



## CITY OF LEADVILLE

### **Tuesday, January 4th, 2022 – 6:00 P.M. REGULAR COUNCIL MEETING AGENDA 800 HARRISON AVE, LEADVILLE, CO.**

<https://leadville-co-gov.zoom.us/j/83111814072?pwd=RHppaHJJWjFTakpXSDhF...>

Meeting ID: 831 1181 4072

Passcode: 80461

Dial by your location

+1 346 248 7799 US (Houston)

- 6:00 p.m.
1. Call to order of Regular Meeting of City Council
  2. Roll Call
  3. Approval of Agenda
  4. Housekeeping Matters
  5. Public comments about items not on the agenda  
Citizens wishing to speak to council on issues not on the agenda are requested to send a message in the chat section or raise your hand in the participants section of Zoom or in person. Staff will call on public in order. Comment is limited to three (3) minutes (not including council questions). Action, if required, will be assigned to city staff. For matters on the agenda public input will be heard prior to a vote being taken on the matter.
  6.
    - A. Approval of the minutes from 12/7/21
    - B. Approval of the minutes from 12/14/21
  7. Presentations and Discussions
    - A. Full Circle Mural Approval
    - B. CUP Extension Request - Communications Tower
    - C. City Treasurer Applications
  8. Resolutions and Ordinances
    - A. Resolution No. 1, Series of 2022: A Resolution Designating the Official Public Notice Location and the Official Newspaper of General Circulation for the City of Leadville, Colorado
    - B. Resolution No. 2, Series of 2022: A Resolution for a Supplemental Budget for Unanticipated Revenues and Appropriating Additional Sums of Money to Defray Unanticipated Expenditures in Excess of Amounts Budgeted for

\* These items may not have briefs or may have additional briefs Tuesday before the Council meeting.



the General Fund, the High Country Developers Fund, and the Fire Operations of the City of Leadville, Colorado

- C. Resolution 35, Series of 2021: A Resolution Certifying and Levying the Mill Levy of the City of Leadville for 2021 to Defray the Costs of Government for the City of Leadville for the 2022 Budget Year (AMENDED)

- 9. Public Meetings Planner & Council 2022 Planning Calendar

- A. Discuss adding work sessions to Council meeting schedule

- 10. Mayor's Report

- 11. Council Reports

- 12. Public comments about items not on the agenda

Citizens wishing to speak to council on issues not on the agenda are requested to send a message in the chat section or raise your hand in the participants section of Zoom or in person. Staff will call on public in order. Comment is limited to three (3) minutes (not including council questions). Action, if required, will be assigned to city staff.

- 9:00 p.m. 13. Adjournment

\* These items may not have briefs or may have additional briefs Tuesday before the Council meeting.



**CITY OF LEADVILLE**  
**Tuesday, December 7th, 2021 – 6:00 P.M.**  
**REGULAR COUNCIL MEETING MINUTES**  
**800 HARRISON AVE, LEADVILLE, CO.**

**Call to order** of regular city council meeting at 6:01 p.m. in Council Chambers and via Zoom.

**Roll call:** CM Lauritzen, CM Hill, Mayor Labbe, CM Gowing, CM Forgensi, and CM Tharp were present. MPT Greene was absent.

**Approval of the agenda:** CM Gowing moved to approve the agenda. CM Lauritzen seconded. Passed by all present.

**Housekeeping matters:** CM Tharp noticed the flags on Harrison Avenue in regards to Pearl Harbor Day. He also asked about the private parking sign program changes. Mayor Labbe confirmed that the letters to residences have been sent out. CM Tharp also inquired if the City had a snow removal assistance plan. Mayor Labbe shared that the City coordinates with the Senior Center to help seniors in our community with snow removal.

Mayor Labbe gave an update on the Colorado Gives Day donations. Friday, December 10<sup>th</sup>, is the Meet & Greet for the two city administrator finalists and the City Christmas party. He also shared that the City was not able to partnership with the Railroad on their fence project since the City doesn't have a legal right to the property in question. There was an incident at the Animal Shelter over the weekend.

CM Forgensi complimented the Street and LPD departments on a great Parade of Lights last weekend. Mayor Labbe added that the Taste of Leadville which was coordinated on the same day was also very successful.

**Public comments for items not on the agenda.** Steve Prestash commented on the role of government and law. Kristi Galarza thanked council for attending Monday's meeting about the housing director position and gave a brief update on the Housing Coalition and a reminder about Thursday's meeting at 10:00 am. Jamie Seiffer commented about outdated information on the website. (6:10 p.m. – 6:20 p.m.)

**Approval of the Minutes:** CM Gowing approved the meeting minutes from Tuesday, November 16, 2021, with the noted edits. CM Forgensi seconded. Tharp abstained. Passed by five votes.

CM Tharp moved to approve the minutes from Tuesday, November 30, 2021 special council meeting. CM Hill seconded. Passed by all present.

**Discussion with Planning and Zoning Commission about drafting a Formula Business Ordinance.** Christiana McCormick and Gabby Voller presented. Morgan Law, Scott Bauer, Ting Zhu, Rod Weston and Alex Haler were also present from the Planning and Zoning Commission. A special meeting / work session



was scheduled for next Tuesday, December 14, 2021, at 6:00 p.m. to give the City Attorney, Christiana McCormick, more information to draft the ordinance. (6:20 p.m. – 7:20 p.m.)

