



# CITY OF LEADVILLE

800 HARRISON AVE.  
LEADVILLE, CO 80461

## REGULAR COUNCIL MEETING AGENDA

April 2, 2024

6:00 P.M.

**Council Chambers & Zoom**

<https://leadville-co.gov.zoom.us/j/83526944548?pwd=aEdjdGtpNlEyZmt5YVQ1bDBQbnN4dz09>

Meeting ID: 835 2694 4548

Passcode: 80461

Dial by your location

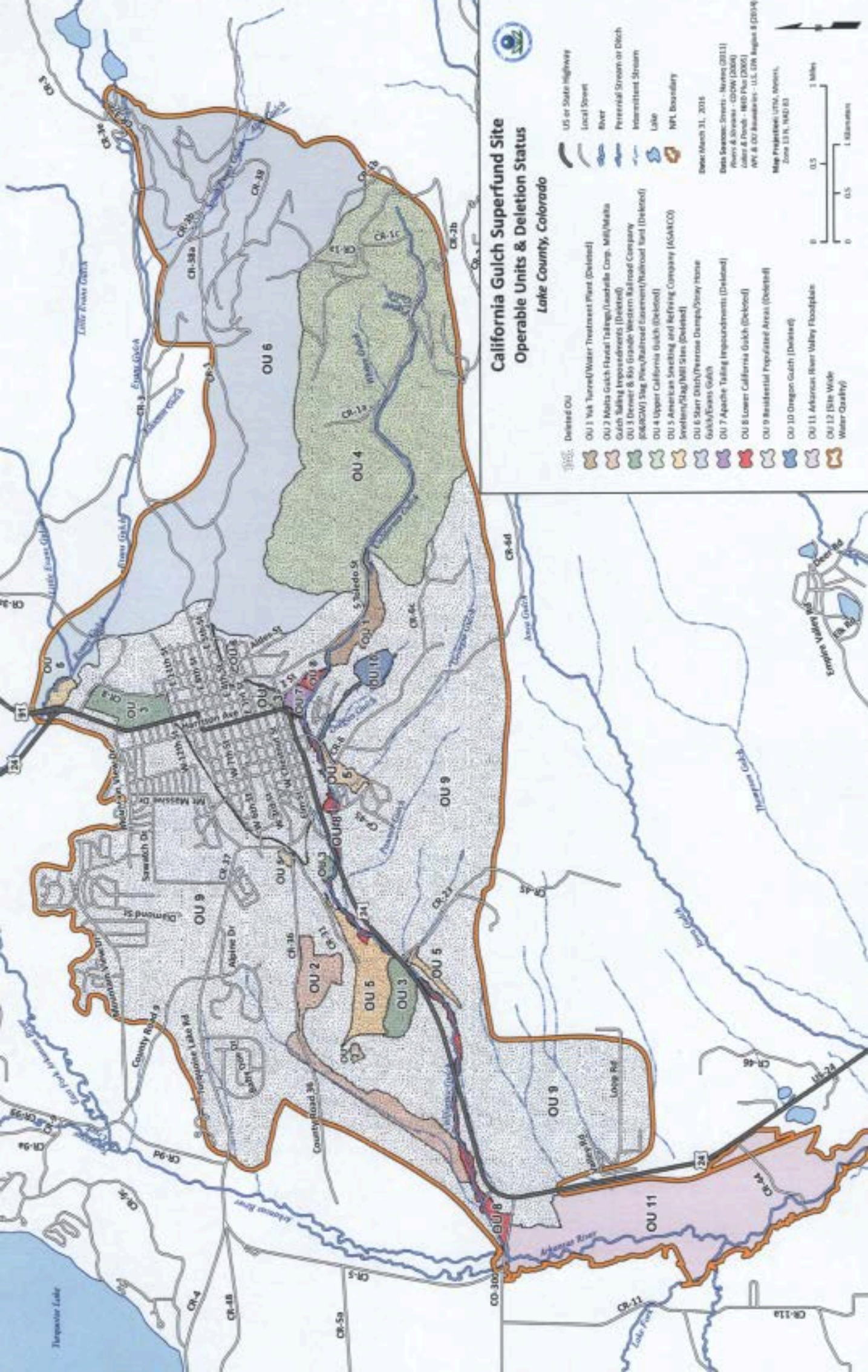
+1 719 359 4580 US

|         |     |  |
|---------|-----|--|
| 6:00 pm | 1.  | Call to order of regular meeting of the City Council   |
|         | 2.  | Roll Call  |
|         | 3.  | Optional Pledge of Allegiance or Moment of Silence   |
|         | 4.  | Approval of Agenda   |
|         | 5.  | Housekeeping Matters   |
|         | 6.  | Public Comments About Items Not on the Agenda  |
|         |     | Citizens wishing to speak to council on issues <u>not</u> on the agenda are requested to raise their hand in the participant's section of Zoom or in person. The Mayor will call on the public in order. Comments are limited to three (3) minutes (not including council questions). Action, if required, will be assigned to City staff. For matters <u>on the agenda</u> (which are not a public hearing) at the discretion of the Mayor, public input can be heard prior to a vote being taken on the matter.  |
| 6:15 pm | 7.  | <b>Presentations and Discussions:</b><br>A. City Administrator's Report<br>B. Presentation by CJK Milling<br>C. Discussion Regarding Community Contributions   |
| 7:30 pm | 8.  | <b>Action Items:</b><br>A. Discussion and Possible Action Regarding a Letter to the Colorado Division of Reclamation, Mining and Safety Regarding the Pending CJK Milling Permit<br>B. Resolution No. 23 , Series of 2024 - A Resolution of the City Council of the City of Leadville, Approving a Letter of Agreement with KRW Associates and Authorizing the City Administrator to Sign the Agreement<br>C. Ordinance No. 1, Series of 2024 - An Ordinance of the City Council of the City of Leadville Amending Chapter 5.04 of Title 5 of the Leadville Municipal Code, Regulating the Business of Guiding Snowmobiles Off-Highway Vehicles and All-Terrain Vehicles in the City (second reading and public hearing) |
| 9:15 pm | 9.  | Public Comments  |
|         | 10. | Mayor's Report   |

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



|                |     |                         |
|----------------|-----|-------------------------|
|                | 11. | Council Reports         |
|                | 12. | Public Meetings Planner |
| <b>9:30 pm</b> | 13. | Adjournment             |



### California Gulch Superfund Site Operable Units & Deletion Status Lake County, Colorado

- US or State Highway
- Local Street
- River
- Perennial Stream or Ditch
- Intermittent Stream
- Lake
- NPL Boundary

- Deleted OU**
- OU 1 Yek Turrel/Water Treatment Plant (Deleted)
- OU 2 Mills Gulch Flaxal Tailings/Leadville Corp. Mill/Melita Gulch Tailings Impoundments (Deleted)
- OU 3 Denver & Rio Grande Western Railroad Company (D&RGW) Stag Mine/Railroad Casements/Railroad Yard (Deleted)
- OU 4 Upper California Gulch (Deleted)
- OU 5 American Smelting and Refining Company (ASARCO) Swanton/Flag Mills Sites (Deleted)
- OU 6 Starr Ditch/Pressure Dump/Stray Horse Gulch/Evans Gulch
- OU 7 Apache Trailing Impoundments (Deleted)
- OU 8 Lower California Gulch (Deleted)
- OU 9 Residential Populated Areas (Deleted)
- OU 10 Oregon Gulch (Deleted)
- OU 11 Arkansas River Valley Floodplain
- OU 12 [Site Wide Water Quality]

Date: March 31, 2018

Data Source: Streets - NAD83 (2011)  
 Rivers & Streams - CDM (2006)  
 Lakes & Ponds - BED Plus (2005)  
 NPL & OJ Boundaries - U.S. EPA Region 8 (2014)

Map Projection: UTM, NAD83  
 Zone 13 N, WAD 83



CJK Milling is re-imagining mine waste cleanup. Our Colorado company has developed an innovative approach to remove mine waste, extract minerals for beneficial reuse and then restore the land where the mine waste was located. The Leadville Mill was built in 1989 and has had an active permit to operate since 1990. The current permit allows processing of 70,000 tons of material per year using a flotation method of extraction.

Homes were subsequently built near the Leadville Mill when it had a continuously active permit to operate. CJK currently has an application under review to amend the existing permit to allow for 140,000 tons of material per year using a cyanide method of extraction. Testing has shown the flotation method of extraction to be ineffective.

The permit amendment will allow CJK to remove approximately 500,000 tons of acid-generating mine waste in and around California Gulch in Leadville. While considered uneconomic by miners at the time, the mine waste material still contains economically viable quantities of gold and silver. CJK's cleanup plan removes historic mine waste from the environment, processes it to recover gold and silver at the mill, then places the detoxified tailings in a double-lined storage facility where it can no longer contaminate the environment. The minerals are beneficially reused, and the land is restored to pre-mining conditions. This will improve the water quality in rivers and streams.

Unfortunately, there has been misinformation communicated to the public. CJK believes its important the community knows the facts. The following addresses these false claims:

## Fiction vs. Fact on CJK Operations



**FICTION:** The use of cyanide cannot be done safely or in an environmentally responsible way.



**FACT:** If this claim were true, cyanide would be banned and it is not. Cyanide is strictly regulated to protect human health and the environment. Cyanide has been used safely and effectively for more than 125 years around the world for the extraction and recovery of gold and silver.<sup>1</sup> Cyanide is used in everyday applications (i.e., metal processing, plastics, photographic). The mill will transport and process cyanide using well-understood, proven processes currently implemented in the US and Colorado to ensure the environmental safety of its operations.

A Colorado Department of Public Health and Environment Representative has stated, "The department does not foresee any issues as long as CJK uses the chemical as intended."



**FICTION:** There is a possibility cyanide could impact water.



**FACT:** The Leadville mill is located downstream of all water and sewer facilities. Further, the mill will operate as a zero-discharge facility backed by an emergency containment sump, which makes downstream contamination physically impossible.

Zero-discharge means all water and waste materials are recycled onsite and no liquids or solids are ever discharged from the mill into the environment.





**FICTION:** Mill water consumption could limit Parkville Water District serving new customers.





**FACT:** The general manager of the Parkville Water District has confirmed the water district has more than an adequate supply of water and production capacity to provide the water needed for milling operations. The water supplied to the mill will not have any negative impact on their current or future water customers, or impact future development in any way.

<sup>1</sup> Society for Mining, Metallurgy and Exploration


 **FICTION:** Cleanup of historic mine waste will not benefit Leadville.


 **FACT:** Removal of historic mine waste improves the water quality at the headwaters of the Arkansas River, restores natural areas, benefits wildlife habitat and enhances recreational amenities in the California Mining District. Economic benefits include creating well-paying jobs and increased tax revenue for Leadville and Lake County.

 **FICTION:** Transporting materials may result in more trucks in downtown Leadville.


 **FACT:** The 400-ton-per-day operation will require about 20 trucks per day (about 1 truck every 35 minutes during daylight hours only). The proposed route circumvents all but a small portion of Leadville (south of Monroe St). CJK is working with all stakeholders who may be impacted by the transportation route to discuss ways to avoid or mitigate impacts.


As a company, CJK has agreed to pay a \$1-per-ton fee from slag material sales at its Arkansas Valley Slag Project that will remove the slag piles south of town to help fund Lake County's contemplated highway bypass project. A highway bypass would greatly reduce truck traffic through downtown Leadville.

