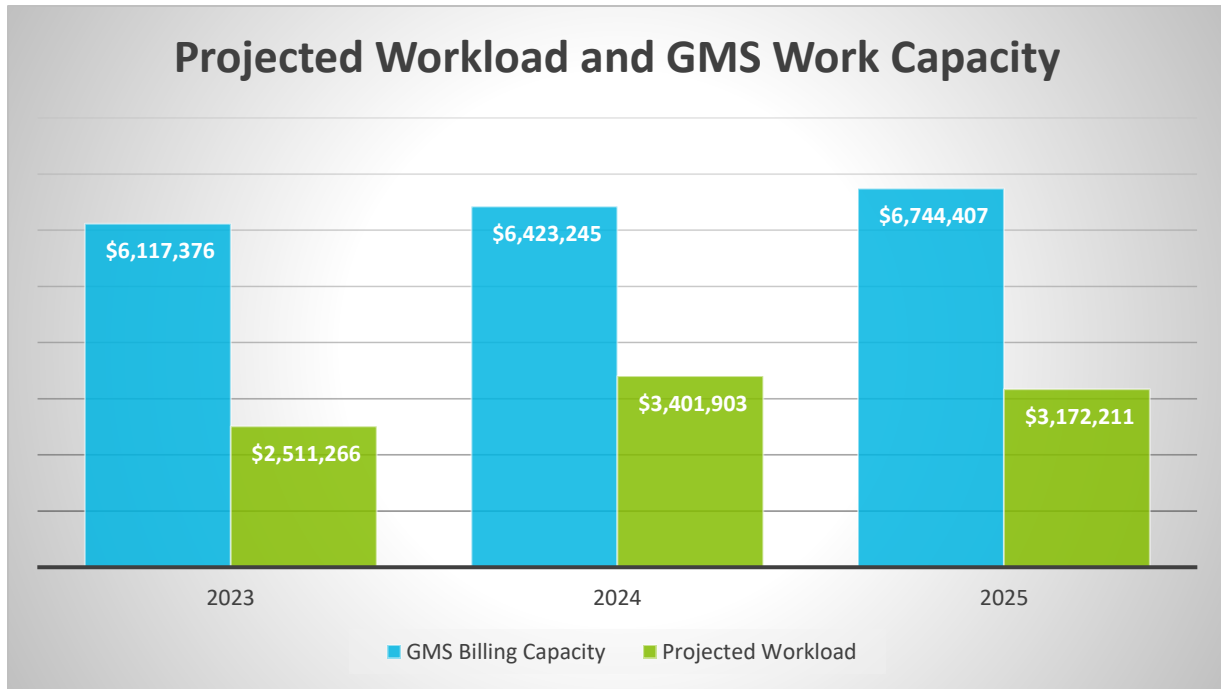
There is no pending litigation involving GMS, Inc. on any of our projects.

g. Current Workload

GMS, Inc. currently has \$9.08 million in contracted projects with completion dates spanning the next three years. GMS, Inc.'s maximum billing capacity is approximately \$6.12M on an annual basis, accounting for holidays and PTO. This assumes a 100% billing rate for all staff and is used for comparative purposes against the currently contracted projects.

The following graph depicts GMS, Inc.'s billing capacity against the projected workload through 2025. This graph shows that GMS, Inc. is capable of taking on and completing additional projects within this timeframe. The projected workload assumes a consistent monthly billing for every project over its contract duration. This is useful but not accurate. In actuality, all projects will be managed as necessary to meet their respective milestone deadlines, which means that work and actual billings will vary on a monthly basis. The billing capacity assumes a 5% annual wage increase, which is currently built into

the executed contracts given the current inflationary environment. The projected workload only accounts for contracts that are currently executed and does not include pending contracts or on-call engineering services, which GMS, Inc. is regularly responsive to for many of its clients.



h. Volume of Previously Awarded Projects

GMS, Inc. has been in business for over 45 years. During 2021 and 2022 calendar years, GMS, Inc. has billed \$4.39M and \$4.96M of direct staff time, respectively. These billings are indicative of GMS, Inc.’s capacity to take on and complete projects. Projects completed in just these two years range from water and wastewater facility plans, water and wastewater treatment plants or upgrades, utility upgrades and expansions, bridge reconstruction, street rehabilitation, drainage studies and many others. GMS, Inc. has the experience and capacity to take on projects across the breadth of civil engineering.

Section 3 – Project Approach and Schedule

a. Project Approach

Our project approach will always be performed in order to provide the City with a cost effective, efficient, thorough, and timely project.

The following approach provides a framework on how to address design projects with funding administered through CDOT.

A. Preliminary Design Phase

1. A Design Scoping Review meeting will be scheduled with City and CDOT staff. The items to be discussed shall include, but are not limited to:
 - a) Review the full scope of work to ensure all parties agree with expectations and the definition of the scope.
 - b) Determine if any additional CDOT requirements are needed after discussing the scope of the project.
 - c) Review and confirm the level of environmental review.
 - d) Review and confirm the appropriate level of public involvement.
 - e) Discuss the overall cost estimate and associated committed funding for the project.
2. Coordinate with City staff for locations on utilities. Coordinate and place information request to all other private utility providers within the project area.
3. Conduct a detailed topographical site survey within the project limits including the identification of surface features, existing underground and overhead private and public utilities, and measure downs of below grade utilities in structures.
4. Define any permits required. Review permitting requirements with the City to verify if any additional permits are required.
5. Review existing rights-of-way in relation to the proposed improvements and note any possible encroachments. Coordinate with the City as necessary to either reduce project scope and avoid encroachment or obtain ROW if necessary. It is noted that ROW acquisition is not anticipated and will require additional coordination with the City, property owner, and CDOT if needed.
6. Determine if any temporary construction easements will be needed for construction of the proposed improvements. If so, easements will be obtained following CDOT ROW clearance process.
7. Complete the defined environmental items as generated from the Design Scoping Review meeting and submit to CDOT for review.

8. Complete drainage analysis and submit preliminary drainage report to CDOT for review.
 9. Perform geotechnical pavement investigation and prepare pavement recommendation report meeting CDOT requirements for reconstruction areas.
 10. Prepare preliminary design plans and updated cost estimate.
 11. Submit preliminary design plans to CDOT for Field Inspection Review (FIR) meeting. Schedule and facilitate FIR meeting with City and CDOT staff to obtain initial review comments and confirm overall project direction and scope. A significant outcome of this meeting will be confirmation of project scope with respect to the available budget.
- B. During the final design phase, Engineer shall:
1. Adjust project scope if necessary following FIR meeting and incorporate FIR meeting comments from City and CDOT into design.
 2. Obtain environmental, ROW, and utility clearances from CDOT.
 3. Conduct public outreach with priority given to informing and meeting with property owners that will be impacted by project.
 4. Finalize drainage report, incorporating CDOT and City review comments.
 5. Prepare and update construction cost estimate as necessary during this phase to ensure that overall budget constraints are met.
 6. Prepare and submit overall bid package including 90% plans, specifications, and cost estimate meeting CDOT Final Office Review (FOR) requirements. CDOT 2022 Standard Specifications will be utilized. The bid package will also include required documentation from various funding agencies. Attend and facilitate FOR meeting with City and CDOT.
 7. Incorporate FOR review comments and finalize bid package. Resubmit to CDOT to obtain CDOT Concurrence to Advertise.

