



CITY OF LEADVILLE

800 HARRISON AVE.
LEADVILLE, CO 80461

REGULAR COUNCIL MEETING AGENDA

January 9, 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

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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.	Presentations and Discussions: A. Swearing in of Mayor Elect Dana Greene B. Swearing in of Council Member Elect for Ward 1b Joey Edwards C. Swearing in of Council Member Elect for Ward 3a Cisco Tharp D. City Administrator's Report
7:00 pm	8.	Action Items: A. Resolution No. 1, Series of 2024 - A Resolution of the City Council of the City of Leadville, Colorado, Declaring a Vacancy in Office for a City Council Member Representing Ward 2 and Filling Such Vacancy by Appointment B. Resolution No. 2, Series of 2024 - A Resolution of the City Council of the City of Leadville Appointing the City Treasurer C. Resolution No. 3, Series of 2024 - A Resolution of the City Council of the City of Leadville Appointing the City Clerk D. Resolution No. 4, Series of 2024 - A Resolution of the City Council of the City of Leadville Reappointing the City Attorney and Municipal Judge E. Resolution No. 5, Series of 2024 - A Resolution Designating the Official Public Notice Location and the Official Newspaper of General Circulation for the City of Leadville, Colorado
8:00 pm	9.	Public Comments

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



	10.	Mayor's Report
	11.	Council Reports
	12.	Public Meetings Planner
8:15 pm	13.	Adjournment



AGENDA ITEM #8A

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: January 9, 2024

SUBJECT: Resolution No. 1, Series of 2024, A Resolution of the City Council of the City of Leadville, Colorado, Declaring a Vacancy in Office for a City Council Member Representing Ward 2 and Filling Such Vacancy by Appointment

PRESENTED BY: Laurie Simonson, City Administrator

ORDINANCE
 RESOLUTION
 MOTION

I. **REQUEST OR ISSUE:**

Before City Council is Resolution No. 1, Series of 2024, (the “Resolution”), which declares a vacancy in, and appoints a candidate to fill, the City Council seat for Ward 2b.

II. **BACKGROUND INFORMATION:**

The seat representing Ward 2b (the “second ward”) on the City Council was up for re-election in November 2023. There were no candidates in that election for Ward 2b. In accordance with §1.16.030 of the Leadville Municipal Code and Colorado Revised Statutes §§ 31-4-106 and 31-4-108(2)(b), the City Council must either appoint a person to fill the vacancy within sixty (60) days of the vacancy or schedule a special election.

Making an appointment to fill the vacancy saves the time and expense of conducting a special election. The city advertised the vacancy to seek a qualified candidate to fill the vacancy in Ward 2b. The city received letters of interest from two candidates – Shannon Grant and Timothy Best.

The person appointed will serve until the next regular election in November 2025.

III. **FISCAL IMPACTS:**

N/A

IV. **LEGAL ISSUES:**

When a vacancy in a city council seat occurs, Council must adopt a resolution declaring the vacancy. The adoption of that resolution starts a 60-day clock. The City has 60 days (per C.R.S. 31-4-106 and 31-4-108(2)(b)) from the adoption of the resolution, or the date of vacancy declared in the resolution if different from the resolution adoption date, to either appoint a person to fill the vacancy or call a special election to fill the vacancy. If the City does not appoint someone to fill the vacancy in 60 days, then the City will need to call a special election. Here, City Council is presented with Resolution No. 1, Series of 2024 declaring a vacancy and determining to appoint a person to Council to fill the vacancy.

Per C.R.S. 31-4-106, any person appointed (or elected) to City Council must meet certain statutory requirements in order to hold that office. The person must be a resident of the ward to which they are elected or appointed for at least twelve (12) consecutive months prior to their election or appointment, and they must be a registered elector in their ward.

V. STAFF RECOMMENDATION:

Staff recommends that City Council approve Resolution No. 1, Series of 2024 and appoint one of the two candidates to fill the Council vacancy.