 **FICTION:** Transporting materials could impact air quality.

 **FACT:** The Colorado Department of Public Health and Environment tightly regulates remediation of historic mine waste dumps, as well as the transportation and handling of this material at the mill. Dust mitigation measures like those currently in place at large mining operations, such as at the Climax Mine, will be implemented at our operations.

CJK will install dust monitors to confirm mitigation measures protect the air.

 **FICTION:** Operations could result in seismic disturbances to neighbors.

 **FACT:** Analysis has shown that seismicity from operations will be negligible. CJK will have a seismic monitor installed to confirm that the adjacent sewer line and other structures are not impacted by operations.

CJK has an open door policy. We are happy to provide tours, answer questions and clarify misinformation. We endeavor to be a positive contributor to the Leadville community and help advance mine reclamation.



## Fact Sheet

### CLEANING UP MINE WASTE

Colorado-based CJK Milling is planning and permitting remediation projects to clean up historic mine waste in Leadville. The company will extract the remaining valuable minerals, benefitting the environment and providing an economic boost to the local economy.

This will be one of the largest, most innovative environmental cleanups of abandoned mine waste undertaken in Leadville. The company will remove approximately 1 million tons of acid-generating mine waste, with the potential of remediating another 500,000 tons, dumped by historic mine operations in

and around California Gulch. The area was designated an Environmental Protection Agency Superfund site in 1983. This waste negatively impacts water quality at the headwaters of the Arkansas River. Breece Hill and Evans Gulch, located East and North of the town respectively, are the first areas targeted for cleanup. The Colorado Department of Public Health and Environment supports this work and the remediation approach exceeds the EPA Record of Decision for the waste pile on Breece Hill.

### THE CJK MILLING MINE WASTE REMEDIATION PLAN



## A MODERN APPROACH TO A HISTORIC PROBLEM

Historically, material that didn't contain enough metal to mine economically was removed to the surface and placed in piles as waste. While considered uneconomic by miners at the time, the material contains sulfur-bearing minerals with other metals including iron. Once brought to the surface these minerals oxidize, or rust, forming sulfuric acid. The metals bearing acid leach into the ground and streams flowing into the Arkansas River.

CJK's cleanup plan removes this material from the environment, processes it to recover economically viable quantities of gold and silver, then places it in an encapsulated double-lined storage facility where it can no longer contaminate water. Cyanide, required to extract the metals, is recovered and re-used. Any cyanide that's not recovered is detoxified using an industry-proven method before the waste is placed in a storage facility.

Physically removing acid-leaching historic mine waste from the environment is a unique approach to a centuries-old environmental problem. It is more effective than traditional methods of leaving the waste in place and capping it with soil/clay and vegetation and/or using a synthetic cover. This project could serve as a model for abandoned mine clean-ups throughout the Colorado high country.

The cleanup will ultimately benefit the environment by moving mine waste to a lined, zero-discharge facility where it can no longer contaminate local water. Zero discharge means all water is recycled and no water is discharged from the mill into the environment. All water will be obtained through Parkville water, and no water will be obtained from the aquifer used by residents. In addition, no aquifers, including the one used by residents, will be impacted from operations.

Once the waste piles are removed, the areas will be restored to pre-mining conditions by planting native grasses and trees as required by the reclamation permit.



## REMOVAL OF SLAG PILES

CJK also plans to remove and sell the slag material south of town for use as aggregate in road base and construction. Slag is rock material separated from metals during refining. The EPA has determined it can be beneficially reused for this purpose. Elimination of these slag piles will improve the appearance of the south entry into Leadville.



## A NET BENEFIT FOR THE ENVIRONMENT AND COMMUNITY

CJK's innovative remediation plan improves water quality in the upper Arkansas River, the health of the river and surrounding habitat. It removes mine waste and slag from the environment, creates natural spaces for wildlife and serves as a template for the responsible clean-up of other historic mining districts. The company will operate in a manner protective of people and the environment. At the same time it will provide significant economic benefits and opportunities for Leadville and Lake County through jobs and procurement of local goods and services.



Presentation to NAME OF ORGANIZATION

DATE

# Re-imagining Mine Waste





# Modern Approach to Historic Problem – Removing Mine Waste

- **THE PROBLEM:**
  - Historic mine waste piles remain after Superfund cleanup
  - Piles contain acid-bearing metals impacting Arkansas River
  - As long as waste piles remain, metals leach into Arkansas River

# CJK Plans & Regulatory Compliance



## CJK's Plans

- Re-imagining mine waste cleanup
- Using an innovative approach that physically removes mine waste from the environment
- Restore the land to natural, pre-mining conditions.

### REGULATORY COMPLIANCE

- Colorado Division of Reclamation, Mining and Safety permits.
- Colorado Department of Public Health and Environment, Water Quality, Stormwater Management Plan, Air Quality
- Conditional Use Permits (CUP) with Lake County for both reclamation/milling operations.
- Mining Safety and Health Administration, Worker Health and Safety
- US Army Corps of Engineers, Water Quality
- Colorado Department of Transportation, Highway Use

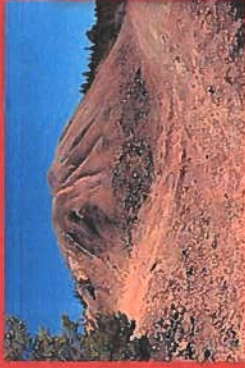


CJK VIDEO

# Four Stages of Remediation

1

WASTE  
REMOVAL



Remove waste material from the environment

2

WASTE  
PROCESSING



Process it to recover viable quantities of gold and silver

3

REMAINING  
WASTE STORAGE



Store it in an encapsulated, double-lined storage facility

4

RESTORATION



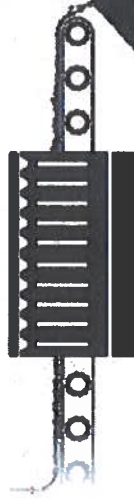
Plant native grasses and trees

# Safety & Environmental Protector

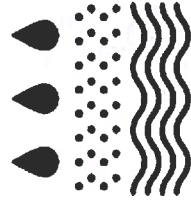
## CYANIDE HANDLING PROCESS

### Cyanide Processing Steps 1-4

1



Ore piles from historic waste are run through the mill and crushed into a fine material.



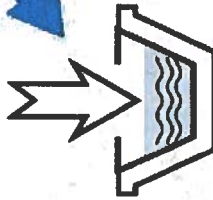
The fine material is mixed with water to create an ore slurry.

2



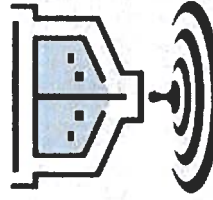
Cyanide, in dry form, is mixed with water to create a weak cyanide solution.

3



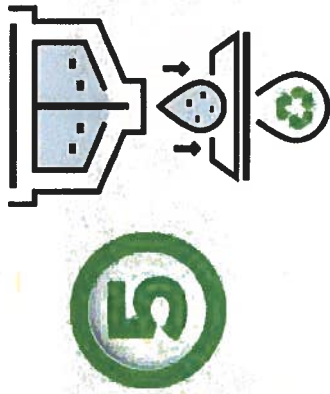
The ore slurry is placed in large tanks with the cyanide solution and allowed to percolate through, dissolving the gold out of the ore and into the solution.

4

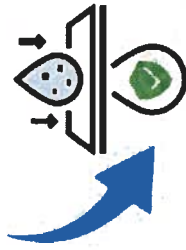


The gold is removed from solution.

# Cyanide Processing Steps 5-8



Cyanide in the solution is recovered and re-used.



Any cyanide that's not recovered is detoxified using an industry-proven method.



CJK Milling will operate a zero-discharge facility. No water is discharged into the environment.



Any water remaining in the tailings is filtered out and recycled for placement of the tailings in a lined storage facility.



Propose obtaining water through Parkville Water District for mill operations, and no water will be obtained from the aquifer used by residents.



Regularly scheduled environmental monitoring will occur to verify system safety and effectiveness.

Onsite Tailing Storage

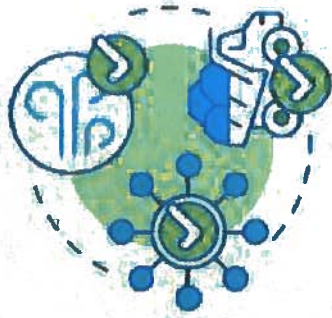
# Filtered Tailings Deposit Cross Section



# CJK Commitment to Safety & Community

## Good Neighbor Promise

CJK is committed to practices, policies and technologies that are designed to minimize environmental impact and promote sustainability. We are regulated by the U.S. EPA, Colorado Department of Public Health and Environmental (CDPHE), CDRMS and local agencies. As part of our good neighbor promise, we will operate safely, ensure benefits for the local community and work to minimize impacts from our operations.



### CJK WILL:

- Install a dust monitor to confirm mitigation measures are protecting air.
- Install a seismic monitor to confirm nearby infrastructure is not from operations.
- Work with stakeholders to discuss ways to minimize truck traffic impacts.



## Outreach with Neighbors & Stakeholders

- ☐ We have been and are meeting with neighbors and stakeholders
- ☐ We provide site tours
- ☐ Hosted 2 public meetings, most recent November 2023
- ☐ Based on public feedback:
  - ☐ We have incorporated significant changes to our plans to address their concerns
  - ☐ Major change - CJK has increased the setback to provide more distance between operations and nearest neighbors

# Map of CJK Cleanup Locations, Mill & Proposed Haul Route





# Benefits to Lake County/Leadville Environment and Economy

# Environmental & Economic Benefits



## ENVIRONMENTAL

- Removal of waste to restore natural areas and enhance the recreational amenities in the California Mining District.
- Benefit wildlife habitat.
- Improve water quality at the headwaters of the Arkansas River.



## ECONOMIC BENEFITS

- Create approximately 15 well-paying jobs over the 10-year life span of this cleanup operation.
- Purchase goods and services within the local economy, cycling money through Leadville and Lake County.
- Tax revenue to Lake County and Leadville.

# Serves as Model for Responsible Clean-up



Serves as a model for the responsible clean-up of other historic mining districts.

THANK YOU –  
QUESTIONS?  
FOR MORE  
INFORMATIO



**CJK MILLING**

REMOVE ▲ REUSE ▲ RESTORE

**WEBSITE:**

<https://www.cjkmilling.com/>

**NICK MICHAEL: (719) 293- 3417**

[nmichael@unionmilling.com](mailto:nmichael@unionmilling.com)



## AGENDA ITEM #7C

### CITY COUNCIL COMMUNICATION FORM

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**MEETING DATE:** April 2, 2024

**SUBJECT:** Discussion Regarding the City's Community Contributions

**PRESENTED BY:** Laurie Simonson, City Administrator

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- ORDINANCE  
 RESOLUTION  
 MOTION  
 INFORMATION
- 

**I. REQUEST OR ISSUE:**

The issue for consideration is the City of Leadville's ("City") process for making financial contributions to local organizations.

**II. BACKGROUND INFORMATION:**

Throughout any fiscal year, local organizations approach the City for financial contributions. For example, in 2023 the City contributed over \$141,000 to local organizations. (Including \$50,000 to the Lake County Early Care and Education Fund, \$30,000 to St. Georges, \$25,000 to the Lake County Community Fund, \$20,000 to the Cloud City Conservation Center, \$10,000 to the Chaffee Housing Trust, \$3,000 to Colorado Gives Day, \$2,000 to Stories Worth Telling and \$1,800 to the Stage and Rail Trail.)