Close coordination will be maintained with City staff during the final design phase to ensure that the plans and specifications developed for the project will meet the City's needs. GMS, Inc. will provide updates to the City on progress being undertaken and associated submittals as desired by the City.

b. Project Schedule

Date	Task	Review Time	Additional Information
Aug. 1, 2023	Approx. Engineering Start Date		
Late Aug. 2023	Design Scoping Review Meeting (DSR)		Issues identified by CDOT that must be addressed for construction; NEPA level determined; Finding in Public Interest (FIPI) determined; Confirmation of survey limits
Sept. 2023	Surveying		
Sept. – Nov. 2023	Preliminary Design Process		30% Plans; Right-of-Way research; Preliminary Hydraulic/Drainage Memorandum (to include the memorandum; 70-80% Plans; draft project special provisions)
Oct. 2023 to Feb. 2024	Public Involvement		As determined by FIPI
Nov. 2023	FIR (30% plan) Submittal to CDOT	2-4 weeks CDOT review time	
Early Dec. 2023	FIR Meeting		Plan review meeting and optional field review meeting
Dec. 2023 to Feb. 2024	Final Design Process		90% Plans and Specifications; Right-of-Way Clearance Process; Environmental Clearance Process; Utility Clearance Process; Final Hydraulic Report
Mar. 2024	FOR (90% Plans and Specs) Submittal to CDOT	2-3 weeks CDOT review time	
Late Mar. 2024	FOR Meeting		
April 2024	Final PS&E Submittal for CDOT approval	1-3 weeks CDOT review time	
April 2024	CDOT grants permission to bid project		
May 2024	Bid		Advertise project for 3 weeks prior
June 2024	Award Contract/Notice to Proceed		
July 2023	Approximate construction start date		Approximately one month after Notice of Award
Nov. 2024	End Construction		Anticipate 5 month construction project

Section 4 – References

<u>Client</u>	<u>Contact</u>
Town of Hugo PO Box 367 507 Fourth Street Hugo, CO 80821 (719) 743-2485	Maria Nestor, Town Clerk
Town of Limon PO Box 9 100 Civic Center Drive Limon, CO 80828 (719) 775-2346	Greg Tacha, Town Manager Gillian Laycock, Assistant Town Manager Chris Snyder, Town Clerk
Town of Manzanola PO Box 187 . 301 North Park Street Manzanola, CO 81058 (719) 462-5544	Shirley Adams, Mayor Kris Baylor, Town Clerk
Town of La Veta PO Box 174 209 South Main Street La Veta, CO 81055 (719) 742-3631	Doug Brgoch, Mayor Heather Hillis, Town Clerk

JASON D. MEYER

EDUCATION

- * Colorado State University, Ft. Collins, Colorado, B.S., Watershed Science, 1998
- * University of Colorado, Denver, Colorado, M.S., Water Resources Engineering, 2002

REGISTRATION

- * Professional Engineer: Colorado No. 40767

PROFESSIONAL EXPERIENCE

- * GMS, Inc., Consulting Engineers 2002 to present
- * Principal of the firm of GMS, Inc., Consulting Engineers 2015 to present

Principal in charge of:

- * New 0.86 MGD mechanical wastewater treatment plant and collection system rehabilitation for the Town of La Veta, Colorado
- * Wastewater collection system rehabilitation focused on elimination of the infiltration of zinc-laden water for the Town of Silver Plume, Colorado
- * Water system evaluation with the design of 47 blocks of distribution mains ranging from 8" to 18" including design, bid and construction administration, and aid in funding administration for the City of Trinidad, Colorado
- * Evaluation of 24" transmission line including the design, bid and construction administration of the replacement transmission line for the City of Trinidad, Colorado

Water Projects

Project Engineering, design and construction management of water system evaluations and design/contract administration for expansions, upgrades and replacements for water systems including supply, transmission, distribution, water storage and treatment related facilities

Wastewater Projects

Project Engineering, design and construction management of wastewater treatment facility evaluations and design/contract administration of construction, expansions, upgrades and/or replacement of wastewater treatment plants, sewage lift stations and collection systems

- * Camp Dresser & McKee 1998 - 2002

TREVIS D. SMITH

EDUCATION

- * Oregon State University, Corvallis, Oregon, B.S., Civil Engineering, 1997
- * George Fox University, Newberg, Oregon, B.S., Applied Science, 1996

REGISTRATION

- * Professional Engineer: Colorado No. 0061669
- * Professional Engineer: Washington No. 40187
- * Professional Engineer: Oregon No. 56420PE

PROFESSIONAL EXPERIENCE

- * **GMS, Inc., Consulting Engineers** 2022 to present

Senior Project Manager
 - * Town of Limon: Currently managing Main Street Pedestrian Safety Improvement CDOT funded project. The project consists of 2,600 feet of road reconstruction with new bicycle lane and 2,600 feet of sidewalk infill.
 - * Town of Hugo: Co-managing Main Street Sidewalk Replacement project which consists of CDOT coordination, preparation of contract specifications, and project management.
 - * Project manager for eight separate projects which includes water system evaluations, water treatment plant improvements, wastewater collection system evaluations, and a drainage master plan.

- * **City of Beaverton** 2019 to 2022

Project Engineer for pipeline, sidewalk, and roadway projects

- * **Engineering Ministries International** 2010 to 2019

Project Manager responsible for overseeing all aspects of project development, design, and coordination for 16 multi-discipline projects in locations throughout the Middle East and Africa.

- * **Wallis Engineering** 2001 to 2010
 - * Managed/designed over 50 projects in Oregon & Washington including water reservoirs, pump stations, distribution and transmission mains, treatment plant improvements, collection system improvements, and pump stations, transportation, and storm drainage improvement projects.
 - * Provided construction management oversight and inspection for the \$3.2M wastewater treatment plant expansion in Ridgefield, WA.
 - * Managed construction for the \$4.2M Beaver Creek Road Improvements Project in the City of Oregon City, OR.

MARK A. LEASURE

EDUCATION

- * University of Northern Colorado, Greeley, Colorado, B.S. Business Management, 1983

REGISTRATION

- * Land Surveyor Intern: Colorado

PROFESSIONAL EXPERIENCE

- * **GMS, Inc., Consulting Engineers** August 2006 to present
Resident Representative/Engineering Design Technician
 - * Penrose Water District - Resident project representative services and surveying for over 30,000 feet of 12-inch water transmission line, installation of four new wells, pump house with associated water storage tank, discharge structure into reservoir and modifications to ditch headgate
 - * Cherokee Metropolitan District - Resident project representative services and surveying for Construction observation and field surveying on Duncan Well Water Transmission Line
 - * Town of Boone: Resident project representative and field surveying for water distribution system improvements, tank rehabilitation and new water treatment plant
 - * Town of Rockvale: Resident project representative services and surveying for 15,500 feet of water transmission line, rehabilitation of six wells with infiltration piping and rehabilitation of existing raw water storage facility
 - * Town of Silver Plume: Resident project representative and surveying services for significant sanitary sewage collection system replacements
 - * Town of Kim: Resident project representative and surveying on 29,500 LF of transmission line, communitywide meter pit assembly replacements, booster station and bolted steel water storage tank
 - * Perform Field Surveying and Design Technician Services: Worked on a multitude of water and wastewater projects for municipal and special district clients
- * **Colorado Springs Sky Sox** 1988 to 2006
Senior VP of Stadium Operations/Head Groundskeeper
- * **School District 11, Colorado Springs, Colorado** 2002 to present
Licensed Substitute Teacher

EDUCATION

- * University of Southern Colorado, B.S., Civil Engineering Technology, 1979-1983

REGISTRATION

- * Professional Land Surveyor: Colorado Registration No. 25382, Effective January 1988

PROFESSIONAL EXPERIENCE

- * GMS, Inc., May 1990 to present

Pipeline route selection, surveying, easement and permit preparation, project design, project management and construction administration for the following clients:

- * City of Colorado Springs: Colorado Avenue Gateway, Boulder Street storm Sewer, Ivywild sidewalk improvements - Phase 4 and Southwest Water Project - Segment 3
- * Fountain Sanitation District: Jimmy Camp Creek Sanitary Sewer Outfall
- * City of Las Animas: Water, wastewater and storm sewer system improvements
- * Town of Manzanola: Wastewater treatment plant expansion, water and wastewater system improvements and bridge replacement

Partial Listing – Water Projects

- | | |
|---------------------------------------|-----------------------|
| * Town of Akron | * Town of Pritchett |
| * Town of Arriba | * Town of Springfield |
| * Town of Brookside | * Town of Starkville |
| * Cascade Metropolitan District No. 1 | * Town of Swink |
| * Town of Crowley | * City of Trinidad |
| * Town of Eads | * Town of Two Buttes |
| * Town of Gardner | * Town of Vilas |
| * Town of Kim | * City of Walsenburg |
| * Town of Kit Carson | * Town of Walsh |
| * Penrose Water District | * Town of Wiley |

Partial Listing – Wastewater Projects

- | | |
|-------------------------|-----------------------------------|
| * Town of Akron | * Town of Ordway |
| * Town of Crowley | * Otis Sanitation District |
| * Town of Gardner | * Palmer Lake Sanitation District |
| * Town of Kit Carson | * Town of Silver Plume |
| * Town of La Veta | * Town of Springfield |
| * Town of Pritchett | * Town of Vilas |
| * Town of Olney Springs | * City of Walsenburg |

ERICA M. COUNTRYMAN

EDUCATION

- * Wartburg College, B.S. Engineering Science, 2018

PROFESSIONAL EXPERIENCE

- * **GMS, Inc., Consulting Engineers** May 2019 to present

Resident Project Representative/Staff Engineer:

- * SECWCD: Water system modeling for Crowley County Water System connection to AVC and possible regionalization with nearby Towns.
- * Palmer Lake Sanitation District: Prepare the Environmental Assessment as part of the State Revolving Fund process.
- * Town of Granada: Prepare the Environmental Assessment as part of the Drinking Water Revolving Fund process.
- * Certified payroll report review for many projects.
- * Completing prequalification applications for clients for both the DWRF and WPCRF application process.
- * Monument Sanitation District: Resident project representative services for wastewater collection system and lift station installation for the new Wagons West development.
- * Cucharas Sanitation and Water District: Resident project representative services for water distribution system improvements.
- * Monument Sanitation District: Field surveying and GIS design technician for sanitary sewer mapping.
- * City of Walsenburg: GIS design technician for sanitary sewer mapping.
- * Town of Vona: Analyze the Town drainage patterns and prepare a master drainage plan.