VI. COUNCIL OPTIONS:

Council may take one of the following actions:

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

VII. PROPOSED MOTION:

“I move to adopt Resolution No. 1, Series of 2024, A Resolution of the City Council of the City of Leadville, Colorado, Declaring a Vacancy in Office for a City Council Member Representing Ward 2b and Filling Such Vacancy by Appointment and appoint _____ to fill the vacancy on City Council.”

ATTACHMENTS:

Resolution No. 1, Series of 2024

Timothy Best Letter of Interest and CV

Shannon Grant’s Letter of Interest

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 1
SERIES 2024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEADVILLE,
COLORADO, DECLARING A VACANCY IN OFFICE FOR A CITY COUNCIL
MEMBER REPRESENTING WARD 2 AND FILLING SUCH VACANCY BY
APPOINTMENT**

WHEREAS, § 2.04.010 of the Leadville Municipal Code (the “Code”) states that the City Council shall consist of the mayor and six city council members elected from the three wards of the city;

WHEREAS, the seat representing Ward 2b (the “second ward”) on the City Council was up for re-election in November 2023;

WHEREAS, there were no candidates in that election for Ward 2b;

WHEREAS, in accordance with § 1.16.030 of the Code and Colorado Revised Statutes (“C.R.S.”) §§ 31-4-106 and 31-4-108(2)(b), the City Council must either appoint a person to fill the vacancy within sixty (60) days of the vacancy or schedule a special election;

WHEREAS, the City Council desires to appoint a person to fill the vacancy in order to save the time and expense of conducting a special election;

WHEREAS, the city has advertised the vacancy to seek a qualified candidate to fill the vacancy in Ward 2b;

WHEREAS, City Council desires to make an appointment from the pool of qualified candidates.

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

Section 1. The City Council hereby: (1) declares a vacancy in the office of City Council Member for Ward 2b as of January 8, 2024; and (2) determines to fill the vacant Ward 2b seat by appointment.

Section 2. The City Council appoints _____ to serve on the City Council whose term shall commence on taking the oath of office and continue until the term of office of a successor elected at the next regular election on November 7, 2025 has commenced as provided in C.R.S. §§ 31-4-106 and 31-4-108(2)(b).

This Resolution shall take effect upon its adoption by the City Council.

ADOPTED this 9th day of January 2024, by a vote of ___ in favor and ___ against, ___ abstaining, and ___ absent.

CITY OF LEADVILLE, COLORADO

By: _____
Dana Greene, Mayor

ATTEST:

Hannah Scheer, Deputy City Clerk

Timothy Best

[REDACTED]
[REDACTED]
[REDACTED]
Leadville, CO 80461

12/20/2023

To the members of the Leadville City Council:

I am writing to express my interest in serving as council member representing ward 2, as well as to describe my experience and skills relevant to this position. I believe my background of diverse professional exposures, as well as my work here in Leadville, makes me a great candidate to serve on the council.

I moved to Leadville in the summer of 2016 after a radical career change. In my previous career path, I was an academic at elite arts institutions for a total of twelve years, teaching courses in ethnomusicology and music theory and doing research in semiotics and hermeneutics. Before that, I developed extensive experience in the service sector, managing several small businesses including my own start-up coffee shop. What brought me to Leadville? Like many folks that I've gotten to know here, it was simply a feeling that this was "my place," - a sense of belonging here that was borne partly of my love of mountains and adventuring, but also the uniqueness that Leadville embodies compared to every other mountain that I've experienced. Namely, that this is a real place with real working people, with real character, joys, and struggles.

Since moving here, I have been working with the children of Leadville and Lake County primarily in out-of-school time. Most recently, as Out-of-School-Time Programs Director for Get Outdoors Leadville! and Camp Director for Rockies Rock Adventure Camp, my primary focus has been to cultivate a passion for the outdoors as an arena for growth, discovery, collaboration, achievement, and stewardship, as well as to address the inequities of the Latino community here in experiencing our wonderful natural spaces. As Site Director of Project Dream after-school programs at West Park Elementary School, my focus was enrichment – to enable kids to foster a wide variety of interests, and possibly discover untapped gifts and talents while also growing socially and emotionally. Working in these two interdependent domains has allowed me to build relationships with a large number of Lake County youth and families, as well as local partners in the non-profit sector. I feel invested in the present and future well-being of Lake County families and want to help ensure that Leadville grows as a place that offers plentiful opportunities for them (recreational, intellectual, and economic).