For the past two years, the City has considered these requests on a first come, first served basis. Previously, the City had decided to make one annual contribution to the Lake County Community Fund ("LCCF") and allow LCCF to vet the funding requests through their process and make contributions based upon their process. This system allowed the City to contribute to local organizations with a designated process, at one time, and eliminated the first come, first served issue. However, for the past two years, the City has made a contribution to LCCF and then has proceeded to allocate additional funds throughout the year as organizations have asked for

financial contributions. This has resulted in a system that has favored organizations that approach the City directly for financial contributions and has no vetting process or criteria other than the City council's consideration of the request at a public meeting. This process therefore has favored organizations that have approached the City directly for funding and has not been fair to organizations that are not aware that the City will consider one-off funding requests.

**III. FISCAL IMPACTS:**

There is no fiscal impact to this discussion. Any fiscal impact would come at a later date when the City committed to any contribution.

**IV. LEGAL ISSUES:**

N/A.

**VI. STAFF RECOMMENDATION:**

Staff recommends that the going forward, the City make one annual contribution to the LCCF and direct local organizations to that fund for financial requests. This recommendation does not include funding requests from the Tabor Opera House which is a City owned building and the Main Street program which is a City sponsored program.





## AGENDA ITEM #8A

### CITY COUNCIL COMMUNICATION FORM

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**MEETING DATE:** April 2, 2024

**SUBJECT:** Discussion and Possible Action Regarding a Letter to the Colorado Division of Reclamation, Mining and Safety Regarding the Pending CJK Milling Permit

**PRESENTED BY:** Laurie Simonson, City Administrator

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- ORDINANCE  
 RESOLUTION  
 MOTION  
 INFORMATION
- 

**I. REQUEST OR ISSUE:**

This is a discussion of the City Council regarding a draft letter to the Colorado Division of Reclamation, Mining and Safety ("DRMS") regarding CJK Milling's pending mining permit with DRMS.

**II. BACKGROUND INFORMATION:**

The Colorado Division of Reclamation, Mining and Safety is accepting public comments until April 3, 2024 regarding CJK Milling's pending permit no. M1990057 concerning CJK Milling's proposed mine waste remediation project in Lake County. On March 19, 2024, the Council heard a presentation from opponents of the operation, Concerned Citizens for Lake County ("CC4LC"). The Council will hear a presentation from the CJK Milling on April 2, 2024.

**III. FISCAL IMPACTS:**

There is no direct fiscal impact of this letter.

**IV. LEGAL ISSUES:**

N/A.

**VI. COUNCIL OPTIONS:**

1. Move to approve the draft letter as written.
2. Move to deny the draft letter as written.
3. Move to approve the letter with changes.

**VII. PROPOSED MOTION:**

"I move to approve the Mayor sending a letter to the Division of Reclamation, Mining and Safety regarding the pending CJK Milling permit with the Colorado Division of Reclamation Mining and Safety as indicated in this meeting."

**VIII. ATTACHMENTS:**

1. Letter to DRMS drafted by Councilmember Rebecca Thomas
2. Letter to the Council from local business owner Nan Anderson
3. Letter from Leadville Resident Anja Timmerman

March 21, 2024

To: Leadville City Council

From: Nan Anderson, Local Business Owner

Re: Leadville Mill

I am writing to urge Council to submit your concerns on the Leadville Mill permit application by the April 3<sup>rd</sup> Colorado Division of Reclamation, Mining and Safety (DRMS) deadline. Voicing your objections now is critical to having a voice later in the process.

My own concerns are for the overall environmental health of the town of Leadville/county of Lake, in general and specifically for the health of family members living in close proximity to the proposed treatment area.

While working in the Cripple Creek Mining District on historic building recordation, I saw firsthand the potential for leaks in the treatment ponds that the Cripple Creek and Victor Mining Company had constructed for the reprocessing of mine and mill tailings. The ponds were oversprayed with a cyanide solution, much like what I would imagine is proposed for the Leadville Mill reprocessing. The smell of cyanide is acrid and it stays with you. On windy days, you could smell it a mile or more from the treatment area. A friend, who used to hike in the area, told me you could smell cyanide way downstream from the site and noted it takes years for cyanide to break down, once introduced into the environment.

The thought that a city and county that has already endured decades of extraction consequences would be asked to allow more is outrageous.

Other, not yet fully understood concerns of mine include:

- Should this application trigger Section 106 review under the National Historic Preservation Act?
- What is the anticipated wear and tear on local streets and the state highway?
- What would additional truck traffic on Harrison do to the vitality of the downtown economy and visitor experience?
- What destabilizing effects might new excavation in the mining district have on the district's environment?
- Does this action comply with the Institutional Controls outlined in the City of Leadville's Ordinance 3. Series of 2013?

Thank you for your time and consideration. I hope you'll take action.

Nan Anderson

I am writing to express the City of Leadville's concerns regarding the proposed permitting of the CJK Mill within our community. As the Mayor of Leadville, I am acutely aware of our responsibility to safeguard public health and maintain our community's sense of place. It is with this duty in mind that I bring forth our objections to the aforementioned project.

The CJK Mill's intention to reprocess waste rock from the historic mining district using a cyanide leach process raises significant apprehensions for us. Such a process inherently poses risks to water quality, a paramount concern given the proximity of the proposed mill to the Arkansas River. As you are undoubtedly aware, the Arkansas River has endured its share of environmental challenges stemming from historic mining in the area. It was only after our community was listed as a Superfund Site and endured years of environmental remediation that the Arkansas River was distinguished as a gold medal fishery. This designation not only reflects the ecological resilience of the river but also underscores its importance as a cherished resource for recreation, tourism, and biodiversity. Permitting the CJK Mill to operate with its proposed methods presents a direct threat to the hard-won progress achieved in restoring the Arkansas River.

We should also consider the issue of environmental justice, particularly concerning the Lake Fork Trailer Park. Residents of this predominantly Hispanic community reside near the proposed CJK Mill project. We must consider the disproportionate burden that such industrial activity would place on already marginalized populations.

Moreover, the transportation of waste rock from the historic mining district and water from the Parkville water district through our community poses additional concerns. Increased truck traffic not only exacerbates noise and safety issues but also disrupts the tranquility of our surroundings. The proposed industrial activity in the historic mining district, including crossing the popular Mineral Belt Trail, threatens to impede recreational opportunities and diminishes the quality of life for our residents and visitors alike. There is also a potential impact on heritage tourism. Leadville's rich history as a pivotal mining district in the western United States attracts visitors from across the country who seek to experience our unique heritage firsthand. The resurgence of industrial mining activity jeopardizes the preservation of our cultural identity and undermines the efforts to promote sustainable tourism in our community.

The City of Leadville is committed to maintaining its sense of place and fostering a thriving environment that balances economic development with environmental stewardship. We believe that approving projects such as the CJK Mill contradicts this commitment and threatens the very essence of our community.

Considering these concerns, the City of Leadville respectfully urges the Colorado Division of Reclamation and Mine Safety to deny CJK Mill's current application. Please prioritize, as we do, the long-term well-being of our environment and community over short-term economic interests.

Thank you for your attention to this matter.



Laurie Simonson &lt;cityadmin@leadville-co.gov&gt;

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**Public Letter of Opposition Against CJK Milling Company Permit Expansion Application-Submitted on 03/29/24**

2 messages

**Anja Timmerman** <anja@agilitypmi.com>

Fri, Mar 29, 2024 at 11:13 AM

To: "cityadmin@leadville-co.gov" &lt;cityadmin@leadville-co.gov&gt;

Cc: Dana Green &lt;ward3a@leadville-co.gov&gt;, Darrell Williamson &lt;dwilliams0n@outlook.com&gt;

To whom it may concern,

I am writing to voice my strong objections and extreme level of concern regarding CJK's permit expansion application.

**I hope you have already submitted your letter of objection directly to CO's DRMS website.****<https://www.cc4lc.org/call-to-action-toolkit>****The deadline to object is April 3<sup>rd</sup>.**

As a full time Leadville resident, there are already plenty of challenges associated with living here.

Leadville residents, especially those living here full-time year round, do not also need to be left holding the bag when this inexperienced non-local mining company mismanages their operations and puts our community at high risk of the following:

- Our drinking water being poisoned with cyanide and other chemicals
- Our precious water being wasted by extravagant daily use over many years
- Our wastewater facility being contaminated
- Disturbance of historic tailings (and creation of new waste piles) increasing airborne toxic particulates
- Excess wear and tear of and traffic on local roads from transport of tailings
- Constant noise and shaking of the ground from transport of tailings
- Destruction of water sources for migrating wildlife
- Arkansas River fish poisoned
- Property value in the tank thanks to the long term impacts of the above items
- In addition to the long term impacts listed above, if an emergency happens at the site, (cyanide related or otherwise) similar to incidents that have occurred elsewhere in Colorado, Montana, etc. – local residents like my family would be stuck with a house we can't sell and no place to live.

**Please take immediate action to represent and support the objections of local residents to this mining permit expansion application.**

Regards,

Anja F. Timmerman

719-293-4816

**From:** Cisco Tharp <ward3a@leadville-co.gov>**Sent:** Friday, March 29, 2024 11:50 AM**To:** Anja Timmerman <anja@agilitypmi.com>**Cc:** Darrell Williamson <dwilliams0n@outlook.com>**Subject:** Re: STOP THE MILL-Strongly Oppose CJK Milling Company LLC Permit Expansion -Deadline to Express Opposition is April 3rdOk. Feel free to submit a letter for the public record if you'd like: [cityadmin@leadville-co.gov](mailto:cityadmin@leadville-co.gov) and feel free to copy me so I can make sure it is included.

I would recommend trying to have the letter in by EOB today, for it to be included.

Best wishes,

Cisco Tharp (he/him)

Leadville City Council Member - Ward 3

Mayor Pro Tem

**Hablo español**

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cityadmin@leadville-co.gov <cityadmin@leadville-co.gov>

Fri, Mar 29, 2024 at 11:40 AM

To: anja@agilitypmi.com, anja@agilitypmi.com

Your message

To: [anja@agilitypmi.com](mailto:anja@agilitypmi.com)

Subject: Public Letter of Opposition Against CJK Milling Company Permit Expansion Application-Submitted on 03/29/24

Sent: 3/29/24, 11:13:38 AM CST

was read on 3/29/24, 11:40:26 AM CST



## AGENDA ITEM #8B

### CITY COUNCIL COMMUNICATION FORM

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**MEETING DATE:** April 02, 2024

**SUBJECT:** Resolution No. 23, Series of 2024, A Resolution of the City Council of the City of Leadville Approving a Letter of Agreement with KRW Associates and Authorizing the City Administrator to Sign the Agreement

**PRESENTED BY:** Laurie Simonson, City Administrator

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ORDINANCE  
 RESOLUTION  
 MOTION  
 INFORMATION

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**I. REQUEST OR ISSUE:**

Before the City Council is Resolution No. 23, Series of 2024, A Resolution of the City Council of the City of Leadville, Colorado Approving a Letter of Agreement with KRW Associates and Authorizing the City Administrator to Sign the Agreement.

**II. BACKGROUND INFORMATION:**

The City of Leadville ("City") is in the process of recruiting a Police Chief. The City sought proposals from three recruiting companies to assist with the search for a Police Chief. The City received proposals from GovHr, Columbia and KRW Associates.

The proposal from GovHR for "Limited Scope" recruitment was \$22,000 and included a flyer and position announcement, posting, candidate evaluation, video interviews and candidate notification. (See attachment.)

The proposal from Columbia was an email from Andrew Gorey, founder and CEO. The proposal was for all inclusive services and did not specify those services. The proposal was for \$25,000 and stated:



Following up from our conversation yesterday, the all-inclusive professional fee for a police chief recruitment would be \$25,000.