- * **Christopher B. Burke Engineering, Rosemont, Illinois** August 2018 to December 2018

Civil Engineering Intern:

- * Town of Shorewood: Project inspection for sanitary sewer manhole improvements, water well replacement, and pedestrian bridge construction.
- * Pre and post lot inspections for new home construction in Shorewood, IL.

jcg@entechengineers.com | (719) 531-5599

Joey has extensive experience managing geotechnical services on a wide variety of Colorado municipality and CDOT infrastructure projects including bridges, roadways, retaining structures, and trails. He has experience coordinating and managing subsurface exploration programs including auger, rotary, and rock coring. His pavement design recommendations have included both flexible hot mix asphalt (HMA) and rigid Portland cement concrete pavement (PCCP) designs. In addition, he has experience with unstable or poor-quality subgrades and full depth reclamation (FDR) and overlay designs to maximize the pavement section and minimize project budgets. He regularly provides bridge design recommendations including driven piles, drilled shafts, micropiles, and footings. In addition, he also provides recommendations for retaining walls, and evaluating slope stability.

PROJECT EXPERIENCE

S. Broadway and US-285 Interchange | Englewood, CO

Joey was the project manager for the proposed improvements of the S. Broadway / US-285 interchange. This local agency project involves replacing the existing overpass structure and reconfiguring the interchange on- and off-ramps. Pavement along CDOT right-of-way were designed using mechanistic-empirical (M-E) design techniques using Pavement M-E software and required review and coordination with CDOT Materials staff. Joey also oversaw the development of geotechnical recommendations for the design of drilled shaft to support the bridge abutments and to provide earth retention below the underpass.

CDOT C470 and Morrison Road Improvements | Morrison, CO

Joey served as a project engineer for this bridge replacement project. The proposed bridge replacement includes C470 mainline bridges over Bear Creek and Morrison Road. In addition, pavement design recommendations were provided for Morrison Road, C470 mainline and on/off ramps.

County Line and Inverness Intersection Improvements | Centennial, CO

Joey was a project engineer for this project to reconfigure the intersection of County Line Road and Inverness Drive. He managed and executed a subsurface exploration program that required coordination with multiple municipalities, counties, and private property owners, while minimizing impacts to the travelling public. He provided design recommendations and construction considerations for pavements, a cantilever drilled shaft wall, a conventional concrete retaining wall, and earthwork.

8th Avenue Bridge | Denver, CO

Joey served as the project manager for the design and construction observation and materials testing for the CCD 8th Avenue Bridge project, which included a new bridge to carry 8th Avenue over the South Platte River. Bridge design recommendations as well as pavement design following MGPEC standards were provided. During construction, Joey oversaw field observations of the 48-inch and 36-inch diameter drilled shafts. In addition, materials testing included concrete testing of the drilled shaft concrete, deck pour, abutments, and other miscellaneous structures. In addition, compaction testing was completed on backfill materials and asphalt paving.

Nichols Road Improvements | Pueblo, CO

Joey provided foundation and pavement design as a project engineer for this project located in Pueblo West, Colorado, north of the Lake Pueblo State Park. The project consists of roadway improvements and reconstruction of the S. Nichols Road pavements along with additional improvements at the intersection of S. Nichols Road and W. McCulloch Boulevard. A pedestrian bridge was also constructed as part of the associated trail project. Both cast-in-place footings and a geosynthetic reinforced soil abutment-integrated foundation systems were considered in design for the pedestrian bridge. Traffic loading ESALs were projected using available traffic data and assumptions about the future traffic loadings. Pavement design alternatives were provided for S. Nichols Road and W. McCulloch Boulevard.

Barnes Road Improvements | Colorado Springs, CO

Joey was the project manager for the Barnes Road Widening Project in Colorado Springs, Colorado. The project involved approximately 0.5 miles of widening design including new asphalt pavement and cast-in-place concrete and mechanically stabilized earth wall design. The proposed widening will include a raised median, two lanes in each direction, a sidewalk, multiuse trail, and turning lanes where applicable.



EDUCATION

MS, Civil Engineering, University of Colorado Boulder, 2013

BS, Civil Engineering, University of Colorado Boulder, 2013

REGISTRATION

Professional Engineer, CO

YEARS EXPERIENCE

10 years

CITY OF CREEDE, COLORADO

ORDINANCE NO.

AN ORDINANCE ADDING CHAPTER 19, ARTICLE 1, LICENSING OF SHORT-TERM RENTALS, TO THE CITY OF CREEDE CODE OF ORDINANCES AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Trustees of the City of Creede has determined that the type and numbers of short-term rentals within City limits should be regulated and licensed; and

WHEREAS, the Board of Trustees of the City of Creede held work sessions to review and discuss regulations and licensing standards on _____; and

NOW, THEREFORE, be it ordained by the Board of Trustees of the City of Creede as follows:

SECTION 1. **ADDITION.** Chapter 19, Article 1, Licensing of Short-Term Rentals, is hereby added to the City of Creede Code of Ordinances as follows:

A. Chapter 19, Article 1 LICENSING OF SHORT-TERM RENTALS

Sections:

- 19-1-010 Intent and scope.
- 19-1-020 Definitions.
- 19-1-030 License required.
- 19-1-040 License restrictions.
- 19-1-050 License; application; contents; inspection; issuance.
- 19-1-.060 Fees.
- 19-1-070 Sales tax license.
- 19-1-080 Limitations; occupants, vehicles and noise.
- 19-1-090 Permitted locations.
- 19-1-100 Renewal.
- 19-1-110 Property owner responsibility.
- 19-1-120 Posting.
- 19-1-130 Advertising.
- 19-1-140 Notice to owner.
- 19-1-150 Enforcement; revocation; appeal.
- 19-1-160 Penalty for violation.

19-1-010. Intent and scope.

- A. This chapter is intended to establish comprehensive regulations to safeguard public health, safety and welfare by requiring licensing of short-term rental properties in the City of Creede.
- B. This chapter applies to accommodations for rent or lease for a period of less than thirty (30) consecutive days, but only when the accommodation is assessed in the residential property classification system for property tax purposes.

- C. This chapter is not intended to supersede any private conditions, covenants or restrictions application to a short-term rental unit.

19-1-020. Definitions

Terms and phrases used in this Article are defined as follows:

- A. “Principal residence” means the primary location at which a person resides for more than one-half of the year. However, if the person’s driver’s license or voter registration shows a different residence address, it shall be presumed that the location in question is not a principal residence.
- B. “Responsible agent” means the owner, the owner’s agent, or the owner’s designee who is available to respond to any issues arising from a short-term rental within fifteen (15) minutes and who is authorized to receive written notice on behalf of the owner.
- C. “Short-term rental” means the rental of all or a portion of a single-family residentially-zoned property for less than 30 consecutive days. This definition does not include offering use of one’s property to another where no fee is charged and collected, and also specifically excludes use of recreational vehicles, mobile homes located in a mobile home, trailer or RV park, duplexes and/or multi-family dwellings.
- D. Vehicle means a machine propelled by power other than human power designed to travel along the ground, in the air, or through water by use of wheels, treads, runners, slides, wings, or hulls and to transport persons or property or pull non-self-propelled vehicles or machinery, and includes, without limitation, automobile, airplane, boat, truck, trailer, motorcycle, motor scooter, moped, tractor, buggy, golf cart, and wagon.

19-1-030. License required.

Within the City of Creede, it is unlawful for any person to engage in a short-term rental unless licensed to do so as provided for by this chapter. Licenses are permitted, in limited numbers, in any area in Town where residential occupancy is permitted, in compliance with the provisions of this chapter, and provided that no commercial space is used for a short-term rental. The short-term rental license must be renewed annually for every premises used as a short-term rental.

19-1-.040 License restrictions.