I excel at problem-solving and logistics and thrive in collaborative environments. I have an entrepreneurial spirit and am skilled at program implementation and management. My wish is to put these skills to practice in the service of the Leadville community by representing Ward 2.

Since leaving my career as a college professor, I am sometimes asked what the common ground is between my previous life as an academic and the new one I've found here in Leadville. I've come to realize that the answer lies in a common goal – to improve and advance the culture of our society. My work in the Leadville community is now the most important work I've ever done toward this goal, and I look forward to discussing with you how I might continue this work as a member of the council.

Thanks for your consideration,

A handwritten signature in blue ink that reads "Timothy Best". The signature is written in a cursive style with a large initial 'T'.

Timothy Best

References:

Beth Grant Helmke - [REDACTED]

Cisco Tharp - [REDACTED]

Bunny Taylor - [REDACTED]

Dear Leadville City Council,

Please accept this as my letter of interest in filling the vacant Ward 2 Seat on City Council for the term beginning January 2024.

I have been a part of the City Council for about 18 months now. It's important work that happens and I would like to continue being a voice for the citizens of Ward 2. I am happy to answer any questions or provide more information if needed.

For the official record, I reside at [REDACTED] and have lived in Leadville since 1997. I am employed by Eagle County School District as the Director of Postsecondary Learning and Career Readiness. While I work outside of the county, I remain involved as a member of the First Presbyterian Church of Leadville, by attending many community events, and volunteering in and around our community, city, and county.

Thank you for your consideration.

Shannon Grant



AGENDA ITEM #8B

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: January 9, 2024

SUBJECT: Resolution No. 2, Series of 2024, A Resolution of the City Council of the City of Leadville Appointing the City Treasurer

PRESENTED BY: Laurie Simonson, City Administrator

ORDINANCE
 RESOLUTION
 MOTION

I. **REQUEST OR ISSUE:**

Before the City Council is Resolution No. 2, Series of 2024, (the "Resolution"), which appoints the City Treasurer for the City of Leadville.

II. **BACKGROUND INFORMATION:**

Pursuant to Colorado Revised Statutes ("C.R.S.") § 31-4-105 and Leadville Municipal Code (the "Code"), Section 2.04.150, the registered electors of the City shall elect, at the City's regular election, a Mayor, a Clerk, and a City Treasurer from the City at large and two City Council members from each ward of the City. At the November 7, 2023, regular election, there were no candidates for the office of City Treasurer, and as such, no City Treasurer was elected.

Pursuant to C.R.S. § 31-4-108 and Code, Section 1.16.030, vacancies in elected offices shall be filled by appointment of City Council, and such appointments shall last only until a successor elected at the next regular City election takes office. The vacancy in the office of City Treasurer was advertised by publication on December 7, 14 and 21, 2023 in the Leadville Herald, and those qualified and interested in being appointed to the position were asked to submit letters of interest.

Ms. Kristol Hewlett, the City's current Finance Director submitted a letter of interest. The City received no other letters of interest.

FISCAL IMPACTS:

N/A

III. LEGAL ISSUES:

The City Attorney has reviewed the proposed Resolution for legal compliance. In addition, the City Attorney has advised the City that there is no conflict of interest in the City's Finance Director being appointed the City Treasurer.

IV. STAFF RECOMMENDATION:

Staff recommends that City Council approve Resolution No. 2, Series of 2024 and appoint Ms. Kristol Hewlett as the City Treasurer.

V. COUNCIL OPTIONS:

Council may take one of the following actions:

1. Adopt the Resolution.
2. Adopt the Resolution with amendments.
3. Table the Resolution for further discussion and consideration.
4. Not adopt the Resolution.

VI. PROPOSED MOTION:

"I move to adopt Resolution No. 2, Series of 2024, A Resolution of the City Council of the City of Leadville Appointing Ms. Kristol Hewlett as the City Treasurer."