That said, I would advise your mayor and council members not to invest in a recruitment unless they address the salary range and other costs associated with acquiring a professional police chief. The salary range you mentioned, \$61,560 to \$90,422, is simply not competitive. You would be better served pledging all the money you might spend on the recruitment and instead putting it toward salary. Also, you will need to consider relocation assistance and likely some contribution to housing (housing allowance), at least for the first year. There has been an explosion in local government executive salaries in the last four years - I'm afraid that's today's market.

The KRW Associates proposal was the most tailored to the needs of the city. The KRW Associates team includes former police chiefs. The KRW team focuses on recruiting in Colorado. The KRW team has successfully placed other police chiefs in Colorado. The KRW proposal was for \$19,250.

**III. FISCAL IMPACTS:**

The fiscal impact of the Agreement is \$19,250.

**IV. LEGAL ISSUES:**

N/A.

**VI. STAFF RECOMMENDATION:**

Staff recommends that the council approve Resolution No. 23, Series of 2024, A Resolution of the City Council of the City of Leadville, Colorado Approving a Letter of Agreement with KRW Associates and Authorizing the City Administrator to Sign the Agreement.

**VII. COUNCIL OPTIONS:**

1. Approve the Resolution.
2. Deny the Resolution.
3. Table consideration of the Resolution and provide direction to staff.

**VIII. PROPOSED MOTION:**

"I move to approve Resolution No. 23, Series of 2024, A Resolution of the City Council of the City of Leadville, Colorado Approving a Letter of Agreement with KRW Associates and Authorizing the City Administrator to Sign the Agreement."

**IX. ATTACHMENTS:**

1. Resolution No. 23, Series of 2024, A Resolution of the City Council of the City of Leadville, Colorado Approving a Letter of Agreement with KRW Associates and Authorizing the City Administrator to Sign the Agreement;
2. GovHR proposal;
3. KRW Associates proposal.

**CITY OF LEADVILLE, COLORADO  
RESOLUTION NO. 23  
SERIES OF 2024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEADVILLE  
APPROVING A LETTER OF AGREEMENT WITH KRW ASSOCIATES  
AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN THE AGREEMENT**

**WHEREAS**, the City of Leadville (“City”) is a statutory municipality organized under the laws of Colorado; and

**WHEREAS**, Municipalities are granted the general power to enter into contracts as noted at Colorado Revised Statutes (“C.R.S.”) § 3115-101(1)(c); and

**WHEREAS**, the City is in the process of recruiting a Police Chief; and

**WHEREAS**, the City sought proposals from three recruiting companies to assist with the search for a Police Chief; and

**WHEREAS**, KRW Associates submitted a proposal for recruiting a Police Chief for the City which was the most cost efficient and the most tailored to the needs of the city;

**WHEREAS**, City desires to enter an Agreement for the as set forth in the proposed Letter of Agreement with KRW Associates.

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

**Section 1.** The Letter of Agreement with KRW Associates is approved in substantially the form presented, and the City Administrator is authorized to execute the Agreement on behalf of the City. The City Administrator, in consultation with the City Attorney, may make changes to this Agreement that do not substantially alter the terms.

This Resolution shall be effective upon its adoption.

**ADOPTED this 2nd day of April, 2024 by a vote of \_\_\_ in favor, \_\_\_ against, \_\_\_ abstaining, and \_\_\_ absent.**

CITY OF LEADVILLE, COLORADO

\_\_\_\_\_  
Dana Greene, Mayor

ATTEST:

\_\_\_\_\_  
Hannah Scheer, City Clerk



Laurie Simonson <cityadmin@leadville-co.gov>

**Fwd: [EXTERNAL]Re: MGT/GovHR proposal to conduct recruitment**

**Paige Vigil** <pvigil@leadville-co.gov>  
To: Laurie Simonson <cityadmin@leadville-co.gov>

Tue, Mar 5, 2024 at 3:42 PM

Hi Laurie,

Please see the response from GovHR regarding their police chief recruitment quote.

**Paige Vigil, SHRM-CP**

Director of Human Resources  
City of Leadville  
800 Harrison Avenue  
Leadville, CO 80461

Meet with me! (Click link to view my calendar)

Cell: 719-656-0198  
Email: pvigil@leadville-co.gov



----- Forwarded message -----

From: **Michele Morawski** <mmorawski@govhrusa.com>  
Date: Tue, Mar 5, 2024 at 3:35 PM  
Subject: RE: [EXTERNAL]Re: MGT/GovHR proposal to conduct recruitment  
To: Paige Vigil <pvigil@leadville-co.gov>  
Cc: Charlene Stevens <cstevens@govhrusa.com>, Jon Fehlman <jfehlman@govhrusa.com>

Hello Paige,

Thank you for reaching out. We can discount the full scope recruitment by \$500 if you choose not to have a brochure. Otherwise, you might consider a Limited Scope recruitment or a Virtual Recruitment.

Quick descriptions and pricing below:



## EXECUTIVE RECRUITMENT LIMITED SCOPE

- Develop a flyer and position announcement
- Post position announcement to approved advertising sources, GovHR's social media sources and extensive email outreach
- Candidate evaluation/top candidates selected
- Conduct Video interview with qualified candidates, reference checks, social media and Google search of select group
- Presentation of candidates with client (candidate pool narrowed for interview)
- Notify all applicants of appointed candidate



## VIRTUAL RECRUITMENT

- Develop position announcement
- Post position announcement to approved advertising sources and GovHR's social media sources and extensive email outreach
- Share announcement with GovHR's professional network
- Prepare assessment matrix that matches candidate's qualifications against position requirements
- Submit top tier candidates to client along with all recruitment applications

Limited Scope recruitment option is \$22,000. (We can discount by \$500 if you forego a flyer) We will turn over the recruitment process to you after the presentation of candidates. Advertising is included but candidate and consultant travel is not included. There is no twelve-month guarantee in this process and we do not conduct background checks on the candidates.

Virtual Recruitment is \$12,000. This includes advertising, no guarantee and no background checks.

Let me know if one of these better suits what the City is looking for and keep in mind, we can customize if necessary.

If you would prefer to chat over the phone, let me know your availability and we can schedule something.

Thank you,

Michele

### **Michele Morawski**

Assistant Client Services Director  
GovHR USA  
630 Dundee Road, Suite 225  
Northbrook, IL 60062

Direct Line: 224-415-3791  
Email: mmorawski@govhrusa.com



Together we impact communities. For good.



**From:** Paige Vigil <pvigil@leadville-co.gov>  
**Sent:** Tuesday, March 5, 2024 2:40 PM  
**To:** Michele Morawski <mmorawski@govhrusa.com>  
**Cc:** Charlene Stevens <cstevens@govhrusa.com>; Jon Fehlman <jfehlman@govhrusa.com>  
**Subject:** [EXTERNAL]Re: MGT/GovHR proposal to conduct recruitment

**CAUTION:** This email originated from outside of the organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

Thank you for your proposal. Do we have options to decrease the proposal cost?

## Paige Vigil, SHRM-CP

Director of Human Resources

City of Leadville  
800 Harrison Avenue  
Leadville, CO 80461

Meet with me! (Click link to view my calendar)

Cell: 719-656-0198

Email: pvigil@leadville-co.gov



On Wed, Feb 14, 2024 at 4:25 PM Michele Morawski <mmorawski@govhrusa.com> wrote:

Hello Ms. Vigil,

Attached is the MGT/GovHR proposal to conduct a Chief of Police recruitment for the City of Leadville. I've also included a brochure copy as a sample of our work product.

Please reply to confirm you have received this email and its attachments.

Thank you,

Michele

**Michele Morawski**

Assistant Client Services Director

Social Impact Solutions

630 Dundee Road, Suite 225

Northbrook, IL 60062

Direct Line: 224-415-3791

Email: mmorawski@govhrusa.com

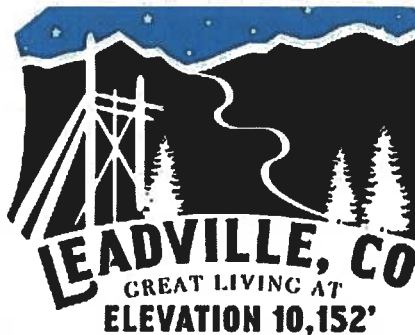


Together we impact communities. For good.



KRW Associates LLC  
looks forward to partnering with the  
**City of Leadville, Colorado** for the  
purpose of recruiting your next Chief  
of Police.

We respectfully submit the attached proposal and Letter of  
Agreement





---

*Lorne Kramer, MPA - Jerry Williams, DPA - Lynn Johnson, BA*

March 15, 2024

Paige Vigil  
Directory of Human Resources  
City of Leadville  
800 Harrison Ave.  
Leadville Co. 80461  
Email: [pvigil@leadville-co.gov](mailto:pvigil@leadville-co.gov)

***RE: Recruitment and Selection Process Proposal for a new Chief of Police for the City of Leadville Colorado***

Dear Ms. Vigil,

We appreciate the opportunity to convey our interest in assisting Leadville with the recruitment and successful placement of your new Chief of Police. Enclosed please find a proposal to the City of Leadville (City) from KRW Associates LLC (KRW), that we believe meets your criteria to not only recruit highly qualified candidates but to eventually assist with the selection and placement of a new Chief of Police which is the best fit for the City of Leadville.

Based on our professional experience and educational credentials, we believe that we are extremely well suited to assist you with this project. We have extensive practitioner backgrounds. In addition to being experienced executive search consultants for the past 15 years we have professional backgrounds as city managers, police chiefs and law enforcement executives. KRW has contacts and professional friendships with highly qualified municipal and county executives throughout Colorado, regionally in the Rocky Mountain States and nationally.

KRW has earned a reputation of being "values-based" with a strong commitment to our client's interest and ensuring the search process results in a diverse pool of qualified applicants. Very few search firms have the combination of professional and consultant backgrounds.

The attached proposal and Letter of Agreement provides detailed information regarding our firm, the proposed process, project fee, warranty, and references. If you or your staff have any questions, they can contact me directly at (303-435-4138) or [clynnj24@msn.com](mailto:clynnj24@msn.com)

Sincerely,

*Lynn Johnson*

Lynn Johnson  
Managing Partner KRW  
Associates, LLC

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## Proposal

### Recruitment and Selection of Chief of Police, The City of Leadville, Colorado March 15, 2024

#### A. Introduction

KRW Associates, LLC (KRW) is a Colorado Corporation headquartered in Arvada, Colorado, with additional offices in Denver, Colorado and Goodyear, Arizona.

Address: PO Box 2263, Littleton, CO 80161  
Email: [info@krw-associates.com](mailto:info@krw-associates.com)

Direct contact: Lynn Johnson  
KRW Managing Partner  
Phone: 303-435-4138  
Email: clynnj24@msn.com

#### **B. Experience and Qualifications**

##### **Description of KRW**

KRW is recognized as experts in all aspects of public safety and in recruiting public safety executives. The combined public safety experience of our three principals is 112 years. We have decades of public sector executive experience as practitioners and a background of successful executive placements around the country. This experience, combined with the highest level of graduate public administration education of any search firm in the country, makes for energetic, enlightened, and reliable expertise that extends throughout the United States. We know how and who to recruit for an open position based upon the needs and desires of the hiring authority.

