



CITY OF LEADVILLE

800 HARRISON AVE.
LEADVILLE, CO 80461

REGULAR COUNCIL MEETING AGENDA

June 4, 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

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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.	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	6.	Consent Agenda: A. Resolution No. 29, Series of 2024: A Resolution of the City of Leadville Adopting an Updated Fee Schedule for the City B. Resolution No. 30, Series of 2024: A Resolution of the City of Leadville Approving a Contribution for Dark Skies Research
6:25 pm	7.	Presentations and Discussions: A. City Administrator's Report B. Presentation from the Advocates C. Presentation from TreeTop Childcare D. Presentation Regarding the City's New Website
7:30 pm	8.	Action Items: A. Resolution No. 31, Series of 2024: A Resolution of the City of Leadville Appointing Planning and Zoning Commissioners B. Resolution No. 32, Series of 2024: A Resolution of the City of Leadville Approving an Intergovernmental Agreement by and Between the City of Leadville and Lake County Government for the Conduct and Administration of the 2024 General Election to be Held November 5, 2024
8:15 pm	9.	Public Comments
	10.	Mayor's Report
	11.	Council Reports
	12.	Public Meetings Planner
8:45 pm	13.	Adjournment

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



AGENDA ITEM #6A

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: June 4, 2024

SUBJECT: Resolution No. 29, Series of 2024 - A Resolution of the City Council of the City of Leadville, Colorado Adopting an Updated Fee Schedule for the City

PRESENTED BY: Laurie Simonson, City Administrator

ORDINANCE
 RESOLUTION
 MOTION
 INFORMATION

I. REQUEST OR ISSUE:

Before the City Council for consideration is Resolution No. 29, Series of 2024 - A Resolution of the City Council of the City of Leadville, Colorado Adopting an Updated Fee Schedule for the City.

II. BACKGROUND INFORMATION:

At its regular meeting held on March 5, 2024, the Council adopted the City of Leadville's ("City's") master fee schedule for 2024. Since that time, staff discovered that Exhibit M - the City's film permit fee schedule was inadvertently omitted from the master fee schedule that the Council adopted. Staff is not recommending, nor did it recommend, any changes to the film permit fee schedule for 2024. (This section of the fee schedule was recently updated in 2022.) Therefore, this Resolution merely adds Exhibit M - the film permit schedule to the City's 2024 master fee schedule.

By way of background, municipalities regularly review charges and fees as a legislative or budgetary process. Responsible municipal fiscal management dictates reviewing the city's fees ideally on an annual basis. Fees are charges imposed for the purpose of defraying the cost of a particular government service. Fees and charges are designed to defer the cost of current services that benefit the recipient or off-set the burdens of regulation. (The Colorado Supreme Court has emphasized that the primary difference between a tax and a fee is that a tax is a general revenue raising measure while a fee defrays the cost of a particular government service.)

Common types of municipal fees are inspection fees; licensing fees; permitting fees and servicing fees. While the fee must be reasonably related to the overall cost of the service, mathematical exactitude is not required; in fact, user fees rarely cover the entire cost of the service provided. Rather, the fee is charged to ensure that at least some portion of the cost of providing the service is borne by the recipient of the service rather than the taxpayers at large. As with other kinds of fees, however, the amount of revenue generated by user fees cannot exceed the overall direct and indirect costs of the services provided.

III. FISCAL IMPACTS:

The fiscal impact of the Resolution is dependent on the number of applications and requests for services that the City receives in any given year. As indicated above, the fees are revenue to the City but cannot exceed the actual costs of providing the services so the net result is that the City will not receive a gain for the fees collected.

V. LEGAL ISSUES:

Fees adopted by the City must be reasonably related to the actual costs of the City in administering permits, licenses, or providing services.

VI. STAFF RECOMMENDATION:

Staff recommends that the City Council approve Resolution No. 29, Series of 2024 - A Resolution of the City Council of the City of Leadville, Colorado Adopting an Updated Fee Schedule for the City.

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. 29, Series of 2024 - A Resolution of the City Council of the City of Leadville, Colorado Adopting an Updated Fee Schedule for the City.”