ATTACHMENTS:

Resolution No. 2, Series of 2024 - A Resolution of the City Council of the City of Leadville Appointing the City Treasurer

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 2
SERIES OF 2024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEADVILLE
APPOINTING THE CITY TREASURER**

WHEREAS, pursuant to C.R.S. § 31-4-105 and Leadville Municipal Code (the “Code”) Section 2.04.150, the registered electors of the City shall elect, at the City’s regular election, a Mayor, a Clerk, and a City Treasurer from the City at large and two City Council members from each ward of the City;

WHEREAS, at the November 7, 2023, regular election, there were no candidates for the office of City Treasurer, and as such, no City Treasurer was elected;

WHEREAS, pursuant to C.R.S. § 31-4-108 and Code Section 1.16.030, vacancies in elected offices shall be filled by appointment of City Council, and such appointments shall last only until a successor elected at the next regular City election takes office;

WHEREAS, the vacancy in the office of City Treasurer was advertised by publication on December 7, 14 and 21, 2023 in the Leadville Herald, and those qualified and interested in being appointed to the position were asked to apply; and

WHEREAS, having reviewed the letters of interest received, the City Council now wishes to appoint a City Treasurer.

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

Section 1. Kristol Hewlett is hereby appointed as City Treasurer with a term of appointment lasting until a successor Treasurer, duly elected at the City’s next regular election to be held in November of 2025, has commenced.

Section 2. The City Council hereby finds and determines that the office of City Treasurer is not inconsistent with and may be combined with the position of Deputy City Treasurer (“Finance Director”), as described in Section 2.04.110 of the Code.

This Resolution shall be effective upon its adoption.

**ADOPTED this 9th day of January, 2024 by a vote of ___ in favor, ___ against,
___ abstaining, and ___ absent.**

CITY OF LEADVILLE, COLORADO

Dana Greene, Mayor

ATTEST:

Hannah Scheer, Deputy City Clerk

January 2, 2024

Dear Leadville City Council,

I am writing to express my interest in the Treasurer position with the City of Leadville beginning January 2024.

I have worked for the City of Leadville as the Finance Director since October 2023. Prior to my employment with the city, I spent 5 years with Lake County Government as the Finance Director and have over 20 years' experience in the finance industry. My current duties include collection and deposit of moneys, accounting and reporting of financial statements, disbursement of funds and/or accounts payable for the operations of the City, audit prep and correspondence with the City's independent audit firm. I currently fulfill the duties listed as City Treasurer under 2.04.090 within the city ordinance.

For the official record, I live at [REDACTED] and have lived in Leadville since 1997. Thank you for your time and consideration.

Sincerely,



Kristol Hewlett



AGENDA ITEM #8C

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: January 9, 2024

SUBJECT: Resolution No. 3, Series of 2024, A Resolution of the City Council of the City of Leadville Appointing the City Clerk

PRESENTED BY: Laurie Simonson, City Administrator

ORDINANCE
 RESOLUTION
 MOTION

I. **REQUEST OR ISSUE:**

Before the City Council is Resolution No. 3, Series of 2024, (the "Resolution"), which appoints the City Clerk for the City of Leadville.

II. **BACKGROUND INFORMATION:**

Pursuant to Colorado Revised Statutes ("C.R.S.") § 31-4-105 and Leadville Municipal Code (the "Code"), Section 2.04.150, the registered electors of the City shall elect, at the City's regular election, a Mayor, a Clerk, and a City Treasurer from the City at large and two City Council members from each ward of the City. At the November 7, 2023, regular election, there were no candidates for the office of City Clerk, and as such, no City Clerk was elected.

Pursuant to C.R.S. § 31-4-108 and Code, Section 1.16.030, vacancies in elected offices shall be filled by appointment of City Council, and such appointments shall last only until a successor elected at the next regular City election takes office. The vacancy in the office of City Clerk was advertised by publication on December 7, 14 and 21, 2023 in the Leadville Herald, and those qualified and interested in being appointed to the position were asked to submit letters of interest.