KRW uses a tiered ranking process to present all candidates to the appointing authority. Unlike many firms who merely arrive with eight to ten names, we use a proven methodology that simplifies the task for clients to make an informed decision while maintaining quality and credibility. We understand the job and the needs of the hiring authority. We provide advice and support regarding important candidate information and the final negotiation process. Because of our extensive relationships and contacts, we are confident we will identify and bring only quality candidates worthy of consideration for this tremendous opportunity to serve the City of Leadville as your next Chief of Police. Recent executive searches conducted by KRW resulted in excellent responses and attracted highly qualified candidates. Ninety percent of our placements are still in the job or have tenure of at least five years.

KRW's philosophy of customer service is founded on directly meeting the needs and desires of the client with a customized service package designed for the unique needs of each client. The candidate selection is made by the hiring authority with information and guidance about all

applicants provided by KRW. This provides the City with the ability to select the candidate that is the best "fit" for your community. We work thoroughly and quickly, and do not believe in unnecessarily prolonged executive searches. We will help you get this project successfully completed in a timely manner.

The KRW team, comprised of three managing partners and ten associates, has been operating since the LLC's establishment in 2007, with years of additional consulting experience and expertise with the G.L. Williams Group LLC in conducting governmental consulting work. The principals of KRW Associates, LLC have served a variety of cities, counties, institutions of higher education, and other entities with successful executive searches during those years. The principals of KRW Associates, LLC have accomplished successful placements of Police Chiefs, Fire Chiefs, Executive Directors, Public Works Directors, County Attorneys and City/City and County Managers. (Please see the enclosed sample client list).

In addition to executive recruitment, KRW Associates, LLC provides a variety of other services including organizational audits, training solutions, strategic planning, and team-building workshops. KRW brings the expertise of our partners to every project as well as the experience of other qualified associates, as necessary.

KRW focuses directly on the needs of the client. We will ensure our full understanding of your expectations and our recruitment and selection strategy will reflect that understanding.

The Managing Partners of KRW are proud to work directly with the City of Leadville to ensure the highest quality and consistency in this process. You will experience unparalleled access to our team of professionals who will guide and advise you through this process so that you make the best possible placement choice for the City of Leadville.

### **KRW Staff Members Assigned to the Police Chief Search Project**

- **Lynn Johnson, BA, KRW Managing Partner** - will direct the project and will be in personal contact with the hiring authority at every step of the process.
- **Jerry Williams, DPA, KRW Managing Partner** - will take a lead role as co-project director and will assist the hiring authorities as needed.
- **Lorne Kramer, MA, KRW Managing Partner** - will serve as our subject matter expert in this process and will assume a prominent role in candidate selection, interviews, and due diligence.
- **Ms. Gina McGrail, BA, KRW Senior Associate** - will serve as a technical expert and member of our team.

**The detailed biographies of the KRW team follow:**

**Jerry Williams, DPA**

Police Chief (Retired)

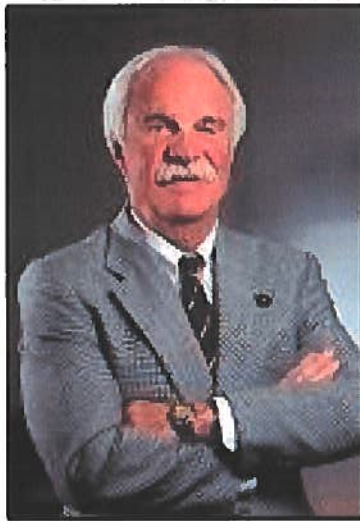
Past Director, Executive Leadership Master's

In Criminal Justice, & Associate Professor, University of Colorado Denver

Managing Partner, KRW Associates, LLC

Dr. Williams spent over 20 years as a public sector executive, as well as program director for key policing leadership programs at three nationally recognized universities. Dr. Williams has over 30 years of experience in the criminal justice field and has served as police chief in Arvada and Aurora, Colorado. Dr. Williams was a graduate of the FBI's National Academy (114 Session.)

Dr. Williams is a Past President of the Police Executive Research Forum (PERF) and former Chair of the National Commission on Law Enforcement Accreditation. Dr. Williams was a member of the National Institute of Justice series Perspectives on Policing held at the John F. Kennedy School of Government, Harvard University. Williams is a former Principal Associate for the Institute for Law and Justice, a public sector criminal justice consulting firm located in the Washington, D.C. area.



Jerry has held Executive Director and faculty positions at three universities, the Blackwood Law Enforcement Management Institute of Texas at Sam Houston State University, the Administrative Officer Management Program at North Carolina State University, and the Executive Leadership Master's Program at the University of Colorado Denver.

In 2009, Dr. Williams was a panel member in the University of Denver's Strategic Issues year-long program entitled Architecture for Immigration Reform: Fitting the Pieces of Public Policy.

He has been involved in executive search consulting since 2001. He holds a DPA from the University of Colorado Denver, a Master's Degree in Criminal Justice from the University of Colorado Denver, and a BA in History and Sociology from Metropolitan State University of Denver.

## **Lynn Johnson, BA**

**Deputy Chief (Retired)**

**Managing Partner, KRW Associates, LLC**

Lynn Johnson has over 42 years in law enforcement; 20 years at the command and executive level. Lynn retired from the Arvada Police Department in 2016 as a Deputy Chief of Police, having



served as Chief in both Operations and Administration Divisions. Lynn began his career in 1974, serving in a variety of assignments including Patrol, Traffic, Investigations, Drug Enforcement, and Internal Affairs. During his career Lynn has supervised or managed Police Records, Property and Evidence, Police Communications, SWAT, and Accreditation. Lynn has a Bachelor's Degree in Political Science from Fort Lewis College. Lynn is a graduate of the 204th session of the FBI National Academy and the 24th session of the Drug Enforcement Administration National Training Institute. Additionally, Lynn attended The Senior Management Institute for Police (SMIP) and is a graduate of Harvard University's Kennedy School of Government, Senior Executives in State and Local Government Program in 2007. Lynn is a graduate of the Leadership in Police Organizations course and instructed the Organizational Leadership portion of the course. Lynn served as the Chairman of the Jefferson/Broomfield Emergency Communications Authority for

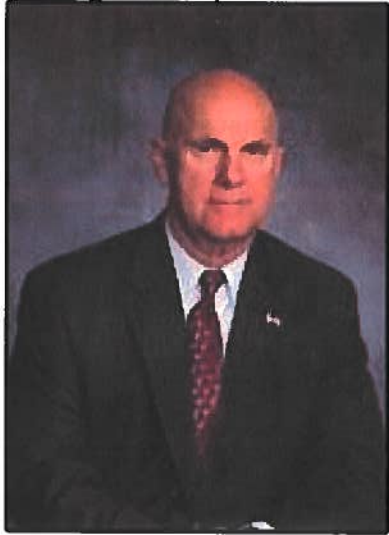
8 years and served on the Jefferson County Community Corrections Board. Lynn served as the Interim Chief of Police in Durango Colorado for six months after his retirement from the Arvada Police Department.

## **Lorne C. Kramer, MPA**

Police Chief/City Manager (Retired)  
Former President, Police Executive Research Forum  
(PERF) and Colorado Association of Chiefs of Police

Managing Partner, KRW Associates, LLC

Lorne Kramer served as the City Manager of Colorado Springs, Colorado from 2002 to 2007, a municipality of over 400,000 people. Prior to this appointment, he was the Deputy City Manager and the Police Chief for 11 years. During his years as City Manager, Mr. Kramer was successful in reorganizing municipal operations; addressing fiscal shortfalls; orchestrating the successful passage and implementation of the Public Safety Sales Tax initiative focused on increased public safety projects throughout the city; gaining citizen support for the Rural Transportation Authority; implementing the Storm-water Enterprise and enhancing the Development Review Process.



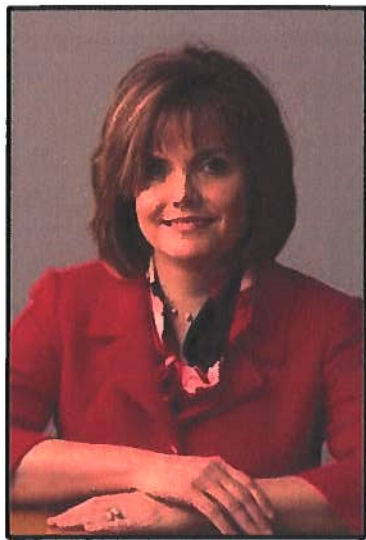
While the Chief of Police, the Colorado Springs Police Department received national recognition for many progressive and innovative programs and accomplishments in the areas of crime reduction, gang violence and community partnerships. He was both President and Vice President of the national Police Executive Research Forum (PERF) and President of the Colorado Association of Chiefs of Police. He was appointed by the Governor of Colorado to the Peace Officer Standards and Training Board (POST) and the Drug Control Systems Board.

His academic accomplishments include a master's degree in Public Administration from the University of Southern California, and a bachelor's degree from the University of Redlands, California graduating with honors from both institutions. He is also a graduate of the University of Southern California's Management Policy Institute, California's Law Enforcement Command College, the National Executive Institute, and the Rocky Mountain Leadership Institute. Mr. Kramer is the former Executive Director of the Colorado Springs Leadership Institute.

## **Gina McGrail, BA**

KRW Senior Associate

Gina McGrail joined KRW Associates following her 27-year career with the Fire and Police Pension Association of Colorado (FPPA). From 2006 until her retirement in 2017, she served as



FPPA's Chief Benefits Officer (CBO) and led the teams responsible for benefits administration, the Department Chief election process, communications, member and employer education and affiliations. In this role, she was also involved with advising the Executive Director and the Board of Directors on matters related to benefit plan design and implementation, strategic planning, the annual legislative proposals, and rule-making initiatives. As CBO, she served on and led the Self-Directed Plans committee and was the liaison for the record keeper for all DC plans. She has led and participated in search processes for executives, staff, contractors, and vendors. Prior to joining FPPA, she worked in insurance and banking. Gina earned a Bachelor's degree from the University of Northern Colorado, and two Associate's Degrees from Northeastern Junior College. She is also a graduate of the Special Districts Association Leadership Academy. Gina holds the designation of Certified Employee Benefits Specialist (CEBS) from

the International Foundation of Employee Benefit Specialists from the Wharton School, University of Pennsylvania.



Similar Projects Completed in the Past Three Years:

**University of Northern Colorado**

Executive Search: Chief of Police  
Blaine Nickerson, Associate Vice President for Administration  
970-351-3966  
[Blaine.nickerson@uncco.org](mailto:Blaine.nickerson@uncco.org)

**Town of Estes Park, CO**

Executive Search: Chief of Police  
Travis Machalek, Town Administrator  
(970) 577-3705  
[tmachalek@estes.org](mailto:tmachalek@estes.org)

**City of Fort Morgan, CO**

Executive Search: City Manager & Police Chief  
Steve Glammeyer, City Manager  
(970) 542-3972  
[steve.glammeyer@cityoffortmorgan.com](mailto:steve.glammeyer@cityoffortmorgan.com)

**City of Glenwood Springs, CO**

Executive Search: Police Chief  
Debra Figueroa, City Manager  
(970) 309-9770  
[debra.figueroa@cogs.us](mailto:debra.figueroa@cogs.us)

**City of Ouray, CO**

Executive Search: City Administrator  
Melissa Drake, Human Resources Director  
(Former Interim City Administrator)  
(970) 325-7066  
[drakem@cityofouray.net](mailto:drakem@cityofouray.net)

**Alamo Colleges District, San Antonio, Texas**

Executive Search: District Police Chief  
Dr, Diane Snyder, Vice Chancellor  
(210) 485-0010  
[dsnyder12@alamo.edu](mailto:dsnyder12@alamo.edu)

**City of Elizabeth, CO**

Executive Search: Chief of Police  
Patrick Davidson, Town Administrator  
[pdavidson@townofelizabeth.org](mailto:pdavidson@townofelizabeth.org)

A comprehensive list of previous clients is attached.