- A. Class A short-term rentals may be located in the property owner’s principal residence or within an accessory dwelling unit located on the same property as the principle residence, and the property owner must be a natural person or the beneficiary of a trust whose name appears on the deed to the property on which the short-term rental is located.
- B. Class B short-term rentals may be located on residentially-zoned properties that are not a principle residence. The total number of Class B short-term rentals within the City of Creede is limited to a total number of twenty-five (25) in a any calendar year.
- C. No property shall be licensed as a short-term rental unless the owner has owned the property for two (2) years before a license application is filed. Transfers to a trust where the owner of the property is the beneficiary of the trust or to a corporate entity where the owner of the property is the majority owner of the entity shall not constitute a break in the period of ownership. This section shall not be read to prohibit the long-term rental of properties for periods in excess of thirty (30) days within the first two (2) years of ownership.
- D. The short-term rental license is non-transferable with the sale of the property.

- E. All applicants for a short-term rental license must obtain written approval from all owners of property located within 200' of the exterior boundary of the property to be permitted.

19-1-050 License; application; contents; inspection; issuance.

- A. Applicants for a license or for renewal of a license under this chapter shall file an application with the Town Administrator/Clerk with the following information:
 - 1. Applicant/property owner information;
 - 2. Address of the short-term rental;
 - 3. Proof of ownership;
 - 4. Designation of and proof of agreement with a responsible agent;
 - 5. Number of bedrooms in the house;
 - 6. Maximum number of occupants;
 - 7. Number and site plan of off-street parking spaces;
 - 8. Trash/recycling plan;
 - 9. Evidence of issuance of a state sales tax license number;
 - 10. Evidence of property and liability insurance;
 - 11. Written approval of abutting property owners; and
 - 12. The applicable license application fee.

In addition to the requirements of this chapter, the City of Creede may require such additional information as is deemed reasonably necessary to effectuate the purpose and intent of this chapter. An application is not complete and will not be considered properly submitted until the applicant provides all information required by the Town and pays the applicable licensing fee.

- B. Upon filing of a complete application for a short-term rental license and within sixty (60) days prior to each annual renewal under the terms and provisions of this chapter, the property owner shall certify that:
 - 1. Adequate fire extinguishers are installed and maintained;
 - 2. Smoke alarms and carbon monoxide alarms are installed in compliance with applicable building and fire codes;
 - 3. Maximum occupancy notice(s) are clearly posted based on square footage; and
 - 4. Emergency egress pathways are in compliance with applicable building and fire codes.
- C. The City of Creede shall issue a short-term rental license upon confirming compliance with the application requirements. The short-term rental license shall include:
 - 1. The names and contact information of the property owner and responsible agent;
 - 2. The maximum number of occupants of the property;
 - 3. Conditions related to parking and other matters (if any); and
 - 4. The dates of issuance and expiration of the license.

19-1-060 Fees.

The Town Board shall, by a resolution of the Town Board, impose fees for the application, renewal and enforcement of this chapter.

19-1-070 Sales tax license.

All short-term rentals shall obtain the necessary sales tax license from the State of Colorado.

19-1-080 Limitations; occupants, vehicles and noise.

The following restrictions shall apply to all short-term rentals:

- A. Application: Applicants shall file a written application for a short-term rental license on forms provided by the City of Creede at least sixty (60) days prior to rental of the property.
- B. Occupants: For short-term rentals with 1,500 square feet or less of interior living space, a maximum of four (4) persons is allowed. For short-term rentals with greater than 1,500 but less than 2,500 square feet of interior living space, a maximum of six (6) persons is allowed. For short-term rentals with 2,500 square feet or more of interior living space, a maximum of eight (8) persons is allowed.
- C. No more than three (3) people per bedroom, including children, shall be permitted to occupy a short-term rental.
- D. Vehicles: No more than four (4) vehicles associated with the property owner, short-term renters and others shall be parked at any one time on or nearby the property with a maximum of two (2) vehicles parked in the street within a duly authorized public parking area where overnight on-street parking is allowed.
- E. Violation of the Municipal Code: All short-term renters shall comply with all applicable provisions of the City of Creede Code of Ordinances, including all nuisance provisions.
- F. Residential character: All dwellings shall maintain the residential character of the neighborhood.
- G. No more than three (3) dogs, including the property owners, shall be allowed at the short-term rental at any one time.
- H. Failure to comply with these limitations may result in revocation of the short-term rental license.

19-1-090 Permitted locations.

- A. The City of Creede shall issue an unlimited number of Class A permits and no more than a total of twenty-five (25) Class B short-term rental licenses.
- B. Short-term rentals are allowed on any residentially-zoned property within the City of Creede.

19-1-100 Renewal.

At least sixty (60) days prior to the anniversary date of the short-term rental license, the licensee shall apply to renew the license. Absent the timely filing of a renewal application, a license shall expire one (1) year from the date of issuance.

19-1-110 Property owner responsibility.

- A. The property owner is responsible for notifying all occupants of the applicable restrictions and requirements.
- B. The property owner is responsible for any violation of any provision of this chapter.

19-1-120 Posting.

The owner must post or cause to be posted the following information in a prominent and visible location in the short-term rental unit:

- A. A copy of the current short-term rental license;
- B. Description of location of fire extinguishers and emergency egress;
- C. General guidelines on Town regulations, as well as any unit specific guidelines, regarding noise, parking, trash pick-up and fire restrictions; and
- D. Any other information deemed necessary by the City Manager or his/her designee to ensure the public's health and safety.

19-1-130 Advertising.

All marketing materials or advertisements for a short-term rental unit shall contain the license number of the short-term rental license.

19-1-140 Notice to owner.

Any notice given by the Town to an owner in pursuit of this chapter is deemed sufficient if sent by either:

- A. First-class mail to the address provided by the owner or the responsible agent designated on the owner's most recent license or renewal application; or
- B. Electronic mail, if the owner provides an electronic mail address and indicates electronic mail as the preferred method of notification on the owner's most recent license or renewal application.

19-1-150 Enforcement; revocation; appeal.

- A. Code Enforcement: The property owner of any property licensed as a short-term rental shall be liable for all violations of this Chapter, and shall abate any nuisance or other violation as required under the Code.
- B. Revocation. Three (3) or more violations of the Code or short-term rental license upon the property shall be grounds for revocation of a short-term rental license. The licensed property shall not be eligible for a short-term rental license for a period of two (2) years following revocation.
- C. Appeal. Any person aggrieved by the decision of the City Manager in the course of the administration and enforcement of this chapter may make an appeal to the Town Board. Such appeal shall be made within ten (10) days of the decision from which the appeal is made by filing with the Town a written notice of appeal specifying the grounds therefor. The Town Board shall conduct a hearing of the appeal within thirty (30) days of receiving written notice. The decision of the Town Board shall be final.

19-1-160 Penalty for violation.

Any person who fails to comply with any provision of this chapter shall may be subject to all applicable penalties described in Chapter 1, Article 4 of the City of Creede Code of Ordinances.

SECTION 2. SEVERABILITY, CONFLICTING ORDINANCES REPEALED. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. All other ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-105.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED this _____ day of _____, 2023.

Jeffrey Larson, Mayor

ATTEST:

Josie Bielenberg
City Clerk



APPROVED
By Justin L. Smith at 10:20 am, Jul 11, 2023

OFFICE OF THE STATE AUDITOR LOCAL GOVERNMENT AUDIT DIVISION
KERRI L. HUNTER, CPA, CFE STATE AUDITOR

Request for Extension of Time to File Audit for Year End December 31, 2022 ONLY


Requests may be submitted via internet portal: <https://apps.leg.co.gov/osa/lg>.

Government Name: City of Creede, A Colorado Town
Name of Contact: Louis Fineberg
Address: 2223 N. Main St.
City/Zip Code Creede, CO 81130
Phone Number: 719-658-2276
E-mail manager@creedetownhall.com
Fiscal Year Ending (mm/dd/yyyy): 12/31/2022
Amount of Time Requested (in days): _____
 (Not to exceed 60 calendar days) 60 days
Audit Due:
September 30, 2023

Comments (optional): _____

I understand that if the audit is not submitted within the approved extension of time, the government named in the extension request will be considered in default without further notice, and the State Auditor shall take further action as prescribed by Section 29-1-606(5)(b), C.R.S.

Must be signed by a member of the governing board.