Ms. Hannah Scheer, the City's current Deputy City Clerk submitted a letter of interest. The City received no other letters of interest.

III. **FISCAL IMPACTS:**

N/A

IV. LEGAL ISSUES:

The City Attorney has reviewed the proposed Resolution for legal compliance. In addition, the City Attorney has advised the City that there is no conflict of interest in the City's Deputy City Clerk being appointed the City Clerk.

V. STAFF RECOMMENDATION:

Staff recommends that City Council approve Resolution No. 3, Series of 2024 and appoint Ms. Hannah Scheer as the City Clerk.

VI. COUNCIL OPTIONS:

Council may take one of the following actions:

1. Adopt the Resolution.
2. Adopt the Resolution with amendments.
3. Table the Resolution for further discussion and consideration.
4. Not adopt the Resolution.

VII. PROPOSED MOTION:

"I move to adopt Resolution No. 3, Series of 2024, A Resolution of the City Council of the City of Leadville Appointing Ms. Hannah Scheer as the City Clerk."

ATTACHMENTS:

Resolution No. 3, Series of 2024 - A Resolution of the City Council of the City of Leadville Appointing the City Clerk

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 3
SERIES OF 2024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEADVILLE
APPOINTING THE CITY CLERK**

WHEREAS, pursuant to C.R.S. § 31-4-105 and Leadville Municipal Code (the “Code”) Section 2.04.150, the registered electors of the City shall elect, at the City’s regular election, a Mayor, a Clerk, and a City Treasurer from the City at large and two City Council members from each ward of the City;

WHEREAS, at the November 7, 2023, regular election, there were no candidates for the office of City Clerk, and as such, no City Clerk was elected;

WHEREAS, pursuant to C.R.S. § 31-4-108 and Code, Section 1.16.030, vacancies in elected offices shall be filled by appointment of City Council, and such appointments shall last only until a successor elected at the next regular City election takes office;

WHEREAS, the vacancy in the office of City Clerk was advertised publication on December 7, 14 and 21, 2023 in the Leadville Herald, and those qualified and interested in being appointed to the position were asked to submit letters of interest; and

WHEREAS, having reviewed the letters of interest, the City Council now wishes to appoint a City Clerk.

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

Section 1. Hannah Scheer is hereby appointed as City Clerk with a term of appointment lasting until a successor Clerk, duly elected at the City’s next regular election to be held in November of 2025, has commenced.

Section 2. The City Council hereby finds and determines that the office of City Clerk is not inconsistent with and may be combined with the position of Deputy City Clerk, as described in Section 2.04.070 of the Code.

This Resolution shall be effective upon its adoption.

**ADOPTED this 9th day of January, 2024 by a vote of ___ in favor, ___ against,
___ abstaining, and ___ absent.**

CITY OF LEADVILLE, COLORADO

Dana Greene, Mayor

ATTEST:

Hannah Scheer, City Clerk

December 22, 2023

Dear Leadville City Council,

Please accept this as my letter of interest in filling the vacant City Clerk seat for the term beginning in January 2024.

I have worked for the City of Leadville since August 1, 2022. Starting initially as the Municipal Court Clerk and later also assuming the role of Deputy City Clerk on October 31, 2022. As the Deputy City Clerk, I have custody of the laws, ordinances and resolutions of the City and keep record of city council proceedings. In addition, I am in charge of maintaining, tracking and collecting payment for business, liquor, marijuana and short-term rental licenses. I am also accountable for preparing and responding to Colorado Open Records Act requests as they are presented to the City.

As I am presently responsible for the clerk duties for the City of Leadville, I believe taking on the role of the City Clerk would be a seamless blending of the two positions. I am also happy to answer any questions you may have.

For the official record, I live at [REDACTED] and have lived in Leadville since January 1, 2021.

Thank you for your consideration.



Hannah Scheer
[REDACTED]



AGENDA ITEM #8D

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: January 9, 2024

SUBJECT: Resolution No. 4, Series of 2024, A Resolution of the City Council of the City of Leadville Re-Appointing the City Attorney and Municipal Judge

PRESENTED BY: Laurie Simonson, City Administrator

ORDINANCE
 RESOLUTION
 MOTION

I. REQUEST OR ISSUE:

Before the City Council is Resolution No. 4, Series of 2024, (the “Resolution”), which re-appoints the City Attorney and Municipal Judge for the City of Leadville.