**Public Hearing opened at 7:27 p.m. for the 2022 Proposed Budget.** Steven Prestash commented on the Municipal Court's budgeted salary, employee bonuses, and sign permit fees. CM Gowing moved to close the public input portion of the public hearing. CM Forgensi seconded. Passed by all present.

**Resolution No. 34, Series 2021, A Resolution appropriating sums of money to the various funds and spending agencies, in the amounts and for the purposes as set forth below, for the City of Leadville, Lake County, Colorado, for the fiscal year beginning the first day of January 2022 and ending the last day of December 2022.** Presented by Dawna Schneider.

CM Hill moved to adopt Resolution No. 34, Series 2021, A Resolution appropriating sums of money to the various funds and spending agencies, in the amounts and for the purposes as set forth below, for the City of Leadville, Lake County, Colorado, for the fiscal year beginning the first day of January 2022 and ending the last day of December 2022. CM Tharp seconded. Passed by all present.

**Resolution No. 35, Series of 2021: A Resolution Certifying and Levying the Mill Levy of the City of Leadville for 2021 to Defray the Costs of Government for the City of Leadville for the 2022 Budget Year.** Presented by Dawna Schneider.

CM Tharp moved to approve Resolution No. 35, Series of 2021: A Resolution Certifying and Levying the Mill Levy of the City of Leadville for 2021 to Defray the Costs of Government for the City of Leadville for the 2022 Budget Year. CM Gowing seconded. Passed by all present.

**Resolution No. 36, Series 2021: A Resolution which would approve a Project Pricing Service Agreement ("Agreement") with GovOS ("Contractor") for the purchase of the City's access to an online accommodations tax administration and compliance system.** Presented by Dawna Schneider.

CM Gowing moved to adopt Resolution No. 36, Series 2021, A Resolution approving a Project Pricing Service agreement with GovOS. CM Forgensi seconded. Passed by all present.

**Resolution No. 37, Series 2021: A Resolution Approving an Intergovernmental Agreement By and Between the City of Leadville and the County of Lake for Housing Director Services.** Presented by Christiana McCormick.

CM Hill moved to adopt Resolution No. 37, Series of 2021, A Resolution Approving an Intergovernmental Agreement By and Between the City of Leadville and the County of Lake for Housing Director Services. CM Gowing seconded. Passed by all present.

**Break: 7:53 p.m. – 7:59 p.m.**

**Public Hearing for Ordinance No. 10 and No. 11.**

**There was no public comment on Ordinance No. 10.** CM Forgensi moved to close the public input portion of the public hearing. CM Gowing seconded. Passed by all present.

**Ordinance No. 10, Series of 2021: An Ordinance Amending Title 3 of the Leadville Municipal Code to Add a New Chapter 3.28 and a New Chapter 3.32 to Codify a Retail Marijuana Excise**



**Tax Approved by the Registered Electors of the City at the November 2, 2015 Election and to Codify Related Administration and Enforcement Procedures (second reading).** Presented by Christiana McCormick.

CM Hill moved to adopt Ordinance No. 10, Series of 2021, An Ordinance Amending Title 3 of the Leadville Municipal Code to Add a New Chapter 3.28 and a New Chapter 3.32 to Codify a Retail Marijuana Excise Tax Approved by the Registered Electors of the City at the November 3, 2015 Election and to Codify Related Administration and Enforcement Procedures, with the amendment, if the 20<sup>th</sup> day of the month fall on a weekend or holiday that the date for payment will be extended to the next business day, on second reading. CM Gowing seconded. Passed by all present.

**There was no public comment on Ordinance No. 11.** CM Gowing moved to close the public input portion of the public hearing. CM Tharp seconded. Passed by all present.

**Ordinance No. 11, Series of 2021: An Ordinance Amending Title 3 of the Leadville Municipal Code to Add a New Chapter 3.36 to Codify an Accommodations Tax Approved by the Registered Electors of the City at the November 2, 2021 Election, on second reading.** Presented by Christiana McCormick.

CM Frogensi moved to adopt Ordinance No. 11, Series of 2021: An Ordinance Amending Title 3 of the Leadville Municipal Code to Add a New Chapter 3.36 to Codify an Accommodations Tax Approved by the Registered Electors of the City at the November 2, 2021 Election with the change to section 3.36.060 liability for collection of tax section B to read the due date for remittance of accommodations tax is the last day January, April, July and October for each year for the three proceeding months, if that day falls on a weekend or holiday, it will be extended to the next business day, on second reading. CM Hill seconded. Passed by all present.

**Public Meetings Planner:** January 4<sup>th</sup> is CM Gowing's last meeting. BOCC would like to have a joint meeting the first City Council meeting in February and practice this quarterly. Sanitation Board meetings are moving to 5:00 p.m.

**Mayor's Report:** Meeting with County Commissioners on Friday about the ARP funding. St. George's served 95 people for Thanksgiving. The Parade and Taste of Leadville had a huge turnout.

**Council Reports:** CM Lauritzen gave an update on the Colorado Gives Day donations for the Democratic Committee. CM Hill shared that Ski Cooper opens this Saturday. CM Tharp shared that Bright Start were able to hire a lead teacher / substitute director.

**Public comments for items not on the agenda.** Steve Prestash commented on limiting formula businesses and the grass maintenance by the book store.