Signature 
Printed Name: Jeffery Larson
Title: Mayor
Date: July 7, 2023

Application for a Special Events Permit

Departmental Use Only

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

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Social | <input type="checkbox"/> Athletic | <input type="checkbox"/> Philanthropic Institution |
| <input type="checkbox"/> Fraternal | <input type="checkbox"/> Chartered Branch, Lodge or Chapter | <input type="checkbox"/> Political Candidate |
| <input type="checkbox"/> Patriotic | <input type="checkbox"/> National Organization or Society | <input type="checkbox"/> Municipality Owned Arts Facilities |
| <input type="checkbox"/> Political | <input type="checkbox"/> Religious Institution | |

LIAB	DO NOT WRITE IN THIS SPACE
Type of Special Event Applicant is Applying for:	Liquor Permit Number
2110 <input checked="" type="checkbox"/> Malt, Vinous And Spirituous Liquor \$25.00 Per Day	
2170 <input type="checkbox"/> Fermented Malt Beverage \$10.00 Per Day	

1. Name of Applicant Organization or Political Candidate <i>Creede Underground Mining Museum/Mineral County</i>	State Sales Tax Number (Required) <i>01324935-0000</i>
--	---

2. Mailing Address of Organization or Political Candidate (include street, city/town and ZIP) <i>#9 USFS Road 503 P.O. Box 422 Creede, CO 81130</i>	3. Address of Place to Have Special Event (include street, city/town and ZIP) <i>Virginia Christensen Multi-Use Facility 408 La Garita Ave Creede, CO 81130</i>
--	--

4. Authorized Representative of Qualifying Organization or Political Candidate <i>Heather Brophy</i>	Date of Birth <i>06/18/1994</i>	Phone Number <i>719-658-0811</i>
---	------------------------------------	-------------------------------------

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

5. Event Manager <i>Heather Brophy</i>	Date of Birth <i>06/18/1994</i>	Phone Number <i>719-658-0811</i>
---	------------------------------------	-------------------------------------

Event Manager Home Address (Street, City, State, ZIP) <i>109 E 5th Street, Creede, CO 81130</i>	Email Address of Event Manager <i>miningmuseum@mincoco.com</i>
---	---

6. Has Applicant Organization or Political Candidate been Issued a Special Event Permit this Calendar Year? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes How many days? _____	7. Is the premises for which your events to be held currently licensed under the Colorado Liquor or Beer codes? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes License Number _____
---	---

8. Does the Applicant Have Possession or Written Permission for the Use of The Premises to be Licensed? Yes No

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

Date	Date	Date	Date	Date
<i>8-12-2023</i>				
Hours From <i>5:30 p.m.</i>	Hours From	Hours From	Hours From	Hours From
To <i>11:00 p.m.</i>	To	To	To	To

Oath of Applicant

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

Signature <i>Heather Brophy</i>	Title <i>Director - Creede Underground Mining Museum</i>	Date <i>6-28-2023</i>
------------------------------------	---	--------------------------

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

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

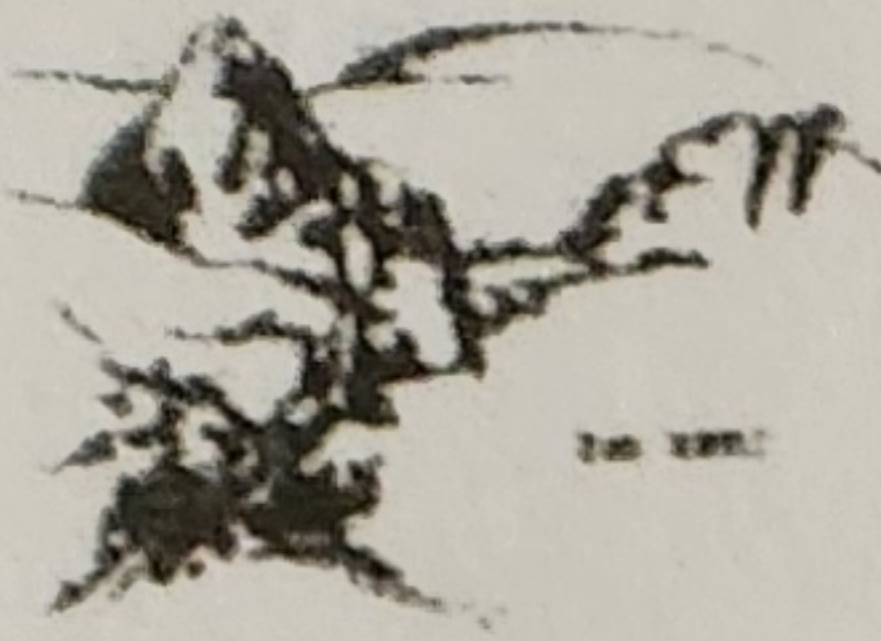
THEREFORE, THIS APPLICATION IS APPROVED.

Local Licensing Authority (City or County) <i>City of Creede, A Colorado Town</i>	<input checked="" type="checkbox"/> City <input type="checkbox"/> County	Telephone Number of City/County Clerk <i>719-658-2276</i>
--	---	--

Signature <i>Joan Polenberg</i>	Title <i>City Clerk</i>	Date <i>6-30-23</i>
------------------------------------	----------------------------	------------------------

DO NOT WRITE IN THIS SPACE - FOR DEPARTMENT OF REVENUE USE ONLY

Liability Information			Total
License Account Number	Liability Date	State	
		-750 (999)	\$.



PARADE PERMIT APPLICATION

City of Creede
2223 N Main Street
Creede, CO 81130
(719-)658-2276

Name: Snowshoe Shuffle 5K Run/Walk

Address: 631 Canal Rd. Monte Vista, CO 81144

Business/Organization (if applicable): _____

Phone: 719.850.7777 Email: runnerangunner@gmail.com

Parade Date 8/5/2023 Parade Time (please allow for set-up and take-down) 08:30 AM

Parade Route Begins At Basham park

Parade Route Ends: At Basham park

Planned Road Closures: Up Main St to E Willow, past N Creede &

back by same route - close Main, just N of K Belye & all side streets (Additionally, please attach a map)

Estimated Number of People Expected to Attend this Event: 100 (please see previous years map)

Responsible Parties for Barricade Set-up & Removal:

Name: Deb Haverfield Phone: 719.850.7777 Name: _____ Phone: _____

I have read, fully understand, and agree to the terms of this Parade Permit, any attached pages, and the City of Creede's Public Property Event Policy and Procedures:

Applicant Deb Haverfield Date 7/17/2023 City Clerk _____ Date _____

SHERIFF'S DEPARTMENT NOTIFICATION: _____ Date _____

PUBLIC WORKS'S DEPARTMENT NOTIFICATION _____ Date _____

FOR ADMINISTRATIVE USE ONLY

Application Received _____ Fee _____ Date Paid _____

License Agreement Attached? Y N Proof of Insurance Attached? Y N

Board of Trustees Meeting Date _____

Approved by Board of Trustees this _____ day of _____, 20 _____

Attest: _____ City Clerk

WORK SESSION

I. ITEMS FOR DISCUSSION ONLY:

- a. Discussion regarding regulation of short-term rentals within the City of Creede;
- b. Discussion regarding the possible prohibition of RV living within City limits;
- c. Discussion regarding possible Sheriff services for the City of Creede;

OPEN TO THE PUBLIC

POSTED 6/15/2023

CITY OF CREEDE, COLORADO

ORDINANCE NO.

AN ORDINANCE ADDING CHAPTER 19, ARTICLE 1, LICENSING OF SHORT-TERM RENTALS, TO THE CITY OF CREEDE CODE OF ORDINANCES AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Trustees of the City of Creede has determined that the type and numbers of short-term rentals within City limits should be regulated and licensed; and

WHEREAS, the Board of Trustees of the City of Creede held work sessions to review and discuss regulations and licensing standards on _____; and

NOW, THEREFORE, be it ordained by the Board of Trustees of the City of Creede as follows:

SECTION 1. **ADDITION.** Chapter 19, Article 1, Licensing of Short-Term Rentals, is hereby added to the City of Creede Code of Ordinances as follows:

A. Chapter 19, Article 1 LICENSING OF SHORT-TERM RENTALS

Sections:

- 19-1-010 Intent and scope.
- 19-1-020 Definitions.
- 19-1-030 License required.
- 19-1-040 License restrictions.
- 19-1-050 License; application; contents; inspection; issuance.
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- C. No property shall be licensed as a short-term rental unless the owner has owned the property for two (2) years before a license application is filed. Transfers to a trust where the owner of the property is the beneficiary of the trust or to a corporate entity where the owner of the property is the majority owner of the entity shall not constitute a break in the period of ownership. This section shall not be read to prohibit the long-term rental of properties for periods in excess of thirty (30) days within the first two (2) years of ownership.
- D. The short-term rental license is non-transferable with the sale of the property.

- E. All applicants for a short-term rental license must obtain written approval from all owners of property located within 200' of the exterior boundary of the property to be permitted.

19-1-050 License; application; contents; inspection; issuance.