IX. ATTACHMENTS:

Exhibit 1 - City of Leadville 2024 Updated Master Fee Schedule

Exhibit 2 - Resolution No. 29, Series of 2024 - A Resolution of the City Council of the City of Leadville, Colorado Adopting an Updated Fee Schedule for the City

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 29
SERIES OF 2024**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF LEADVILLE, COLORADO
ADOPTING AN UPDATED FEE SCHEDULE FOR THE CITY**

WHEREAS, the City of Leadville (“City”) is authorized under Article 15 of Title 31 of the Colorado Revised Statutes to exercise its general police and financial powers; and

WHEREAS, such powers include but are not limited to the ability to impose and collect fees for the processing of licenses and applications, the performance of other administrative services, and collection of fines and fees for violations of the Leadville Municipal Code; and

WHEREAS, the Leadville Municipal Code authorizes certain fees to be adopted by resolution of the City Council; and

WHEREAS, the Leadville City Council hereby determines that the fees established by this Resolution and set forth in the City’s updated 2024 Fee Schedule, attached as Exhibit 1, are reasonable and are below or directly proportional to the actual and necessary expenses incurred by the City in processing the specified liquor license applications, marijuana licensing applications, administrative and zoning applications, police department services, short-term rental license applications, business license applications, excavation permit applications, encroachment license applications, records requests services, fire department services, animal shelter services and film permits are consistent with state law.

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

Section 1. **Comprehensive Fee Schedule Adopted.** The City Council hereby: (a) adopts the City of Leadville’s updated Fee Schedule (“Fee Schedule”), attached as Exhibit 1; and (b) directs City staff to cause a copy of the updated Fee Schedule to be uploaded to the City’s website and make a copy available for public inspection in the office of the Deputy City Clerk.

Section 2. **Severability.** If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining issues of this Resolution.

Section 3. Effective Date. This Resolution shall be effective upon adoption.

**ADOPTED this 4th day of June 2024 by a vote of ___ in favor, ___ against,
___ abstaining, ___ absent.**

CITY OF LEADVILLE, COLORADO:

By:
Dana Greene, Mayor

ATTEST:

Hannah Scheer, City Clerk

EXHIBIT 1
FEE SCHEDULE

(see attached)

**CITY OF LEADVILLE, COLORADO
2024 FEE SCHEDULE**

**EXHIBIT A
LIQUOR LICENSE FEES**

<u>Application Fees</u>	<u>Local Fee</u>
New License (DR 8404, DR 8403)	\$1000.00
New License with Concurrent Review (DR 8404, DR 8403)	\$1000.00
Transfer of Ownership (DR 8404, DR 8403)	\$750.00
Additional Liquor-Licensed Drugstore (DR 8001)	\$1000.00
Additional Liquor-Licensed Drugstore with Concurrent Review (DR 8001)	\$1000.00
Late Renewal (DR 8408)	\$500.00
(There is a mandatory fine of \$500.00 plus \$25/day for each day after the 90th day of expiration)	
Reissue (DR 8407)	\$500.00
(There is a mandatory fine of \$500.00 plus \$25/day for each day after the 90th day of expiration.)	
Annual Renewal Application (DR 8400)	\$100.00
Late Annual Renewal Application (DR 8400)	\$50.00
Annual Art Gallery Application Fee (DR 8443)	\$100.00
<u>Retail License Fees (DR 8404, DR 8400, DR 8403)</u>	<u>Local Fee</u>
Art	\$41.25
Beer and Wine	\$48.75
Brew Pub	\$75.00
Club	\$41.25
Distillery Pub	\$75.00
Hotel and Restaurant	\$75.00
Hotel Restaurant with one Optional Premises	\$75.00
Each Additional OP License	\$75.00
Resort Complex	\$75.00
Campus Liquor Complex	\$75.00
Related Facility – Resort Complex	\$15.00
Related Facility – Campus Liquor Complex	\$15.00
Liquor – Licensed Drugstore	\$22.50
Lodging and Entertainment	\$75.00
Optional Premises (sidewalk service areas / modifications) (DR 8442)	\$75.00
Racetrack	\$75.00
Retail Gaming Tavern	\$75.00
Retail Liquor Store	\$22.50
Tavern	\$75.00
Vintner’s Restaurant	\$75.00
Fermented Malt Beverage On Premises	\$3.75
Fermented Malt Beverage Off Premises	\$3.75
Fermented Malt Beverage On/Off Premises	\$3.75

Permit Fees	Local Fee
Alcohol Beverage Festival Permit Application (DR 8420) (\$100 per event; nine total events allowed in 12 months)	\$100.00
Art Gallery Permit (DR 8443)	\$3.75
Bed and Breakfast Permit (DR 8447)	\$3.75
Delivery Permit Application and Renewal for Off-Premises Retailers (DR 8497)	\$11.00
Each Resort-Complex-Related Facility Permit	\$15.00
Special Event Permit (DR 8439) (Malt, Vinous and Spirituous Liquor and Fermented Malt Beverage)	\$100.00
Temporary Permit for a License Transfer Approved by the Local Liquor Licensing Authority	\$100.00