**Adjournment:** 8:48 p.m.



**APPROVED this 4th day of January 4th, 2022 by a vote of \_\_\_ in favor, \_\_\_ against, \_\_\_ abstaining, and \_\_\_ absent.**

CITY OF LEADVILLE, COLORADO

ATTEST:

By

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Diane Kiss, Deputy City Clerk



## CITY OF LEADVILLE

### **Tuesday, December 14, 2021 – 6:00 P.M. SPECIAL COUNCIL MEETING MINUTES 800 HARRISON AVE, LEADVILLE, CO.**

**Call to order** of special work session meeting at 6:01 p.m. in Council Chambers and via Zoom.

**Roll call:** CM Lauritzen, CM Hill, Mayor Labbe, CM Gowing, CM Forgensi, and CM Tharp were present. MPT Greene is absent.

**Approval of the agenda:** CM Hill moved to approve the agenda. CM Gowing seconded. Passed by all present.

**Public comments for items not on the agenda.** Nancy Bailey and other Mainstreet members thanked Council for their support of the Mainstreet program. Steven Prestash commented about when people have the opportunity to make public comments on items not on the agenda. He also commented on the wages and employee bonus program with the City of Leadville. Mr. Prestash asked how to get something on the ballot and the real estate signs in the community.

**Housekeeping Matters:** Mayor Labbe met with the BOCC about the ARP funding and have made decisions on which requests they are funding. CM Tharp thanked the City Hall team for the party on the 10<sup>th</sup>. CM Forgensi will attend the Lake County Trails meeting via Zoom tomorrow. There was a discussion about the signage allowed on Harrison Avenue and CDOT's removal of sandwich board signs.

**Formula Business Ordinance Work Session.** (6:28 p.m. – 7:38 p.m.)

**Public comments for items not on the agenda.** Steve Prestash gave comment about unethical government decisions and conflicts of interest.

**Adjournment:** 7:43 p.m.

**APPROVED this 4th day of January, 2022 by a vote of \_\_\_ in favor, \_\_\_ against, \_\_\_ abstaining, and \_\_\_ absent.**

CITY OF LEADVILLE, COLORADO

ATTEST:

By

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Diane Kiss, Deputy City Clerk



## AGENDA ITEM # 7A

### CITY COUNCIL COMMUNICATION FORM

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MEETING DATE: 1/4/2022

SUBJECT: Full Circle of Lake County, Inc. 115 E 7<sup>th</sup> Mural Request

PRESENTED BY: Stephanie Cole Executive Director and Lori Tye Staff

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  X   MOTION

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**I. REQUEST OR ISSUE:**

In accordance with Chapter 17.80.090 - Specific regulations by zoning district. "Any and all murals both painting directly or installed in pieces must be approved by Leadville City Council."

Full Circle of Leadville, Inc. has requested to install a mural to the Full Circle building, 115 E 7<sup>th</sup> St, on the west wall along the alley.

**II. BACKGROUND INFORMATION:**

The Leadville municipal code updated in 2015 regarding its definition of murals and treatment of historic buildings. Specifically, the code definition defines murals as the following:

17.80.100 - Definitions. Signs #7:

"Mural" means a sign painted directly on an outside wall existing as of August 15, 2015, or installed on panels, or any other medium, which is affixed to an outside wall according to the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings located at: <http://www.nps.gov/tps/standards/four-treatments/treatment-guidelines.pdf>.

Currently the municipal code does not require historic preservation commission review and comment and this proposal was not forwarded to the historic preservation commission for



comment. It does however require council approval, ***“All murals must be approved by city council in accordance with the intents and purposes of the sign code.”*** Section 17.80.090

Full Circle’s youth participants are currently (12/8/21) painting a mural with local artist McKenzie Stock. The proposed mural is 7’ high by 7’ wide, painted on wood and then affixed with wood screws to the siding. The proposal is not to paint directly on the building. Please see the attached letter request and design of the mural.

### **III. STAFF RECOMMENDATION:**

Consider the request and render a recommendation. It appears that it would be installed like other murals that have been installed on Harrison Ave on historic buildings.

The other murals are well loved in Leadville and it appears to staff that this would be a good place for an additional mural for the City of Leadville, as well as an attractive addition to the Full Circle building. Please discuss with the applicant any comments, questions, or concerns.

**NOTE:** Due to the time sensitive grant money involved in the painting AND installation of the mural, Mayor Greg Labbe approved the mural 12/10/21 with the understanding council vote on the request at the first possible meeting (1/4/22).

### **IV. COUNCIL OPTIONS:**

Approve, approve with conditions, continue for more information, deny.

### **V. PROPOSED MOTION:**

“I move to approve the 7’ by 7’ Full Circle of Leadville, Inc. mural to be installed via wood panel onto the most western facing wall at 115 East 7<sup>th</sup> Street facing the alley.”

### **VI. ATTACHMENTS:**

Please see the applicant’s letter and design of the proposed mural.



12/10/2021

**Re: Youth-designed and painted mural artwork at Full Circle**

To whom it may concern:

Full Circle of Lake County recently purchased the building located at 115 E. 7th Street in Leadville. As we renovate the space into a youth and family center, we are dedicated to making the space feel welcoming and inclusive, so that our participants feel a sense of belonging and ownership. We recently received a grant award that has allowed us to partner with local artists to lead some work with our youth participants, and youth designed and are now painting a mural that reflects art that represents things that they care about as a community, and as a part of Full Circle. For example, the mural includes things like the monarch butterfly, a symbol in the immigrant community that represents the migration path that the butterfly takes between Colorado and Mexico; as well as the Full Circle vans which youth apparently really love and appreciate; and a pride flag and other symbols that youth selected. In addition to the mural, there will be multiple circular wood pieces that share information about the mural and about Full Circle. Local artist McKenzie Stock has been leading the mural process and ensuring proper use of materials for an outdoor mural. In addition to the mural, window stickers that provide privacy into the space with a custom designed art from outside, have also been selected by youth - Marley Seifert is designing the window stickers that we plan to install on 4 windows on the northwest corner of the building. Finally, in Spring/Summer, we plan to paint the currently orange trim of the building to Full Circle's logo color - purple.