- A. Applicants for a license or for renewal of a license under this chapter shall file an application with the Town Administrator/Clerk with the following information:
 - 1. Applicant/property owner information;
 - 2. Address of the short-term rental;
 - 3. Proof of ownership;
 - 4. Designation of and proof of agreement with a responsible agent;
 - 5. Number of bedrooms in the house;
 - 6. Maximum number of occupants;
 - 7. Number and site plan of off-street parking spaces;
 - 8. Trash/recycling plan;
 - 9. Evidence of issuance of a state sales tax license number;
 - 10. Evidence of property and liability insurance;
 - 11. Written approval of abutting property owners; and
 - 12. The applicable license application fee.

In addition to the requirements of this chapter, the City of Creede may require such additional information as is deemed reasonably necessary to effectuate the purpose and intent of this chapter. An application is not complete and will not be considered properly submitted until the applicant provides all information required by the Town and pays the applicable licensing fee.

- B. Upon filing of a complete application for a short-term rental license and within sixty (60) days prior to each annual renewal under the terms and provisions of this chapter, the property owner shall certify that:
 - 1. Adequate fire extinguishers are installed and maintained;
 - 2. Smoke alarms and carbon monoxide alarms are installed in compliance with applicable building and fire codes;
 - 3. Maximum occupancy notice(s) are clearly posted based on square footage; and
 - 4. Emergency egress pathways are in compliance with applicable building and fire codes.
- C. The City of Creede shall issue a short-term rental license upon confirming compliance with the application requirements. The short-term rental license shall include:
 - 1. The names and contact information of the property owner and responsible agent;
 - 2. The maximum number of occupants of the property;
 - 3. Conditions related to parking and other matters (if any); and
 - 4. The dates of issuance and expiration of the license.

19-1-060 Fees.

The Town Board shall, by a resolution of the Town Board, impose fees for the application, renewal and enforcement of this chapter.

19-1-070 Sales tax license.

All short-term rentals shall obtain the necessary sales tax license from the State of Colorado.

19-1-080 Limitations; occupants, vehicles and noise.

The following restrictions shall apply to all short-term rentals:

- A. Application: Applicants shall file a written application for a short-term rental license on forms provided by the City of Creede at least sixty (60) days prior to rental of the property.
- B. Occupants: For short-term rentals with 1,500 square feet or less of interior living space, a maximum of four (4) persons is allowed. For short-term rentals with greater than 1,500 but less than 2,500 square feet of interior living space, a maximum of six (6) persons is allowed. For short-term rentals with 2,500 square feet or more of interior living space, a maximum of eight (8) persons is allowed.
- C. No more than three (3) people per bedroom, including children, shall be permitted to occupy a short-term rental.
- D. Vehicles: No more than four (4) vehicles associated with the property owner, short-term renters and others shall be parked at any one time on or nearby the property with a maximum of two (2) vehicles parked in the street within a duly authorized public parking area where overnight on-street parking is allowed.
- E. Violation of the Municipal Code: All short-term renters shall comply with all applicable provisions of the City of Creede Code of Ordinances, including all nuisance provisions.
- F. Residential character: All dwellings shall maintain the residential character of the neighborhood.
- G. No more than three (3) dogs, including the property owners, shall be allowed at the short-term rental at any one time.
- H. Failure to comply with these limitations may result in revocation of the short-term rental license.

19-1-090 Permitted locations.

- A. The City of Creede shall issue an unlimited number of Class A permits and no more than a total of twenty-five (25) Class B short-term rental licenses.
- B. Short-term rentals are allowed on any residentially-zoned property within the City of Creede.

19-1-100 Renewal.

At least sixty (60) days prior to the anniversary date of the short-term rental license, the licensee shall apply to renew the license. Absent the timely filing of a renewal application, a license shall expire one (1) year from the date of issuance.

19-1-110 Property owner responsibility.

- A. The property owner is responsible for notifying all occupants of the applicable restrictions and requirements.
- B. The property owner is responsible for any violation of any provision of this chapter.

19-1-120 Posting.

The owner must post or cause to be posted the following information in a prominent and visible location in the short-term rental unit:

- A. A copy of the current short-term rental license;
- B. Description of location of fire extinguishers and emergency egress;
- C. General guidelines on Town regulations, as well as any unit specific guidelines, regarding noise, parking, trash pick-up and fire restrictions; and
- D. Any other information deemed necessary by the City Manager or his/her designee to ensure the public's health and safety.

19-1-130 Advertising.

All marketing materials or advertisements for a short-term rental unit shall contain the license number of the short-term rental license.

19-1-140 Notice to owner.

Any notice given by the Town to an owner in pursuit of this chapter is deemed sufficient if sent by either:

- A. First-class mail to the address provided by the owner or the responsible agent designated on the owner's most recent license or renewal application; or
- B. Electronic mail, if the owner provides an electronic mail address and indicates electronic mail as the preferred method of notification on the owner's most recent license or renewal application.

19-1-150 Enforcement; revocation; appeal.

- A. Code Enforcement: The property owner of any property licensed as a short-term rental shall be liable for all violations of this Chapter, and shall abate any nuisance or other violation as required under the Code.
- B. Revocation. Three (3) or more violations of the Code or short-term rental license upon the property shall be grounds for revocation of a short-term rental license. The licensed property shall not be eligible for a short-term rental license for a period of two (2) years following revocation.
- C. Appeal. Any person aggrieved by the decision of the City Manager in the course of the administration and enforcement of this chapter may make an appeal to the Town Board. Such appeal shall be made within ten (10) days of the decision from which the appeal is made by filing with the Town a written notice of appeal specifying the grounds therefor. The Town Board shall conduct a hearing of the appeal within thirty (30) days of receiving written notice. The decision of the Town Board shall be final.

19-1-160 Penalty for violation.

Any person who fails to comply with any provision of this chapter shall may be subject to all applicable penalties described in Chapter 1, Article 4 of the City of Creede Code of Ordinances.

SECTION 2. SEVERABILITY, CONFLICTING ORDINANCES REPEALED. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. All other ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 3. EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect thirty (30) days after adoption and publication pursuant to C.R.S. § 31-16-105.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED this _____ day of _____, 2023.

Jeffrey Larson, Mayor

ATTEST:

Josie Bielenberg
City Clerk

No recreational vehicle shall be used for living or sleeping purposes or as a store, office or place for the carrying on of a business, trade or profession within the Town, unless it is located in an approved or legal nonconforming RV park pursuant to the applicable terms of the Estes Park Development Code.

Re: Agreement for LE Services

1 message

Terry Wetherill <sheriff@mincocolo.com>
To: Louis Fineberg <manager@creedetownhall.com>

Thu, Jul 13, 2023 at 1:49 PM

Louis,
Good afternoon. I am no doubt delinquent in getting back to you concerning a budget and an Intergovernmental Agreement between the City of Creede and the Mineral County Sheriff's Office. I intended to get some of the actual processes all sorted out before I gave you partial information but it seems that is going to take much longer than I would like. As far as residents saying we are not providing services because of an IGA I cannot speak to what these people are claiming.

I have had people call me about too many cats, about illegal aliens living in a camper with no septic, about boyfriend issues all of which I explained are not necessarily Sheriff's Office issues. I can tell you we have been writing parking tickets, careless driving tickets, speeding tickets, Driving Under the Influence of Alcohol citations, pulling ATV/UTVs over, warning people of speed, dealing with probation violations, restraining order violations, deputies and myself have been walking the streets during events, dealing with open containers and conducting vehicle wreck investigations, all of which originated in Creede. I would estimate 75+% of our time has been providing services inside the city limits of Creede.

I still desire to formalize a contract with the city of Creede. Part of that process is to adopt an IGA between the Creede and the Sheriff's Office. Another aspect of that is also to have the City adopt Model Traffic Code (MTC) and coordinate with the Sheriff's office on which MTC will be enforced. For instance we do not have the equipment, people or skills to deal with commercial vehicles like tractor trailers. Then of course we also have to get a City Clerk and a Municipal Judge to deal with the tickets that are written.

Additional information is that I am attempting to also do the MTC, County Clerk and County Judge with Mineral County. In Hinsdale County, Lake City and the County have co-hired a clerk and Judge who deals with both City and County Tickets. I have been working with Janelle and she is reaching out to the Hinsdale people to understand how they worked with CDOT for the adoption of MTC and get a better understanding of these co-hired people.

I have attached an older copy of the Hinsdale / Lake City IGA. I was unable to get the latest copy but I will make it a priority to get a Mineral County / Creede IGA drafted.