II. BACKGROUND INFORMATION:

The Leadville Municipal Code (the “Code”) at Section 2.12.010 requires each new City Council, upon taking office, to elect and appoint one city attorney, one municipal judge, and an alternate municipal judge. The City Council was sworn in following the November 7, 2023, regular municipal election. Therefore, the new City Council needs to elect and appoint one city attorney, one municipal judge, and (at least) one alternate municipal judge.

The City Council previously appointed Ms. Hilary M. Graham, Esq., of the law firm Hoffmann Parker Wilson & Carberry, P.C as the City Attorney and Ms. M. Christina Floyd, Esq., as the Municipal Judge. The City currently has no alternate judges. Mr. John Scott, Esq. and Mr. Ron Carlson, Esq. are willing and able to serve as alternate judges.

III. FISCAL IMPACTS:

N/A

IV. LEGAL ISSUES:

The City Attorney has reviewed the proposed Resolution for legal compliance.

V. STAFF RECOMMENDATION:

Staff recommends that City Council approve Resolution No. 4, Series of 2024 and re-appoint Ms.

Hilary M. Graham, Esq., of the law firm Hoffmann Parker Wilson & Carberry, P.C as the City Attorney and M. Christina Floyd, Esq., as the Municipal Judge and appoint Mr. John Scott, Esq. and Mr. Ron Carlson, Esq. as alternate Municipal Judges.

VI. COUNCIL OPTIONS:

Council may take one of the following actions:

1. Adopt the Resolution.
2. Adopt the Resolution with amendments.
3. Table the Resolution for further discussion and consideration.
4. Not adopt the Resolution.

VII. PROPOSED MOTION:

“I move to adopt Resolution No. 4, Series of 2024, A Resolution of the City Council of the City of Leadville Re-Appointing the City Attorney and Municipal Judge.”

ATTACHMENTS:

Resolution No. 4, Series of 2024 - A Resolution of the City Council of the City of Leadville Re-Appointing the City Attorney and Municipal Judge

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 4
SERIES OF 2024**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEADVILLE
REAPPOINTING THE CITY ATTORNEY AND MUNICIPAL JUDGE**

WHEREAS, the Leadville Municipal Code (the “Code”) at Section 2.12.010 requires each new City Council, upon taking office, to elect and appoint one city attorney, one municipal judge, and an alternate municipal judge; and

WHEREAS, having been sworn in following the November 7, 2023, regular municipal election, the new City Council wishes to do so.

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

Section 1. Hilary M. Graham, Esq., of the law firm Hoffmann Parker Wilson & Carberry, P.C., is hereby elected and reappointed as City Attorney.

Section 2. M. Christina Floyd, Esq., is hereby elected and reappointed as Municipal Judge. Mr. John Scott, Esq. and Mr. Ron Carlson, Esq. are hereby elected and appointed as alternate Municipal Judges.

This Resolution shall be effective upon its adoption.

**ADOPTED this 9th day of January, 2024 by a vote of ___ in favor, ___ against,
___ abstaining, and ___ absent.**

CITY OF LEADVILLE, COLORADO

Dana Greene, Mayor

ATTEST:

Hannah Scheer, City Clerk



AGENDA ITEM #8E

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: January 9, 2024

SUBJECT: Resolution 5, Series of 2024 a Resolution Designating the Official Public Notice Location and the Official Newspaper of General Circulation for the City of Leadville, Colorado

PRESENTED BY: Laurie Simonson, City Administrator

ORDINANCE
 RESOLUTION
 MOTION
 INFORMATION

I. **REQUEST OR ISSUE:**

Staff requests that council adopt Resolution 5, Series of 2024 a Resolution Designating the Official Public Notice Location and the Official Newspaper of General Circulation for the City of Leadville, Colorado.