## **PROJECT SCOPE**

### **1. Mission Statement:**

KRW relies heavily on establishing the most productive, trusting, and cooperative relationship with our clients as possible. Relationships are an important value for the firm. We do not believe in long, drawn-out processes and work diligently to ensure the timeline and established process protocols are met. We have a reputation as knowledgeable professionals and cost our proposals with the appreciation for budget challenges and affordability.

### **2. Recruitment Philosophy:**

As outlined below, it is the recruitment protocol and professional philosophy of KRW to collaborate with the hiring authority and City staff to obtain input as to the qualities, abilities, education, and experience desired of an ideal candidate. Other stakeholders identified by the City may also be interviewed. Information developed from the interviews will be incorporated into an advertisement that will be posted nationally after City approval.

## **C. Approach/Strategy Used to Perform the Project**

KRW has an established recruitment protocol which is based on our experience and believe that the timeline and details outlined below will lead to a highly successful recruitment process. Working with the representatives and the leadership of the City of Leadville, KRW proposes the following process after entering into a contract agreeing on the scope of work and fee.

### **A. Candidate Profile Development – Early April 2024**

Meet in person with the Leadership of the City of Leadville including representatives of the Police Department, the City of Leadville, and if desired community stakeholders to compile input/information relative to the skills, abilities, attributes, qualifications, and educational requirements desired in the next Chief of Police. The information collected is critical to effectively develop a profile for the position announcement that will be utilized for posting and for discussion with potential candidates. Electronic surveys are also an option to obtain input from shift employees or those not able to attend information sharing opportunities.

Based on stakeholder interviews, focus groups and survey responses, plus the knowledge and experience of the KRW team, an ideal candidate profile will be developed. A posting announcement will be created from this profile and will include the following:

- a. A description of the opportunity.
- b. Highlights of Leadville and the community at large.
- c. A description of the organization.
- d. Specific details about the position, including essential duties.
- e. Competencies and personal characteristics of the ideal candidate.
- f. Minimum and preferred qualifications.
- g. Compensation/benefit information.
- h. How to apply; and who to contact if an applicant has questions.

Once KRW has created the profile, the posting document will be sent to the designated City representatives for final approval.

#### **B. Ensure Compliance - Ongoing throughout the process.**

KRW will work with the City to ensure that any specific requirements, as designated by the hiring authority, are taken into full consideration throughout the process. In all stages of the recruitment process, KRW will be consistent in all our interactions with applicants. Because of our experience and success in selection processes, we will ensure that all individuals involved in any of the interview processes conduct themselves in a manner that is federal and state compliant and avoid all questions or statements that would be considered discriminatory. All notes taken on applicants will be objective, clear, and concise.

**NOTE REGARDING DIVERSITY RECRUITING:** KRW is committed to Diversity in the recruiting strategy. For KRW, Diversity recruiting is the practice that is free from biases of any kind. It is merit-based recruitment and although an aggressive outreach is conducted to attract a diverse pool of candidates it is structured to give all applicants, regardless of background an equal opportunity.

#### **C. Recruitment Strategy – Mid to Late April 2024**

KRW will develop a recruitment strategy through a position posting to attract local, regional, and national candidates. **KRW will require assistance from the City of Leadville to construct the final posting. The assistance will necessarily include a specific contact person who can provide photos and information regarding the community, police department, position, salary, benefits, and other logistical support.** With the final approval of the City, the following list provides a sampling of where the position may be advertised:

- a. City of Leadville website
- b. KRW's website
- c. IACP - International Association of Chiefs of Police
- d. Diversityjobs.com
- e. HAPCOA—Hispanic American Police Command Officers Association
- f. CALEA—Commission on Accreditation for Law Enforcement Agencies
- g. PERF—the Police Executive Research Forum
- h. NOBLE—the National Organization of Black Law Enforcement Executives
- i. NAWLEE—the National Association of Women's Law Enforcement Executives
- j. HLPAs—Hispanic/Latino Professional Society
- k. ICMA—the International City Manager Association
- l. governmentjobs.com
- m. LinkedIn
- n. CML- Colorado Municipal League

KRW is committed to a selection process of inclusion, ensuring that our posting will reach a wide variety of backgrounds—gender, age, ethnicity, racial groups, religious groups, and cultural identity. Prior to posting KRW will submit the final draft of the posting to Leadville for final approval.

**Please note:** KRW and the City will collaborate to determine what posting sites will be utilized for this recruitment. KRW will pay for all advertising costs and submit an invoice with receipts to the City for reimbursement.

**D. Outreach** – KRW has a personal, one-on-one approach. We have developed an extensive database of potential candidates from throughout the nation and we regularly conduct outreach with this group. We invite visitors to our website to review our current open positions as well as share their information and area of interest with us. In addition, because of the wide-ranging experience and professional contacts of the Managing Partners of KRW, our principals will collaborate with executive level law enforcement partners to identify other possible qualified candidates locally, regionally, and nationally.

**E. Confidentiality to Candidates—Ongoing throughout the process**

At all times during our recruitment and selection process, KRW ensures the confidentiality of its applicants. Candidates must feel comfortable that their personal information is safe and confidential. Because our dealings are one-on-one, either by phone or through email, our discussions with our applicants are private to the extent provided by law. We will share any information related to our candidates with our appointing authority and any designated liaisons. This approach builds trust with both our client and our applicants.

**F. Receipt of Application Materials – Mid to Late May 2024**

Postings will run for a 30-day period. KRW will utilize their applicant tracking system found to be successful and efficient for many years. All applicants will be acknowledged by KRW through return electronic messages. If questions arise when reviewing the application materials, we will communicate with our applicants to resolve any confusion.

Each week, the designated City contacts will receive a spreadsheet outlining the details of those who have applied. This spreadsheet will include the applicant's current position, dates, and location of current employment, whether the candidate has met the minimum and preferred qualifications, the candidate's educational background, their contact information plus their strengths and weaknesses as determined by the KRW. This spreadsheet provides an overview or snapshot of the applicants and allows the City to keep current on the candidates for the Police Chief position. In addition, a zipped folder containing the application materials (cover letter, resume, six professional references) for all candidates will be sent along with the final spreadsheet.

**G. Assist the City to Identify Semi-finalists and due-diligence – Early June 2024**

Throughout the posting period, KRW screens all application materials for the established minimum and preferred requirements. Once the posting period has expired, KRW will conduct an extensive review of all applicants and engage in the process of tiering all those who have applied for the Police Chief position. This process involves a ranking system:

- a. Tier 1a – candidates who are highly qualified and are recommended to continue in the selection process.
- b. Tier 1b – qualified candidates, meeting the minimums, who may continue in the selection process.
- c. Tier 1c – candidates not recommended to continue in the selection process.

The applicants on the weekly spreadsheet will be sorted by these tiers. KRW will present the spreadsheet and identify a minimum of 8 candidates and a maximum of 12 candidates who are recommended as semi-finalists.

KRW will meet with the hiring authority to identify and select candidates for personal interviews and due diligence including a telephone interview covering specific questions related to the established hiring criteria, the candidate's commitment to the process,

verification of educational credentials, general conduct, work history, legal history, and social media activity. Based on the established criteria, KRW will then prepare a detailed report for the appointing authority's review summarizing the results of the due diligence. KRW will immediately communicate with the City should information become available that would negatively impact the semi-finalist candidate list.

#### **H. Selection of Finalists- Mid to Late June 2024**

Meet with the hiring authority to review the results of the due diligence and assist in selecting finalist candidates (typically 4-6). KRW will conduct reference checks, national criminal history background and social media accounts. A further detailed report will be submitted to the appointing authority with the results of this process.

#### **I. Design and Finalize Interview Process- Late June early July**

KRW assessment system includes all custom written materials and research support materials. Exercises may include presentations by the candidates. KRW will provide all custom interview questions focusing on the following:

- a. The selection process for finalist candidates will be discussed with the appointing authority to design a process to identify the ideal candidate. This process generally includes a "meet and greet" event the evening before three panel interviews which include:
  1. A Professional Panel comprised of local Public Safety Officials.
  2. An Executive Panel comprised of Department Heads, City Officials, and Community Partners.
  3. The Hiring Authority.

KRW will provide questions specifically designed for each panel, Professional, Executive and City Manager. The questions are designed to evaluate the candidate's overall leadership skills, vision for the City and the Police Department, ability to understand and effectively communicate the challenges and opportunities facing the current law enforcement environment, and strategic perspective. Additionally, determine the candidate's ability to build strong relationships of trust and accountability, and sustain a collaborative work environment with all stakeholders, internal and external.

Interview questions will also be created based on the specific priorities discussed with the hiring authority. This will allow interview panels to focus on those issues most pressing and important to the City.

#### **3. Guidance to the City - ongoing throughout the entire recruitment process.**

Throughout the entire recruitment and selection process, KRW will provide advice and guidance to the City in the form of regular phone and conference calls along with being available to our contacts as needed. It is our objective to ensure that all participating parties are informed and that the decision-making process throughout the course is deliberate and sound.

#### **K. Finalist Interview Process – Mid July 2024**

Based on the timeline established at the onset of this selection and recruitment process, KRW will work directly with the City to establish the names and titles of the individuals who will represent the City on the assessment panel(s). The designated panelists will be trained by one of the Managing Partners prior to the commencement of the process to ensure the integrity and objectivity of the system. KRW will communicate process administration to the appropriate personnel. Additionally, KRW will provide candidate orientation and, the

evening before the interview process, plan a reception for finalist candidates hosted by the City of Leadville. Members of the community, employees and staff will have the opportunity to engage the candidates in this informal setting. We will assist the City in coordinating the schedules and travel of the finalists.

#### **L. Final Selection – Mid July 2024**

Based on the results of the finalist assessment process, KRW will assist the City in selecting the most qualified and best fit candidate for the Police Chief position based on the strengths and weaknesses observed during the finalist interview and the interaction of the candidate with the City, Police Department employees and the community stakeholders. Once a final selection is made, all candidates will be notified and thanked for their participation in the process.

#### **M. Point of Contact**

To ensure ease of communication throughout the process KRW will require Leadville to identify a primary contact person (possibly from HR or the City Manager's Office.) This person will assist in setting up interviews, locations, times and make up of focus groups and all aspects of each step of the process including the final set of interviews once the finalists have been selected. This will also include logistics of finalists, ensuring all steps in the process are coordinated for both the client and KRW staff. Mr. Johnson and Dr. Williams will be responsible for the day-to-day, week-to-week coordination with the in-house person selected for this set of tasks.

#### **N. Proposed timeline for the project**

- Late March early April, finalize the Letter of Agreement, conduct meetings to gain an understanding of the client's vision for the process and the qualities of the ideal candidate.
- Early to Mid-April 2024, conduct focus group sessions to gain any additional stakeholder input into the development of the draft posting. Working with the designated logistic person, prepare a draft posting for the Chief of Police position and share the draft with the City. Make any recommended adjustments and post on agreed upon sites by late April or early May 2024.
- Allow the posting to remain active on all approved sites for 30 days,
- Late May to early June conduct tiering on candidates and schedule a meeting with client to determine the semi-finalists. Upon agreement of semi-finalists, conduct due diligence interviews and prepare detailed narrative report for the client.
- Mid to Late June meet with client to determine finalists, establish dates for on-site interviews, establish on-site process, work with City logistics representative to staff panels and prepare all aspects of on-site process, ensure all finalists remain committed to the process and all arrangements are made for each finalist.
- Mid July conduct final on-site process, assist the client with process facilitation and final selection.