For planning purposes this is our budget for an additional Sheriff's Deputy for the first full year would be approximately:

Vehicle \$51,000
Vehicle fit out with radios, lights, siren, badging, and cage \$10,000
Deputy equipment - Gun, Taser, Body Armor, Hand held Digital Trunked Radio, Body Worn Camera, Computer, and Uniforms \$12,500

Job	# Hour Weekly	# Hours annually	Salary / Hr	Pay	Holiday	Overtime	Health I	Cell	401	FICA	Medicare	Unemploy	Total
		22-24			*2**4*13	*1.5*40			0.0400	0.0620	0.0145	0.0020	
Deputy	40	2080	\$24.00	\$49,920.00	\$2,496.00	\$1,440.00	\$18,815.52		\$1,996.80	\$2,995.20	\$499.20	\$99.84	\$78,262.56

Total lay out for the first full year for a new Deputy that has a reasonable amount of experience is \$141,773

Follow on years would probably include a cost of living expense raise and a contribution to equipment that will need replaced in follow on years. I would expect that to be about \$92,000.

I have a meeting at 2pm but will be working on the draft IGA this afternoon and tomorrow morning.

Respectfully,
Terry Wetherill



Terry Wetherill
Sheriff

(Cell) 719-850-0514
(Office) 719-658-2600 (Fax) 719-658-2764
Mineral County Sheriff's Office
Sheriff@MinCoColo.com
1201 N Main St / PO Box 454
Creede, Colorado 81130

On Thu, Jul 13, 2023 at 11:36 AM Louis Fineberg <manager@creedetownhall.com> wrote:
Terry,

I hope you are well. On several occasions of late I've been told by residents that the Sheriff's Office is telling folks that you aren't providing services to Creede because we have no agreement for law enforcement services. I'm admittedly a little confused about this since the City approached you several times about entering into an agreement, both before and after your election. You showed up a few months ago to discuss this with the Board and were supposed to get back to us with a cost estimate for getting a

deputy to deal with City matters. That was the last we've heard from you. Can you please clarify whether or not you are interested in providing law enforcement services to the City? If not, please let us know so we can look into alternative arrangements. If you are interested, can you get us the cost estimate for services?

Thanks and let me know if you would like to discuss.

--

Louis M. Fineberg
Town Manager
City of Creede
2223 N. Main St.
Creede, CO 81130
Tel: (719) 658-2276 x 1

 **Hinsdale & Lake City IGA.pdf**
398K

**INTERGOVERNMENTAL AGREEMENT BETWEEN AND AMONG HINSDALE
COUNTY, THE HINSDALE COUNTY SHERIFF'S OFFICE, AND THE TOWN
OF LAKE CITY FOR LAW ENFORCEMENT SERVICES**

THIS INTERGOVERNMENTAL AGREEMENT between and among HINSDALE COUNTY (the "COUNTY"), the HINSDALE COUNTY SHERIFF'S OFFICE (the "SHERIFF") and THE TOWN OF LAKE CITY, (the "TOWN") FOR LAW ENFORCEMENT SERVICES ("Law Enforcement IGA") is made effective as of the 1st day of January, 2021. The COUNTY, the SHERIFF, and the TOWN shall be collectively referred to as the "PARTIES."

RECITALS

WHEREAS, the COUNTY is a county of the state of Colorado that has been duly established and is operating pursuant to Colorado Constitution Art. XIV and Title 30 of the Colorado Revised Statutes (C.R.S.), as amended and the SHERIFF is an elected official of the COUNTY;

WHEREAS, the TOWN is a municipal corporation that has been duly established and is operating pursuant to Colorado Constitution Art. XIV and XV and Title 31, C.R.S.;

WHEREAS, pursuant to Colorado Constitution Art. XIV, § 18, and § 29-1-203, C.R.S., as amended, the COUNTY, the SHERIFF and the TOWN are authorized to cooperate and contract with one another to provide any function, service, or facility lawfully authorized to each;

WHEREAS, pursuant to § 30-11-410, C.R.S., as amended, the governing body of a municipality and a board of county commissioners are expressly authorized to contract for the purpose of providing law enforcement services; and,

WHEREAS, the COUNTY, the SHERIFF and the TOWN mutually desire to contract for law enforcement services as provided herein.

NOW, THEREFORE, for the consideration herein set forth, the PARTIES agree as set forth below.

SECTION I - SERVICES TO BE PROVIDED BY THE SHERIFF'S OFFICE

Subject to the details recited in "Attachment A" appended to this agreement, the SHERIFF shall provide law enforcement services to and for the benefit of the TOWN, as set forth below:

- (a) Such routine patrols for traffic and other matters as the SHERIFF (or his designee), in his sole discretion, shall determine;
- (b) Investigation and, if proper, prosecution of all complaints of violations of municipal ordinances and state statutes as are reported to him;
- (c) Investigation and appropriate action upon any and all traffic accidents within the TOWN which reasonably require investigation;
- (d) Assistance in all law enforcement emergencies arising within the limits of the TOWN;
- (e) Transportation and housing of any prisoners when reasonably required due to circumstances relating to illegal acts within the limits of the TOWN. The TOWN shall be responsible for any cost incurred for any arrest made under the TOWN ordinances or under any state statute if such arrest occurs in the TOWN. The SHERIFF shall report each month of any costs incurred;

- (f) Issuance of dog licenses and maintenance of related records; and
- (g) Submission of written monthly reports regarding law enforcement activity affecting the TOWN.

Basic services to be provided to the TOWN include one law enforcement service unit, which is defined to mean one patrol deputy, including the equipment, supplies and vehicle incidental to providing the service unit. All employees staffing the service unit shall be employees of the COUNTY and not of the TOWN, and all equipment and supplies provided incidental thereto shall be and remain the property of the COUNTY.

The Parties acknowledge that the SHERIFF will occasionally be unavailable to provide immediate response to calls of a low priority for the following reasons: (1) staff size; (2) the fact that calls are not spread evenly over time; and (3) the need to address high priority calls first. Inevitably, there will be times when coverage is not instantaneous or ideal for low priority calls. The SHERIFF (or his designee) in his sole discretion will determine the priority and timing of calls and agrees to use his best efforts and judgment for the safety and well-being of the public, given what he knows at the time the decision is made.

In the event of any conflicts or inconsistencies between the terms and conditions contained in the body of this Law Enforcement IGA and those contained in Attachment A., the terms and conditions contained in the body of this Law Enforcement IGA shall prevail and control.

SECTION II - RESPONSIBILITIES OF THE TOWN

The TOWN shall provide information as necessary or requested by the COUNTY and/or the SHERIFF to enable its or their performance under this Law Enforcement IGA. The TOWN hereby expressly delegates to the SHERIFF the authority to enforce any and all laws applicable to and within the territory of the TOWN. The COUNTY further agrees that such services will include the enforcement of state statutes and municipal ordinances of the TOWN.

SECTION III - TERM

The term of this Law Enforcement IGA shall be for two (2) calendar years, beginning on January 1, 2021 and ending on December 31, 2022. This Law Enforcement IGA may be renewed for additional terms, but only upon written notice from the TOWN that it wishes to renew the agreement for additional years. For fiscal planning purposes, such notice must be received by the COUNTY on or before August 31st of each year.

SECTION IV - PAYMENT AND FEE SCHEDULE

The TOWN shall pay the COUNTY a base sum for the services provided hereunder on the following schedule:

2021: \$76,153.00
2022: \$82,592.00

This sum shall be paid in quarterly installments as specified in Attachment A. The TOWN shall also make quarterly payments to the COUNTY for additional charges, if any, as invoiced pursuant to Attachment A.

SECTION V - WORKERS COMPENSATION

The COUNTY, at its sole expense, shall procure and maintain workers' compensation insurance and unemployment compensation insurance as required under Colorado law for all SHERIFF'S Office personnel. Pursuant to the Workers' Compensation Act, §8-40-202(2)(b)(IV), C.R.S., as amended, the COUNTY understands that it and its employees and servants are not entitled to workers' compensation benefits from the TOWN. The COUNTY further understands that it is solely obligated for the payment of federal and state income tax on any moneys earned pursuant to this Law Enforcement IGA.

SECTION VI - NONDISCRIMINATION

The Parties shall not discriminate against any employee or qualified applicant for employment because of age, race, color, religion, marital status, disability, sex, or national origin. The Parties agree to post in conspicuous places, available to employees and applicants for employment, notices provided by the local public agency setting forth the provisions of this nondiscrimination clause.

SECTION VII - INSURANCE AND GOVERNMENTAL IMMUNITY

During the term of this Law Enforcement IGA, the Parties agree to maintain insurance in all forms and types as required by law through either commercial policies or self-insurance. Nothing in this Law Enforcement IGA shall be construed as a waiver by either party of any provisions of the Colorado Governmental Immunity Act, § 24-10-101, *et seq.*, C.R.S., as amended.