II. **BACKGROUND INFORMATION:**

Colorado Revised Statutes §24-6-402(2)(c) requires that the public place or places for posting notice of public meetings be designated annually at the local public body's first regular meeting of each calendar year. The city has traditionally posted notice of its public meetings (city council and commissions) on the front door of city hall, on the city's website and in the *Leadville Herald*.

III. **FISCAL IMPACTS:**

There is no fiscal impact of this motion.

IV. LEGAL ISSUES:

This Resolution is necessary to comply with Colorado Revised Statutes §24-6-402(2)(c).

VI. STAFF RECOMMENDATION:

Staff recommends that the council adopt Resolution 5, Series of 2024 a Resolution Designating the Official Public Notice Location and the Official Newspaper of General Circulation for the City of Leadville, Colorado.

VII. COUNCIL OPTIONS:

1. Move to approve the Resolution.
2. Move to deny the Resolution and determine a different posting location and specify the location.
3. Table consideration of the Resolution and provide direction to staff.

VIII. PROPOSED MOTION:

“I move to adopt Resolution 5, Series of 2024 a Resolution Designating the Official Public Notice Location and the Official Newspaper of General Circulation for the City of Leadville, Colorado.”

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 5
SERIES OF 2024**

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

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

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

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

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

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

WHEREAS, City Council desires to designate the City's website as the official posting location, while continuing to post at its physical posting location when practicable or necessary, as well as designate its newspaper of general circulation for calendar year 2024.

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

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

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

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

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

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

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

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

ADOPTED this 9th day of January, 2024 by a vote of ___ in favor, ___ against, ___ abstaining, and ___ absent.

CITY OF LEADVILLE, COLORADO

Dana Greene, Mayor

ATTEST:

Hannah Scheer, City Clerk

January 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
31	1 8am - New Years Day -	2 11am - BOCC@505	3	4 6pm - LURA Board	5 9am - FMB Meeting Type	6
7	8 Newly Elected Officials	9 4pm - HPC Meeting @ 6pm - Regular CC Mtg -	10 5pm - Sanitation @ 6pm - P&Z Meeting @	11 5:15pm - Parkville Water	12	13
14	15	16 8:30am - Tourism Panel 11am - BOCC@500 6pm - Regular CC Mtg @	17 1pm - Leadville Municipal	18	19 9am - Fire Management	20
21	22	23 4pm - HPC - Regular Mtg	24 6pm - P&Z Meeting @	25	26 9:30am - Fat Bike Worlds	27 10am - Fat Bike Worlds -
28 10am - Fat Bike Wor1ds -	29	30	31	1 6pm - LURA Board	2	3

February 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
28 10am - Fat Bike Wor1ds -	29	30	31	1 6pm - LURA Board	2	3
4	5	6 11am - BOCC@ 505 6pm - Regular CC Mtg	7	8 5:15pm - Parkville Water	9	10
11	12	13 4pm - HPC Meeting @	14 5pm - Sanitation @ 6pm - P&Z Meeting @	15	16 9am - Fire Management	17
18	19	20 8:30am - Tourism Panel 11am - BOCC@500 6pm - Regular CC Mtg @	21 1pm - Leadville Municipal	22	23	24 6am - Leadville Loppet -
25	26	27 4pm - HPC - Regular Mtg	28 6pm - P&Z Meeting @	29	1	2

March 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
25	26	27 4pm - HPC - Regular Mtg	28 6pm - P&Z Meeting @	29	1	2
3	4	5 11am - BOCC@505 6pm - Regular CC Mtg	6	7 6pm - LURA Board	8	9
10	11	12 4pm - HPC Meeting @	13 5pm - Sanitation @ 6pm - P&Z Meeting @	14 5:15pm - Parkville Water	15 9am - Fire Management	16
17	18	19 8:30am - Tourism Panel 11am - BOCC@S00 6pm - Regular CC Mtg @	20 1pm - Leadville Municipal	21	22	23
24	25	26 4pm - HPC - Regular Mtg	27 6pm - P&Z Meeting @	28	29	30
31	1	2 11am - BOCC@505 6pm - Regular CC Mtg	3	4 6pm - LURA Board	5	6