The outside mural is 7ft x 7ft, painted on wood, and will be affixed to the west side of the building, on the north end along the alley, using screws drilled into the wood and then into the siding on the building. A woodworking professional will be assisting with the installation.

The grant requires funds to be spent out by Dec. 31st, 2021, which means we would like to be able to install the painting before then, so we can use the funds to pay the artists and installer. Attached to this letter is the design of the mural. Thanks so much for your consideration.

A handwritten signature in black ink, appearing to read "Stephanie Cole", is positioned above a horizontal line.

Stephanie Cole, Executive Director

Full Circle of Lake County

[stephanie@fullcircleleadville.org](mailto:stephanie@fullcircleleadville.org)

719-486-2400





## AGENDA ITEM # **7B**

### CITY COUNCIL COMMUNICATION FORM

MEETING DATE: January 4<sup>th</sup>, 2022

SUBJECT: CUP Extension Request for Lake County Sheriff – Emergency Management Services,  
700 East 10<sup>th</sup> Street Communications Tower

PRESENTED BY: Lori Tye

☐ ORDINANCE  
☐ RESOLUTION  
☒ MOTION  
☐ INFORMATION

I. **REQUEST OR ISSUE:** Lake County received an approved Conditional Use Permit on February 4, 2020 for construction of a telecommunications tower to be located at the property of 700 East 10<sup>th</sup> Street. Municipal Code requires a CUP to be active and open within two years of approval.

II. **BACKGROUND INFORMATION:**

This project has experienced considerable delays largely based on typical COVID related impacts to the construction industry. Note, the application was approved just before the March 2020 lockdown/pandemic went into full swing. Many different agencies are involved with this project, and there are several conditions on the approved CUP.

The applicant would like additional time to complete the approved project at 700 E 10<sup>th</sup> St.

Leadville Municipal Code states in Criteria (L.) that, "CUP extensions may be granted by city council for a good cause."

III. **STAFF RECOMMENDATION:**

Please discuss the request with the applicant and consider the applicant's request for a CUP extension beyond 2/4/2022.

IV. **COUNCIL OPTIONS:** Approve, Approve with Conditions or Deny

V. **PROPOSED MOTION:**

"I move to approve an extension for the previously approved Conditional Use Permit for Lake County Emergency Management Services at the property of 700 E 10<sup>th</sup> St for \_\_\_\_\_. "  
(Amount of time, i.e., 6, 12 or up to 24 months)

VI. **ATTACHMENTS:** Official request letter from Lake County Board of County Commissioners, CUP Approval Letter dated 2/10/2020, as well as this cover sheet.



Lake County Government  
Board of County Commissioners

505 Harrison Avenue • PO Box 964 • Leadville, Colorado 80461 • (719) 486-4101

December 21, 2021

Leadville City Council  
800 Harrison Ave  
Leadville, CO80461

Dear Council,

Lake County received conditional approval on February 4, 2020 for a telecommunication tower under a conditional use permit, located within the city at 700 East 10<sup>th</sup> St. This permit is set to expire if not constructed by February 4, 2021. Unfortunately, this project has experienced considerable delays largely based on typical COVID related impacts to the construction industry. Recently the County has been able to gain progress that will bring this project to fruition.

The Board respectfully requests Leadville City Council consider granting an extension due to these unforeseen difficulties and allow Lake County to continue the construction and completion of the telecommunication tower.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sarah Mudge', written in a cursive style.

Sarah Mudge, Chairman  
Lake County Board of County Commissioners



*800 Harrison Avenue, Leadville, Colorado 80461*

*Phone 719-486-2092; Fax: 719-486-5813*

February 10th, 2020

S.O. Amy Reyes  
PO BOX 255  
Leadville, CO 80461

Dear Sheriff Reyes and Lake County Emergency Management Office:

Please accept this correspondence as confirmation that the Leadville Planning and Zoning Commission and Leadville City Council approved your Conditional Use Permit (CUP) for construction of telecommunications tower to be located at the property 700 E 10<sup>th</sup> Street on February 4<sup>th</sup>, 2020.

The approval conditions include that all representations and materials made by the applicant and relied upon by the Planning & Zoning Commission and City Council, in evaluating the Conditional Use Permit, shall be deemed a part of the application and binding by the applicant and the following conditions:

- 1. A legal description of the property prepared by a licensed Colorado land surveyor as required by Ordinance 17.72.070 (inclusive of the land area contained in the scope of this application. (Lots 17, 18, 19, 20, 21, 22, and 23 Block 35, North Leadville Addition to the City of Leadville, County of Lake, State of Colorado. (7 lots @ 25' x 110' = 19,250 sq. ft or .44 acres more or less).**
- 2. A title commitment and title search of any easements or encumbrances of record.**
- 3. Formal lease agreement with the City of Leadville to grant authority for the use of city owned property including the construction of the tower, subject to the CUP conditions. There is currently no record of the uses and improvements on this property as a public facility containing VHF and HAM radio facilities.**
- 4. Improvement costs, whether to be paid by Lake County or monies given by the State, shall be determined to assure compliance with the commitments noted in the CUP.**
- 5. Provide the necessary signature blocks for Planning Commission and City Council approval.**
- 6. The tower height shall not exceed 70 feet and whip antennas shall not exceed an additional 10 feet for a total height of 80 feet.**
- 7. Site layout and landscaping shall reflect the site plan illustrations provided in the application.**
- 8. The tower should remain unpainted and communication disk to be painted at the discretion of staff.**
- 9. Electronic shed(s) will approximate the color of surrounding EOC buildings.**
- 10. Re-review/consideration of the CUP for any future co-location facilities on the site or lease agreement for co-location will be required.**

**11. Should the tower become obsolete, the tower will be removed by the County, at the County's expense.**

Should you have any questions, comments, or concerns please contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sarah Dallas', written over the printed name.