**PROJECT COST ESTIMATE SHEET**

The cost of this project is **\$19,250.00** which covers consultant fees and most direct consultant expenses. Our fee includes all phases of the project: administration, the recruitment and selection process; the assessment and background checks of candidates; and the final recommendations and notifications.

**THE CITY OF LEADVILLE, COLORADO – 2024**

**CHIEF OF POLICE- RECRUITMENT AND SELECTION PROCESS**

- 1. Oversight and administration of executive search process.....\$14,500**  
Includes overall project administration; conducting meetings with City staff; preparation of the ideal candidate profile for advertising; potential candidate outreach; reviewing and screening resumes; telephone and e-mail follow up; due diligence on semi-finalists; recommendations to the City; development of candidate finalist lists; and reference checks, national criminal background checks on finalist candidates.
  
- 2. Assessment System.....\$4,250.00**  
Includes use of all custom written materials, research support materials, training, and process administration of exercises to Police Chief candidates/finalists. Exercises may include structured interviews with staff and community members as well as presentation exercises.
  
- 3. Assessor training, included in the set fee .....No charge**
  
- 4. Final Candidate orientation included in set fee.....No charge**
  
- 5. Travel.....No charge**
  
- 6. Meals.....No charge**
  
- 7. Copying/Printing of Assessment Materials.....No charge**
  
- 8. National Background Investigation and Social Media check.....\$500.00**

**TOTAL CONSULTANT COSTS FOR PROJECT.....\$19,250.00**

***There is no consultant travel or lodging costs.*** Costs of advertisements in professional websites or other expenses related to candidates will be the responsibility of the City. In addition, City will bear the cost of candidate travel and lodging if necessary.

All work to be performed by *KRW Associates LLC* Managing Partners, Mr. Lorne Kramer, Dr. Jerry Williams, and Mr. Lynn Johnson with possible assistance from other qualified professionals.

***WARRANTY: KRW is confident of their capacity to produce a quality group of candidates and ultimately the selection of the right person for the position. In the event the person selected by the City does not complete at least 12 months in the position due to performance issues, or resigns voluntarily during that period, KRW will complete a follow up process charging only for travel and related expenses.***

**ATTACHMENT A**

**SAMPLE LIST OF PREVIOUS CLIENTS**

**EXECUTIVE SEARCH, ORGANIZATIONAL ASSESSMENTS, AND TRAINING LOCATIONS**

ALAMO COLLEGES DISTRICT (TX) CITY OF AMARILLO (TX) CITY OF AVON (CO) CITY OF BAYFIELD (CO) CITY OF BOULDER (CO) CITY OF BRECKENRIDGE (CO) CITY OF BRIGHTON (CO) CITY AND COUNTY OF BROOMFIELD (CO) CITY OF CASTLE ROCK (CO) CITY OF COMMERCE CITY (CO) CITY OF CRAIG (CO) CITY OF DELTA (CO) CITY OF DILLON (CO) CITY OF DURANGO (CO) CITY OF EDGEWATER (CO) EL PASO COUNTY, (CO) CITY OF ENGLEWOOD (CO) CITY OF EVANS (CO) CITY OF FERNDALE (MI) CITY OF FORT COLLINS (CO) CITY OF FORT LUPTON (CO) CITY OF FORT MORGAN (CO) CITY OF FRISCO (CO) CITY OF GEORGETOWN (CO) CITY OF GLENWOOD SPRINGS (CO) CITY OF GOLDEN (CO) CITY OF GRANBY (CO) CITY OF GRAND JUNCTION (CO) CITY OF GREELEY (CO) CITY OF GREENWOOD VILLAGE (CO) CITY OF JACKSON (WY) JEFFERSON COUNTY (CO) JOINT POWERS WATER BOARD (WY) CITY OF LARAMIE (WY) CITY OF LONE TREE (CO) CITY OF MANITOU SPRINGS (CO) CITY OF MILLIKEN (CO) CITY OF MONTE VISTA (CO) CITY OF MONUMENT (CO) CITY OF MORRISON (CO) CITY AND COUNTY OF MONTROSE (CO) CITY OF MOUNTAIN VIEW (CA) MESA COUNTY (CO) PITKIN COUNTY (CO) PUEBLO COUNTY (CO) CITY OF SHERIDAN (WY) CITY OF SILVERTHORNE (CO) SOUTH METRO FIRE DISTRICT (CO) CITY OF TELLURIDE (CO) CITY OF TRINIDAD (CO) UNIVERSITY OF NORTHERN COLORADO (CO) CITY OF WELLINGTON (CO) CITY OF WHEAT RIDGE (CO) CITY OF WINDSOR (CO)

*Lynn Johnson*

Managing Partner  
KRW Associates LLC  
303-435-4138



# Letter of Agreement

We would like to underscore, the scope of work for *KRW Associates LLC* would include assistance with recruiting and selection, including advertisements, e-mail and telephone solicitations, resume evaluation and screening, national background checks, including social media accounts, media searches, the preparation and presentation of recommended final candidates, the development and facilitation of an assessment process for finalists, notifications of candidates, and reference checks. Reference checks typically include telephonic interviews with references. Site visits are not a normal part of the process for reference checks. There is no psychological testing or assessment included in this proposal.

There are no hidden fees or costs for travel, meals, or lodging. We work thoroughly and quickly, and do not believe in unnecessarily prolonged executive searches. We will help you get this project successfully completed in a timely manner.

**WARRANTY:** KRW is confident of their capacity to produce a quality group of candidates and ultimately the selection of the right person for the position. In the event the person selected by the town does not complete a full year in the position due to performance issues, KRW will complete a follow up process charging only for travel and related expenses.

Thank you for considering our offer of assistance.

Sincerely,

*Lynn Johnson*

*KRW Managing Partner*

## AGREEMENT

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Authorized Representative  
City of Leadville, CO

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Lynn Johnson  
Managing Partner  
KRW Associates LLC



## AGENDA ITEM # 8C

### CITY COUNCIL COMMUNICATION FORM

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**MEETING DATE:** April 02, 2024

**SUBJECT:** Ordinance No. 1, Series of 2024: An Ordinance of the City Council of the City of Leadville Amending Chapter 5.04 of Title 5 of the Leadville Municipal Code, Regulating the Business of Guiding Snowmobiles, Off-Highway Vehicles and All-Terrain Vehicles in the City (second reading)

**PRESENTED BY:** Laurie Simonson, City Administrator

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ORDINANCE  
 RESOLUTION  
 MOTION  
 INFORMATION

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**I. REQUEST OR ISSUE:**

Before the City Council for consideration, on second reading, is Ordinance No. 1, Series of 2024 ("Ordinance"), which would amend Chapter 5.04 of Title 5 of the Leadville Municipal Code ("Code"), Regulating the Business of Guiding Snowmobiles, Off-Highway Vehicles ("OHVs") and All-Terrain Vehicles ("ATVs") in the City of Leadville ("City").

**II. BACKGROUND INFORMATION:**

On February 6, 2024 at its regular meeting, the City Council held a first reading regarding Ordinance No. 1, Series of 2024 which would Amend Chapter 5.04 of Title 5 of the Leadville Municipal Code, Regulating the Rental, Leasing, or Guiding of OHVs within the City. At that meeting, the Council received a staff summary of the Ordinance and then discussed the Ordinance as drafted.

The Council recommended the following changes: (1) that the Ordinance be modified to include snowmobiles; (2) that the Ordinance be modified to prohibit the rental and leasing of OHV's and snowmobiles; and (3) the number of licenses for guiding OHVs and snowmobiles be limited to three (3) total.

On March 5, 2024, the Council held a first reading of a revised Ordinance 1, Series of 2024 that incorporated the above changes. At that time, the council noted that the Ordinance should include All-Terrain Vehicles ("ATVs").

Ordinance No. 1, Series of 2024 which would amend Chapter 5.04 of Title 5 of the Code, regulating the business of guiding snowmobiles, OHVs and ATVs in the City incorporates these changes. This Ordinance also balances the need for the existing OHV businesses while reducing the impact of OHVs in our community by capping the number of business licenses for this purpose at three licenses. Through this Ordinance, the City desires to limit the further impact of noise and traffic in the community to promote the health, safety and welfare of its citizens.

**III. FISCAL IMPACTS:**

N/A

**V. LEGAL ISSUES:**

The City Council is authorized pursuant to Colorado Revised Statutes (“C.R.S.”) § 31-15-501 to license and regulate any lawful occupation, business place, amusement, or place of amusement and to fix the amount, terms and manner of issuing and revoking licenses issued therefor. Title 5, section 5.04.010 of the Leadville Municipal Code (“Code”) requires that “every person, firm, partnership, corporation or other business entity must obtain a business license from the city before operating, conducting or carrying on any for-profit retail trade, profession or business within the city.” The City Council possesses the authority pursuant to C.R.S. § 31-15-401 and its general police powers to pass and enforce regulations which may be necessary or expedient for the promotion of the health, safety and welfare of the citizens of Leadville.

**VI. STAFF RECOMMENDATION:**

Staff recommends adopting Ordinance No. 1, Series of 2024 - Amending Chapter 5.04 of Title 5 of the Leadville Municipal Code, Regulating the Business of Guiding Snowmobiles, Off-Highway Vehicles and All-Terrain Vehicles in the City of Leadville on second reading.

**VII. COUNCIL OPTIONS:**

Council may take one of the following actions:

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

**VIII. PROPOSED MOTION:**

“I move to adopt Ordinance No. 1, Series of 2024 - Amending Chapter 5.04 of Title 5 of the Leadville Municipal Code, Regulating the Business of Guiding Snowmobiles, Off-Highway Vehicles and All-Terrain Vehicles in the City of Leadville on second reading.”

**IX. ATTACHMENTS:**

1. Ordinance No. 1, Series of 2024 - Amending Chapter 5.04 of Title 5 of the Leadville Municipal Code, Regulating the Business of Guiding Snowmobiles, Off-Highway Vehicles and All-Terrain Vehicles in the City of Leadville – redlined version;
2. Ordinance No. 1, Series of 2024 - Amending Chapter 5.04 of Title 5 of the Leadville Municipal Code, Regulating the Business of Guiding Snowmobiles, Off-Highway Vehicles and All-Terrain Vehicles in the City of Leadville – clean version.