The TOWN agrees to insure against and indemnify the COUNTY and hold the COUNTY harmless for any cause of action, lawsuit or claim arising out of the COUNTY's performance of the law enforcement duties within TOWN limits pursuant to this contract, except those resulting from gross negligence or intentional misconduct by the Sheriff or his or her deputies. Proof of insurance will be provided to the COUNTY annually, on or before February 1st of each year.

SECTION IX - TERMINATION

Either party may terminate this Law Enforcement IGA upon written notice to the other party at least forty-five (45) days prior to the effective date of the termination.

SECTION X - GENERAL PROVISIONS

(a) Jurisdiction and Venue. The laws of the State of Colorado shall govern as to the interpretation, validity, and effect of this Law Enforcement IGA. The Parties agree that jurisdiction and venue for any disputes arising under this Law Enforcement IGA shall be with the 7th Judicial District, Colorado.

(b) Compliance with Laws. During the performance of this Law Enforcement IGA, the Parties agree to strictly adhere to all applicable federal, state, and local laws, rules and regulations, including all licensing and permit requirements. The Parties hereto acknowledge that they are familiar with § 18-8-301, *et seq.*, C.R.S. (Bribery and Corrupt Influences), as amended, and § 18- 8-401, *et seq.*, C.R.S. (Abuse of Public Office), as amended, and that no violations of such provisions are present. Without limiting the generality of the foregoing and as applicable, the Parties expressly agree to comply with the privacy and security requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) when exposed to or provided with any data or records under this Law Enforcement IGA that are considered to be "Protected Health Information."

(c) Record Retention. The Parties shall maintain records and documentation of the services provided under

this Law Enforcement IGA, including fiscal records, and shall retain the records for a period of three (3) years from the date this Law Enforcement IGA is terminated, unless otherwise provided or required by law. Said records and documents shall be subject at all reasonable times to inspection, review, or audit by authorized federal, state, or the COUNTY personnel.

(d) Assignability. Neither this Law Enforcement IGA, nor any rights hereunder, in whole or in part, shall be assignable or otherwise transferable by either party without the prior written consent of both Parties.

(e) Waiver. Waiver of strict performance or the breach of any provision of this Law Enforcement IGA shall not be deemed a waiver, nor shall it prejudice the waiving party's right to require strict performance of the same provision, or any other provision in the future, unless such waiver has rendered future performance commercially impossible.

(f) Force Majeure. Neither party shall be liable for any delay or failure to perform its obligations hereunder to the extent that such delay or failure is caused by a force or event beyond the control of such party including, without limitation, war, embargoes, strikes, governmental restrictions, riots, fires, floods, earthquakes, or other acts of God.

(g) Notice. Any notices given under this Law Enforcement IGA are deemed to have been received and to be effective: (1) three (3) days after the same shall have been mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that a facsimile was received. For the purposes of this Law Enforcement IGA, any and all notices shall be addressed to the contacts listed below:

For the COUNTY:

Hinsdale County Commissioners
c/o Sandy Hines, Administrator
P.O. Box 277
Lake City, CO 81235

For the SHERIFF:

The Hinsdale County Sheriff's Office
c/o Chris Kambish, Sheriff
P.O. Box 127
Lake City, CO 81235

For the TOWN:

Town of Lake City
c/o Caroline Mitchell, Manager
PO Box 544
Lake City, CO 81235

(h) Integration of Understanding. This Law Enforcement IGA may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall

constitute one and the same agreement.

(i) Parties Interested Herein. Nothing expressed or implied in this Law Enforcement IGA is intended or shall be construed to confer upon or to give to, any person other than the Parties, any right, remedy, or claim under or by reason of this Law Enforcement IGA or any covenant, terms, conditions, or provisions hereof. All covenants, terms, conditions, and provisions in this Law Enforcement IGA by and on behalf of the PARTIES shall be for the sole and exclusive benefit of the PARTIES.

(j) Severability. If any provision of this Law Enforcement IGA is determined to be unenforceable or invalid for any reason, the remainder of this Law Enforcement IGA shall remain in effect, unless otherwise terminated in accordance with the terms contained herein.

(k) Authorization. Each party represents and warrants that it has the power and ability to enter into this Law Enforcement IGA, to grant the rights granted herein, and to perform the duties and obligations herein described.

IN WITNESS WHEREOF, the Parties have caused their names to be affixed hereto.

BOARD OF COUNTY COMMISSIONERS OF HINSDALE COUNTY, COLORADO

By: _____, 2020
Susan Thompson, Chair Date

ATTEST:

Joan Roberts, County Clerk

HINSDALE COUNTY SHERIFF'S OFFICE

By: _____, 2020
Chris Kambish, Sheriff Date

THE TOWN OF LAKE CITY

By: _____, 2020
Bruce Vierheller, Mayor Date

ATTEST:

Town Clerk

ATTACHMENT A
TO LAW ENFORCEMENT IGA

1. **Agreement to Supply Police Services.** The COUNTY agrees to furnish to the TOWN reasonable law enforcement services as deemed necessary by the SHERIFF during the life of this Law Enforcement IGA. Law enforcement services will be provided in the equivalent of service units. The SHERIFF agrees to furnish additional deputy sheriffs as may be needed by or requested by The TOWN from time to time as long as such deputies are available and their assignment will not adversely affect law enforcement services provided to unincorporated portions of the COUNTY. Except as otherwise provided, the SHERIFF reserves the right to determine all law enforcement functions, including those deemed extraordinary.

2. **Place and Nature of Services.** This Law Enforcement IGA will be implemented by the SHERIFF and shall not in any way affect the regular law enforcement services provided by the SHERIFF to unincorporated portions of Hinsdale County. The SHERIFF shall make all determinations in scheduling and designating the patrol area of the deputy supplied under this Law Enforcement IGA. The standards of performance, disciplining of deputies, control of personnel providing such services, and other matters incident to the performance of the services to be provided hereunder shall be in accordance with the SHERIFF'S office policies.

All legal documents, i.e. subpoenas, summonses, or any legal paperwork not generated by the SHERIFF that requires service shall be handled as follows: Legal documents will be provided by the TOWN to the Civil Division of the SHERIFF. The SHERIFF'S office personnel will serve only legal documents required to be served in Hinsdale County. The TOWN will pay legal services in accordance with the SHERIFF'S office fee schedule, based upon the Colorado Revised Statutes.

Law enforcement services provided to the TOWN under this Law Enforcement IGA will be provided within that territory of the TOWN that is located in Hinsdale County. Areas outside of Hinsdale County, annexed by the TOWN, will not be served under this Law Enforcement IGA. The Sheriff, or his designee, will meet with the TOWN Trustees on as as-needed basis. The meetings may occur in an effort to maintain communication and enhance community policing and partnerships.

3. **Personnel and Equipment.** The COUNTY shall furnish and supply all necessary labor, supervision, equipment, vehicles, communication facilities, and supplies necessary to provide the services to be rendered hereunder. In special instances when special supplies, stationery, notices, forms and similar materials are to be issued in the name of the TOWN, the same is to be supplied by the TOWN at its own expense.

4. **Payment.** Payments of the base sum are to be made in quarterly installments at the end of each three (3) month period. The COUNTY shall provide a statement at the close of each calendar quarter, and the TOWN shall pay the amount therein set forth within thirty (30) days after the receipt of such statement. If such payment is not received by the COUNTY within forty (40) days after the submission of the billing, the COUNTY may satisfy such payment from any funds of the TOWN that are in the hands of the COUNTY without advance notice to the TOWN of the COUNTY's intention to do so, or the COUNTY may proceed in any manner provided by law to collect such indebtedness.

5. **Equipment.** All equipment used in the performance of this Law Enforcement IGA, including vehicles, arms, communication equipment, and supplies, shall remain the property of the COUNTY.

6. **Reports.** Incidental to and in addition to the services performed hereunder, the COUNTY shall furnish monthly sheriff's reports of the activities of the deputy assigned to perform the services of this Law Enforcement IGA. Such reports are to be delivered within a reasonable time to the office of the town clerk.

7. **Definition of Service Unit.** Law enforcement services provided to the TOWN under this Law Enforcement IGA will be provided in the equivalent of service units. A service unit is one (1) patrol deputy. That service unit includes the vehicle and supplies/items needed to allow the deputy to function at their assigned tasks. The cost of a service unit is the equivalent of all costs incurred in the staffing and functioning of such employees. For the years 2020 through 2022, law enforcement services provided to the TOWN will consist of one complete service unit.

Service Unit Costs

One Service Unit	2021	\$76,153.00
	2022	\$82,592.00