Sarah Dallas  
Planning Official/Administrative Services Manager  
City of Leadville



## AGENDA ITEM # 8.A

### CITY COUNCIL COMMUNICATION FORM

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**MEETING DATE:** January 4, 2022

**SUBJECT:** Resolution No. 1, Series 2022: A Resolution Designating the Official Public Notice Location and the Official Newspaper of General Circulation for the City of Leadville, Colorado

**PRESENTED BY:** Diane Kiss, Deputy City Clerk

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☐ ORDINANCE  
☒ RESOLUTION  
☐ MOTION  
☐ INFORMATION

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**I. REQUEST OR ISSUE:**

Before City Council for consideration is Resolution No. 1, Series of 2022 ("Resolution"), which would designate the official location for posting notices of public meetings of the City as required by the Colorado Open Meetings Law.

**II. BACKGROUND INFORMATION:**

C.R.S. § 24-6-402(2)(c) requires local governments to designate the official location for posting public meeting notices at the first regular meeting of the year. The Resolution, if adopted, designates the City's website as the City's official location for posting notices. It also designates the front doors of City Hall as an alternate posting place where the City may post notices when practicable or necessary. The meetings of City Council and all City boards and commissions must be posted in the official posting location at least 24 hours before the start of the meeting.

In 2019, the Colorado Open Meetings Law was amended to allow the official posting location for local governments to be online instead of a physical posting location. Posting notices online is often more easily accessible than a physical posting location for those wishing to get information about public meetings.

The Resolution (and state law) allows the City to post on both the website and in the physical location, but the City is not required to post an additional notice in the physical location when a notice has been posted on the website. The physical location is also the posting location for emergency circumstances when the website cannot be used, such as when there are technical problems with the website or power outages.



In addition, the Resolution designates The Herald Democrat as the newspaper of general circulation for the City when the City is required by state law or the municipal code to publish notices in the newspaper.

**III. FISCAL IMPACTS:**

N/A

**V. LEGAL ISSUES:**

See Background Information section above.

**VI. STAFF RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution No. 1, Series of 2022.

**VII. COUNCIL OPTIONS:**

Council may take one of the following actions:

1. Adopt the Resolution.
2. Adopt the Resolution with amendments.
3. Table for further discussion and consideration.

**VIII. PROPOSED MOTION:**

“I move to adopt Resolution No. 1, Series of 2022, A Resolution Designating the Official Public Notice Location and the Official Newspaper of General Circulation for the City of Leadville, Colorado.”

**IX. ATTACHMENTS:**

Resolution No. 1, Series of 2022

**CITY OF LEADVILLE, COLORADO  
RESOLUTION NO. 1  
SERIES OF 2022**

**A RESOLUTION DESIGNATING THE OFFICIAL PUBLIC NOTICE LOCATION AND THE  
OFFICIAL NEWSPAPER OF GENERAL CIRCULATION FOR THE CITY OF LEADVILLE,  
COLORADO**

**WHEREAS**, C.R.S. § 24-6-402(2)(c) requires the annual designation of the City's official public posting location for notices of regular and special meetings; and

**WHEREAS**, C.R.S. § 24-6-402(2)(c) also states that the Colorado General Assembly intends for local governments to transition from posting notices in physical locations to posting notices online to the greatest extent practicable so long as the online posting location requirements of state law are met; and

**WHEREAS**, City Council believes that posting notices on the City's website is a more effective and accessible means of dissemination and provides more flexibility than the physical posting location; and

**WHEREAS**, the City Council wishes to continue posting notices in a physical to the extent practicable or when emergency circumstances exist such that posting on the website is not possible; and

**WHEREAS**, the City of Leadville is also required by state law to publish certain notices in a newspaper of general circulation; and

**WHEREAS**, City Council desires to designate the City's website as the official posting location, while continuing to post at its physical posting location when practicable or necessary, as well as designate its newspaper of general circulation for calendar year 2022.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leadville, Colorado, as follows:**

**Section 1.** The City of Leadville website, <https://cityofleadville.colorado.gov>, is hereby designated as the place at which notices of regular and special meetings of City Council, meetings of City boards and commissions, and other public notices shall be posted for purposes of compliance with the Colorado Open Meetings Law, C.R.S. § 24-6-402(2)(c).

**Section 2.** In exigent or emergency circumstances that prevent the City from posting a meeting notice or other public notice on the City's website, the following location is hereby designated as the place at which notices of regular and special meetings of City Council, meetings of City boards and commissions, and other public notices shall be posted for purposes of compliance with the Colorado Open Meetings Law, C.R.S. § 24-6-402(2)(c):

City Hall (on the front doors)  
800 Harrison Avenue  
Leadville, Colorado, 80461

**Section 3.** The meeting notices, and specific agenda information if available, will be posted at the location identified in Section 1 or Section 2 above, as applicable, not less than 24 hours before the commencement of the posted meeting. The City may, in its discretion, post notice in the physical location designated in Section 2 in addition to posting notice on the City's website. However, nothing in this

Resolution requires the City to post notices in the physical location in addition to posting such notices on the website.