PUBLIC NOTICE

**CITY OF LEADVILLE, COLORADO**

**ORDINANCE NO. 1, SERIES OF 2024:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEADVILLE  
AMENDING CHAPTER 5.04 OF TITLE 5 OF THE LEADVILLE MUNICIPAL CODE,  
REGULATING THE BUSINESS OF GUIDING SNOWMOBILES AND  
OFF-HIGHWAY VEHICLES IN THE CITY

Passed on **second reading** at the City Council meeting on **4/2/2024 at 6:00 p.m.**

**CITY OF LEADVILLE, COLORADO**  
**ORDINANCE NO. \_\_\_\_\_**  
**SERIES OF 2024 \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEADVILLE  
AMENDING CHAPTER 5.04 OF TITLE 5 OF THE LEADVILLE MUNICIPAL CODE, -  
REGULATING THE BUSINESS OF GUIDING SNOWMOBILES ~~AND~~, OFF-  
HIGHWAY VEHICLES AND ALL TERRAIN VEHICLES IN THE CITY**

**WHEREAS**, C.R.S. § 33-14-101, *et seq.*, addresses snowmobile regulations in this state;

**WHEREAS**, C.R.S. § 33-14.5-101, *et seq.*, addresses off-highway vehicle ("OHV") regulations in this state;

**WHEREAS**, C.R.S. § 42-6-101, *et seq.*, addresses all-terrain vehicle ("ATV") regulations in this state;

**WHEREAS**, pursuant to C.R.S. §§ 33-14-118 and 33-14.5-110, the City Council of the City of Leadville ("City Council") is authorized to regulate snowmobiles, OHVs and OHVsATVs on public lands, water and property under its jurisdiction and on streets and highways within its boundaries by appropriate ordinance if such regulations are not inconsistent with state law;

**WHEREAS**, City Council is authorized to license and regulate any lawful occupation, business place, amusement, or place of amusement and to fix the amount, terms, and manner of issuing and revoking licenses issued therefor, pursuant to C.R.S. § 31-15-501;

**WHEREAS**, by Ordinance No. 1, Series of 2023, adopted on final reading February 7, 2023, the City imposed a moratorium on the City's issuance of new business licenses for the guiding, rental, or leasing of OHVs as a temporary measure until the City could replace the moratorium by a subsequent legislative enactment; and

**WHEREAS**, to promote the public health, safety and welfare, the City is prepared to enact the following limitation on the number of businesses permitted to offer guided tours using snowmobiles, OHVs and OHVsATVs in the City.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEADVILLE, COLORADO, AS FOLLOWS:**

**Section 1.** Section 5.04.020 within Chapter 5.04 of Title 5 of the Leadville Municipal Code is hereby amended by the addition of a new subsection (H) to read as follows:

**5.04.020 - Application and license requirements.**

\* \* \*

H. OHV ~~and~~ snowmobile and ATV license limitation. As part of the City's regulation of businesses with the City and in order to protect the public health, safety and

welfare, no more than two (2) businesses may be licensed for the purpose of guiding snowmobiles ~~and~~, off-highway vehicles and ATVs within the City. Renting or leasing snowmobiles, OHVs or ~~OHVs~~ATVs to individuals for unguided use within or through the City is prohibited.

1.— For purposes of this limitation, the following terms have the following meanings:

aa. "All-terrain vehicle" or "ATV" means a three- or four-wheeled vehicle that travels on low-pressure tires with a seat that is straddled by the rider and with handlebars for steering control.

b. "Guiding" means the provision of guided snowmobile or OHV tours during which participants are accompanied by and under the control and direction of an employee or agent of the business licensed under this Section. "Guiding" does not include renting or leasing.

bc. "Off-highway vehicle" or "OHV" means any self-propelled vehicle that is designed to travel on wheels or tracks in contact with the ground, designed primarily for use off of the public highways, and generally and commonly used to transport persons for recreational purposes, as defined in C.R.S. § 33-14.5.101(3), as amended, currently defined as *including* surplus military vehicles as defined in C.R.S. § 42-6-102, and currently defined as *excluding* all-terrain vehicles, as defined in C.R.S. § 42-6-102, vehicles designed and used primarily for travel on, over, or in the water, snowmobiles, golf carts, vehicles designed and used to carry individuals with disabilities, vehicles designed and used specifically for agricultural, logging, or mining purposes, vehicles registered pursuant to Article 3 of Title 42, C.R.S., or a surplus military vehicle, as defined in C.R.S. § 42-6-102(20.5), that is owned or leased by a municipality, county, or fire protection district, as defined in C.R.S. § 32-1-103(7), for the purpose of assisting with firefighting efforts, including mitigating the risk of wildfires.

ed. "Renting" or "leasing" means entering into an agreement, written or otherwise, between a customer and a business to allow the customer temporary use of the business' OHV in exchange for some form of consideration.

de. "Snowmobile" means a self-propelled vehicle primarily designed or altered for travel on snow or ice when supported in part by skis, belts, or cleats. "Snowmobile" does not include machinery used strictly for the grooming of snowmobile trails or ski slopes.

2. This business license limitation shall not be construed to regulate the lawful operation of properly registered snowmobiles-~~or~~, off-highway vehicles or all-terrain vehicles that are not rented, leased or guided by a business in the City.

**INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 5<sup>th</sup> day of March, 2024.**

CITY OF LEADVILLE, COLORADO

\_\_\_\_\_  
Dana Greene, Mayor

ATTEST:

\_\_\_\_\_  
Hannah Scheer, Deputy City Clerk

PUBLISHED in full in The Herald Democrat a newspaper of general circulation in the City of Leadville, Colorado, on this \_\_\_ day of \_\_\_\_\_, 2024.

**PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED, with any amendments, this 2<sup>nd</sup> day of April, 2024.**

CITY OF LEADVILLE, COLORADO

\_\_\_\_\_  
Dana Greene, Mayor

ATTEST:

\_\_\_\_\_  
Hannah Scheer, Deputy City Clerk

PUBLISHED BY TITLE ONLY in The Herald Democrat a newspaper of general circulation in the City of Leadville, Colorado, following final reading on this \_\_\_ day of \_\_\_\_\_, 2024.

**CITY OF LEADVILLE, COLORADO**  
**ORDINANCE NO. \_\_\_**  
**SERIES OF 2024**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEADVILLE**  
**AMENDING CHAPTER 5.04 OF TITLE 5 OF THE LEADVILLE MUNICIPAL CODE,**  
**REGULATING THE BUSINESS OF GUIDING SNOWMOBILES, OFF-HIGHWAY**  
**VEHICLES AND ALL TERRAIN VEHICLES IN THE CITY**

**WHEREAS**, C.R.S. § 33-14-101, *et seq.*, addresses snowmobile regulations in this state;

**WHEREAS**, C.R.S. § 33-14.5-101, *et seq.*, addresses off-highway vehicle ("OHV") regulations in this state;

**WHEREAS**, C.R.S. § 42-6-101, *et seq.*, addresses all-terrain vehicle ("ATV") regulations in this state;

**WHEREAS**, pursuant to C.R.S. §§ 33-14-118 and 33-14.5-110, the City Council of the City of Leadville ("City Council") is authorized to regulate snowmobiles, OHVs and ATVs on public lands, water and property under its jurisdiction and on streets and highways within its boundaries by appropriate ordinance if such regulations are not inconsistent with state law;

**WHEREAS**, City Council is authorized to license and regulate any lawful occupation, business place, amusement, or place of amusement and to fix the amount, terms, and manner of issuing and revoking licenses issued therefor, pursuant to C.R.S. § 31-15-501;

**WHEREAS**, by Ordinance No. 1, Series of 2023, adopted on final reading February 7, 2023, the City imposed a moratorium on the City's issuance of new business licenses for the guiding, rental, or leasing of OHVs as a temporary measure until the City could replace the moratorium by a subsequent legislative enactment; and

**WHEREAS**, to promote the public health, safety and welfare, the City is prepared to enact the following limitation on the number of businesses permitted to offer guided tours using snowmobiles, OHVs and ATVs in the City.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEADVILLE, COLORADO, AS FOLLOWS:**

**Section 1.** Section 5.04.020 within Chapter 5.04 of Title 5 of the Leadville Municipal Code is hereby amended by the addition of a new subsection (H) to read as follows:

**5.04.020 - Application and license requirements.**

\* \* \*

H. **OHV, snowmobile and ATV license limitation.** As part of the City's regulation of businesses with the City and in order to protect the public health, safety and welfare, no more than two (2) businesses may be licensed for the purpose of guiding



snowmobiles, off-highway vehicles and ATVs within the City. Renting or leasing snowmobiles, OHVs or ATVs to individuals for unguided use within or through the City is prohibited.

1. For purposes of this limitation, the following terms have the following meanings:

a. "All-terrain vehicle" or "ATV" means a three- or four-wheeled vehicle that travels on low-pressure tires with a seat that is straddled by the rider and with handlebars for steering control.

b. "Guiding" means the provision of guided snowmobile or OHV tours during which participants are accompanied by and under the control and direction of an employee or agent of the business licensed under this Section. "Guiding" does not include renting or leasing.

c. "Off-highway vehicle" or "OHV" means any self-propelled vehicle that is designed to travel on wheels or tracks in contact with the ground, designed primarily for use off of the public highways, and generally and commonly used to transport persons for recreational purposes, as defined in C.R.S. § 33-14.5.101(3), as amended, currently defined as *including* surplus military vehicles as defined in C.R.S. § 42-6-102, and currently defined as *excluding* all-terrain vehicles, as defined in C.R.S. § 42-6-102, vehicles designed and used primarily for travel on, over, or in the water, snowmobiles, golf carts, vehicles designed and used to carry individuals with disabilities, vehicles designed and used specifically for agricultural, logging, or mining purposes, vehicles registered pursuant to Article 3 of Title 42, C.R.S., or a surplus military vehicle, as defined in C.R.S. § 42-6-102(20.5), that is owned or leased by a municipality, county, or fire protection district, as defined in C.R.S. § 32-1-103(7), for the purpose of assisting with firefighting efforts, including mitigating the risk of wildfires.

d. "Renting" or "leasing" means entering into an agreement, written or otherwise, between a customer and a business to allow the customer temporary use of the business' OHV in exchange for some form of consideration.

e. "Snowmobile" means a self-propelled vehicle primarily designed or altered for travel on snow or ice when supported in part by skis, belts, or cleats. "Snowmobile" does not include machinery used strictly for the grooming of snowmobile trails or ski slopes.

2. This business license limitation shall not be construed to regulate the lawful operation of properly registered snowmobiles, off-highway vehicles or all-terrain vehicles that are not rented, leased or guided by a business in the City.

**INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 5<sup>th</sup> day of March, 2024.**

CITY OF LEADVILLE, COLORADO

\_\_\_\_\_  
Dana Greene, Mayor

ATTEST:

\_\_\_\_\_  
Hannah Scheer, Deputy City Clerk

PUBLISHED in full in The Herald Democrat a newspaper of general circulation in the City of Leadville, Colorado, on this \_\_\_\_ day of \_\_\_\_\_, 2024.

**PASSED AND ADOPTED ON FINAL READING AND ORDERED PUBLISHED, with any amendments, this 2<sup>nd</sup> day of April, 2024.**

CITY OF LEADVILLE, COLORADO

\_\_\_\_\_  
Dana Greene, Mayor

ATTEST:

\_\_\_\_\_  
Hannah Scheer, Deputy City Clerk

PUBLISHED BY TITLE ONLY in The Herald Democrat a newspaper of general circulation in the City of Leadville, Colorado, following final reading on this \_\_\_\_ day of \_\_\_\_\_, 2024.

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28

29

30

31

Jun 1

● 4pm HPC -



SUN 26 MON 27 TUE 28 WED 29 THU 30 FRI 31 SAT Jun 1

● 4pm HPC - F

2 3 4 5 6 7 8

● 11am BOCC

● 6pm Regula

● 6pm LURA B

9 10 11 12 13 14 15

● 4pm HPC M

● 5pm Sanita

● 5:15pm Par

● 6pm P&Z M

16 17 18 19 20 21 22

● 8:30am Tou

● 11am BOCC

● 6pm Regula

● 1pm Leadvi

● 9am Fire M

23 24 25 26 27 28 29

● 4pm HPC - F

● 6pm P&Z M

30 Jul 1 2 3 4 5 6

● 11am BOCC

● 6pm Regula

● 6pm LURA B