**Section 4.** Notices and other information required to be published in a newspaper of general circulation within the City of Leadville shall be made in The Herald Democrat; except that, where the City determines that the submission schedule, publication deadline, or other circumstance makes publication in such newspaper ineffective or otherwise undesirable, the City may publish official notice in another newspaper of general circulation.

**Section 5.** City Council directs the Deputy City Clerk to provide the address of the City's website to the Colorado Department of Local Affairs (DOLA) for inclusion in the inventory maintained by DOLA pursuant to C.R.S. § 24-32-116.

**Section 6.** This Resolution shall be effective upon its adoption.

**ADOPTED this 4th day of January, 2022 by a vote of**  
**\_\_\_ in favor, \_\_\_ against, \_\_\_ abstaining, and \_\_\_ absent.**

CITY OF LEADVILLE, COLORADO:

\_\_\_\_\_  
Greg Labbe, Mayor

ATTEST:

\_\_\_\_\_  
Diane Kiss, Deputy City Clerk

**CITY OF LEADVILLE, COLORADO**  
**RESOLUTION 2**  
**Series of 2022**

**A RESOLUTION FOR A SUPPLEMENTAL BUDGET FOR UNANTICIPATED REVENUES AND APPROPRIATING ADDITIONAL SUMS OF MONEY TO DEFRAY UNANTICIPATED EXPENDITURES IN EXCESS OF AMOUNTS BUDGETED FOR THE GENERAL FUND, THE HIGH COUNTRY DEVELOPERS FUND AND THE FIRE OPERATIONS FUND OF THE CITY OF LEADVILLE, COLORADO.**

**WHEREAS**, the annual budget for the City of Leadville, Colorado, for the fiscal year beginning January 1, 2021 and ending December 31, 2021 has been approved by the City Council; and

**WHEREAS**, the said City Council held a public hearing on said budget and approved said budget and made appropriations in accordance therewith; and

**WHEREAS**, it has become apparent that certain adjustments are necessary to reflect unanticipated expenditures which have occurred during the 2021 budget year; and

**WHEREAS**, due primarily to COVID-19 expenditures including the American Rescue Plan and creating a street paving fund in the General Fund; and

**WHEREAS**, due primarily to unanticipated expenditures for High Country Developers project costs; and

**WHEREAS**, due primarily to unanticipated expenditures for wildland fire deployments, capital asset in the Fire Fund.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leadville, Colorado**, as follows:

**Section 1.** The City Council hereby approves the following supplemental appropriations from the General Fund for Fiscal Year 2021 for the purposes stated:

City Hall Operating Expenditures	\$ 400,000
Police Operating Expenditures	(\$77,000)
Street Operating Expenditures	\$150,000
Animal Shelter Operating Expenditures	\$35,000

That the 2021 appropriations for the General Fund expenditures is hereby increased from \$4,455,225 to \$4,963,225

**Section 2.** The City Council hereby approves the following supplemental appropriations from the High Country Developers Fund for Fiscal Year 2021 for the purposes stated:

High Country Developers Expenditures	\$375,000
High Country Developers Revenue	\$375,000

That the 2021 appropriations for the High Country Developers Fund expenditures is hereby increased from \$0 to \$375,000.

That the 2021 appropriations for the High Country Developers Fund revenues is hereby increased from \$0 to \$375,000.

**Section 3.** The City Council hereby approves the following supplemental appropriations from the Fire Department Fund for Fiscal Year 2021 for the purposes stated:

Fire Operating Expenditures	\$ 50,000
Wildfire Operating Expenditures	\$ 140,000
Fire Capital and Training Expenditures	\$ 50,000

Wildfire Operating Revenue \$ 210,431

Fire Capital and Training Revenue \$ 17,073

That the 2021 appropriation for the Fire Operations Fund expenditures is hereby increased from \$1,454,971 to \$1,694,971.

That the 2021 appropriation for the Wildfire Operating and Fire Capital and Training revenue is hereby increased from \$111,572 to \$339,076

**Section 3.** The supplementary budget is hereby approved and adopted and shall be signed by the Mayor and made a part of the public records of the City of Leadville.

**ADOPTED** by a vote of \_\_\_\_ in favor, \_\_\_\_ against, \_\_\_\_ abstaining, this 4th day of January 2022.

CITY OF LEADVILLE, COLORADO

ATTEST:

By \_\_\_\_\_  
Greg Labbe, Mayor

\_\_\_\_\_  
Deputy City Clerk



## AGENDA ITEM # 8.C

### CITY COUNCIL COMMUNICATION FORM

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**MEETING DATE:** January 4, 2022

**SUBJECT:** Resolution No. 35, Series of 2021: A Resolution Certifying and Levying the Mill Levy of the City of Leadville for 2021 to Defray the Costs of Government for the City of Leadville for the 2022 Budget Year (AMENDED)

**PRESENTED BY:** Dawna Schneider, Finance Director

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☐ ORDINANCE  
☒ RESOLUTION  
☐ MOTION  
☐ INFORMATION

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**I. REQUEST OR ISSUE:**

Before City Council for consideration is an amended Resolution No. 35, Series of 2021 ("Resolution"), which has been amended to correct amounts shown in the recitals of the Resolution according to the amended certification of valuation provided by the Lake County Assessor.

**II. BACKGROUND INFORMATION:**

The City Council previously adopted Resolution No. 35, Series of 2021 at its meeting on December 7, 2021. That resolution contained an amount showing the 2021 net valuation from the Assessor's initial certification of valuation, and the attached amended Resolution 35 updates that 2021 net valuation number to be consistent with the amounts listed in the amended certification of valuation from the Assessor.

**III. FISCAL IMPACTS:**

This amendment does not change the previously adopted mill levy or refund/abatement amounts from the original resolution.

**V. LEGAL ISSUES:**

N/A

**VI. STAFF RECOMMENDATION:**

Staff Recommends approval of Resolution No. 35, Series of 2021 (amended).

**VII. COUNCIL OPTIONS:**

1. Adopt the Resolution;
2. Adopt the Resolution with amendments; or
3. Table the Resolution for further discussion at a date certain.

**VIII. PROPOSED MOTION:**

"I move to adopt the amended Resolution No. 35, Series of 2021: A Resolution Certifying and Levying the Mill Levy of the City of Leadville for 2021 to Defray the Costs of Government for the City of Leadville for the 2022 Budget Year, which amended resolution shall supersede and replace the original Resolution No. 35, Series of 2021."

**IX. ATTACHMENTS:**

- Resolution No. 35, Series of 2021: A Resolution Certifying and Levying the Mil Levy of the City of Leadville for 2021 to Defray the Costs of Government for the City of Leadville for the 2022 Budget Year (Amended)
- County Assessor Amended Certification of Valuation for the City of Leadville

**CITY OF LEADVILLE, COLORADO  
RESOLUTION NO. 35  
SERIES OF 2021  
(AMENDED)**

**A RESOLUTION CERTIFYING AND LEVYING THE MILL LEVY OF THE CITY OF  
LEADVILLE FOR 2021 TO DEFRAID THE COSTS OF GOVERNMENT FOR THE CITY OF  
LEADVILLE FOR THE 2022 BUDGET YEAR**

**WHEREAS**, the City of Leadville ("City") adopted its annual budget in accordance with the Local Government Budget Law on December 7, 2021; and

**WHEREAS**, the City Council approved the 2022 budget by Resolution No. 34, Series of 2021 and made necessary appropriations; and

**WHEREAS**, the 2021 net valuation for assessment for the City as certified by the Lake County Assessor is \$42,167,561.00; and

**WHEREAS**, C.R.S. § 39-10-114 permits any taxing entity to adjust the amount of its tax levy by an additional amount which does not exceed the proportional share of the total amount of abatements and refunds made pursuant to State law; and

**WHEREAS**, C.R.S. § 39-5-128 requires the City to certify its 2021 mill levy to the Board of County Commissioners of Lake County no later than December 15, 2021 after the budget has been adopted.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEADVILLE, COLORADO:**

**Section 1.** The foregoing recitals are incorporated herein by this reference as findings and determinations of the City Council.

**Section 2.** The City of Leadville hereby certifies to the Board of County Commissioners of Lake County that the City's 2021 levy on all taxable property within the City, including Refund/Abatements shall be as follows:

Gross Mill Levy	18.900 mills
Refunds/Abatements	.145 mills
Net Mill Levy	19.045 Mills

**Section 3.** The Deputy City Clerk is directed to deliver a certified copy of this Resolution to the Board of County Commissioners of Lake County no later than December 15, 2021.

**ADOPTED by a vote of \_\_\_ in favor and, \_\_\_ against, \_\_\_ abstaining, and \_\_\_ absent, this  
4th day of January, 2022.**



CITY OF LEADVILLE, COLORADO:

By: \_\_\_\_\_  
Greg Labbe, Mayor

ATTEST:

\_\_\_\_\_  
Deputy City Clerk



**Miguel Martinez**

**Lake County Assessor**

**PO Box 28**

**Leadville, CO 80461**

**719.486.4111**

**November 30, 2021**

**City of Leadville  
800 Harrison Avenue  
Leadville, CO 80461**

**RE: 2021 Re-certification of Values**

**In accordance with §§ 39-1-111(5), C.R.S., I hereby re-certify the required values of property located within the territorial limits of the above entity as listed on the attached Certification of Values Form, DLG-57.**

**Please be advised that in accordance with § 39-5-128, C.R.S., you must officially certify your levy to the Board of County Commissioners no later than December 15, 2021. Please send your levy certification to the following address:**

**Lake County Board of County Commissioners  
PO Box 917  
Leadville, CO 80461**

**If you have any questions concerning the attached certification of values, please contact the assessor's office at 719-486-4110.**

**Yours Sincerely,**

**Miguel M. Martinez  
Lake County Assessor**

New Tax Entity? ☐ YES ☒ NO

Lake County

COUNTY ASSESSOR

Date 11/30/2021

NAME OF TAX ENTITY: CITY OF LEADVILLE

## USE FOR STATUTORY PROPERTY TAX REVENUE LIMIT CALCULATION ("5.5%" LIMIT) ONLY

IN ACCORDANCE WITH 39-5-121(2)(a) and 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES THE TOTAL VALUATION FOR ASSESSMENT FOR THE TAXABLE YEAR 2021:

1. PREVIOUS YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	1. \$37,866,813
2. CURRENT YEAR'S GROSS TOTAL TAXABLE ASSESSED VALUATION: ‡	2. \$42,239,657
3. LESS TOTAL TIF AREA INCREMENTS, IF ANY:	3. \$72,096
4. CURRENT YEAR'S NET TOTAL TAXABLE ASSESSED VALUATION:	4. \$42,167,561
5. NEW CONSTRUCTION: *	5. \$233,292
6. INCREASED PRODUCTION OF PRODUCING MINE: ≈	6. \$0
7. ANNEXATIONS/INCLUSIONS:	7. \$0
8. PREVIOUSLY EXEMPT FEDERAL PROPERTY: ≈	8. \$0
9. NEW PRIMARY OIL OR GAS PRODUCTION FROM ANY PRODUCING OIL AND GAS LEASEHOLD OR LAND (29-1-301(1)(b), C.R.S.): Ⓞ	9. \$0
10. TAXES RECEIVED LAST YEAR ON OMITTED PROPERTY AS OF AUG. 1 (29-1-301(1)(a), C.R.S.). Includes all revenue collected on valuation not previously certified:	10. \$0.00
11. TAXES ABATED AND REFUNDED AS OF AUG. 1 (29-1-301(1)(a), C.R.S.) and (39-10-114(1)(a)(I)(B), C.R.S.):	11. \$6,150.06

‡ This value reflects personal property exemptions IF enacted by the jurisdiction as authorized by Art. X, Sec. 20(8)(b), Colo. Constitution

\* New Construction is defined as: Taxable real property structures and the personal property connected with the structure.

≈ Jurisdiction must submit to the Division of Local Government respective Certifications of Impact in order for the values to be treated as growth in the limit calculation; use Forms DLG 52 &amp; 52A.

Ⓞ Jurisdiction must apply to the Division of Local Government before the value can be treated as growth in the limit calculation; use Form DLG 52B.

## USE FOR TABOR "LOCAL GROWTH" CALCULATION ONLY

IN ACCORDANCE WITH ART. X, SEC. 20, COLO. CONSTITUTION AND 39-5-121(2)(b), C.R.S., THE Lake County ASSESSOR CERTIFIES THE TOTAL ACTUAL VALUATION FOR THE TAXABLE YEAR 2021:

1. CURRENT YEAR'S TOTAL ACTUAL VALUE OF ALL REAL PROPERTY: ¶	1. \$436,440,501
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## ADDITIONS TO TAXABLE REAL PROPERTY

2. CONSTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS: *	2. \$3,269,953
3. ANNEXATIONS/INCLUSIONS:	3. \$0
4. INCREASED MINING PRODUCTION: §	4. \$0
5. PREVIOUSLY EXEMPT PROPERTY:	5. \$53,042
6. OIL OR GAS PRODUCTION FROM A NEW WELL:	6. \$0
7. TAXABLE REAL PROPERTY OMITTED FROM THE PREVIOUS YEAR'S TAX	7. \$0

WARRANT: (If land and/or a structure is picked up as omitted property for multiple years, only the most current year's actual value can be reported as omitted property.)

## DELETIONS FROM TAXABLE REAL PROPERTY

8. DESTRUCTION OF TAXABLE REAL PROPERTY IMPROVEMENTS:	8. \$0
9. DISCONNECTIONS/EXCLUSIONS:	9. \$0
10. PREVIOUSLY TAXABLE PROPERTY:	10. \$0

¶ This includes the actual value of all taxable real property plus the actual value of religious, private school, and charitable real property.

\* Construction is defined as newly constructed taxable real property structures.

§ Includes production from new mines and increases in production of existing producing mines.

IN ACCORDANCE WITH 39-5-128(1), C.R.S., AND NO LATER THAN AUGUST 25, THE ASSESSOR CERTIFIES TO SCHOOL DISTRICTS:  
TOTAL ACTUAL VALUE OF ALL TAXABLE PROPERTY

\$438,176,602

IN ACCORDANCE WITH 39-5-128(1.5), C.R.S., THE ASSESSOR PROVIDES:

HB21-1312 ASSESSED VALUE OF EXEMPT BUSINESS PERSONAL PROPERTY (ESTIMATED): \*\* \$203,384

\*\* The tax revenue lost due to this exempted value will be reimbursed to the tax entity by the County Treasurer in accordance with 39-3-119.5(3), C.R.S.

NOTE: ALL LEVIES MUST BE CERTIFIED to the COUNTY COMMISSIONERS NO LATER THAN DECEMBER 15.

Sun	Mon	Tue	Wed	Thu	Fri	Sat
26	27	28	29	30	31	1
					City Hall Closed	
2	3	4	5	6	7	8
	1pm - BOCC	6pm - Regular CC	5pm - Sanitation			
9	10	11	12	13	14	15
		4pm - HPC Meeting	9am - Court 6pm - P&Z Meeting	2pm - LURA 5:15pm - Parkville		
16	17	18	19	20	21	22
	City Hall Closed 1pm - BOCC @ 500	8:30am - Tourism 6pm - Regular CC				
23	24	25	26	27	28	29
		4pm - HPC -	6pm - P&Z Meeting			
30	31	1	2	3	4	5
		6pm - Regular CC	5pm - Sanitation			

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1	2	3	4	5
		6pm - Regular CC	5pm - Sanitation			
6	7	8	9	10	11	12
1pm - BOCC	4pm - HPC Meeting	9am - Court 6pm - P&Z Meeting	2pm - LURA 5:15pm - Parkville			
13	14	15	16	17	18	19
		8:30am - Tourism 6pm - Regular CC				
20	21	22	23	24	25	26
City Hall closed 1pm - BOCC @ 500	4pm - HPC -	6pm - P&Z Meeting				
27	28	1	2	3	4	5
		6pm - Regular CC	5pm - Sanitation			