Additional Fees	Local Fee
Change of Location (DR 8442)	\$750.00
Common Consumption Promotional Association Application	\$100.00
Corporate/LLC Change (per person) (DR 8177)	\$100.00
Manager Registration (Hotel and Restaurant; Tavern; Lodging and Entertainment; Campus Liquor Complex)	\$75.00

**EXHIBIT B
MEDICAL AND RETAIL MARIJUANA FEE SCHEDULE**

<u>Application Fees</u>	<u>Local Fee</u>
New Marijuana Dispensary	\$2500.00
New Marijuana Cultivation Facility	\$2500.00
New Marijuana Products Manufacturer	\$2500.00
New Marijuana Testing Facility	\$2500.00
New Marijuana Research and Development	\$2500.00
New Marijuana Hospitality and Sales Business	\$2500.00
Annual Renewal Application (for all types of licenses)	\$1500.00
<u>License Fees</u>	
(In addition to application fees and other related fees and permits)	
New Marijuana Dispensary	\$2500.00
Marijuana Cultivation Facility	\$2500.00
Marijuana Products Manufacturer	\$2500.00
Marijuana Testing Facility	\$2500.00
Marijuana Research and Development	\$2500.00
Duplicate license	\$100.00
<u>Related Fees and Permits</u>	
(In addition to application fees and other related fees and permits)	
Annual Operations Fee	\$2000.00
Transfer of ownership to new entity	\$1000.00
Change of location	\$1000.00
Change of trade name	\$200.00
Inspection Fee	\$500.00
(Inspections by building department; fee assessed for each inspection completed for issuance of new or renewed license)	
Modification of premises	\$250.00
Change of ownership/Revisions of Current License	\$1000.00
Manager registration	\$75.00
Late Renewal Fee	\$250.00

**EXHIBIT C
ZONING FEE SCHEDULE**

(Fees authorized by provisions of Title 17 of the Leadville Municipal Code, including
Section 17.96.020)

<u>Application Type</u>	<u>Local Fee</u>
Major Impact Reviews	
Major Site Plan	\$1500.00
Planned Unit Development (PUD)	\$3000.00
Annexation	\$3000.00
Zoning Map Amendment	\$1000.00
Right-of-Way Vacation	\$1000.00
Limited Impact Reviews	
Conditional Use*	\$500.00
Minor Site Plan	\$500.00
Certificate of Appropriateness (Substantial Modification)	\$500.00
Designation/Revocation of Designation of Historic Structure	\$500.00
Zoning Text Amendment	\$500.00
Variance	\$500.00
Board of Adjustment (BOA) Appeal	\$500.00
Administrative Reviews	
Administrative Site Plan*	\$250.00
Minor Administrative Review	
Site Plan Administrative Appeal	\$125.00
Certificate of Appropriateness (Insubstantial Modification)	\$75.00
Temporary Use Permit (50 attendees or less)	\$50.00
Sign	\$50.00
Temporary Sign	\$25.00
Cash Deposit Agreement	\$75.00
Temporary Use Permits	
Temporary Use Permit (50 or less attendees)	\$50.00
Temporary Use Permit (51-200 attendees)	\$125.00
Temporary Use Permit (201-500 attendees)	\$250.00
Temporary Use Permit (501 – 1000 attendees)	\$500.00
Temporary Use Permit (1001 attendees or more)	\$1000.00
Zoning (Ex: Conditional Use, Site Plan) Consultant Review Fee Deposit**	\$1000.00
Work Session with Commission or City Council	\$250.00

(Can be applied towards future application fees within 90 days)

*Telecommunications Facility Applications: In addition to application fee, applicant pays actual cost of application review per Sec. 17.72.070.

**For applications requiring review by city consultants, including legal, planning, and engineering, applicant pays the actual cost of review in addition to all applicable application and filing fees.

EXHIBIT D
SUBDIVISION FEE SCHEDULE
(Pursuant to Chapter 16.04 of the Leadville Municipal Code)

Application Type	Local Fee
Major Impact Reviews:	
Major Subdivision	\$1500 + \$75/lot
Limited Impact Reviews:	
Minor Subdivision	\$500.00 + \$50/lot
Plat Amendment	\$500.00
Plat Vacation	\$500.00
Administrative Reviews:	
Lot Consolidation	\$250.00
Lot Line Adjustment	\$250.00
Townhouse, Condominium and Building Footprint Lot	\$250.00
Administrative Interpretation/Decision Appeal	
\$125.00 Fees-in-lieu of land dedication (16.40.040):	
Single Family Dwelling Unit:	[.0151]acre/\$[1032.36] per unit
Multi-Family Dwelling Unit:	[.0025] acre/\$[1032.36] per unit
Mobile Home Park:	[.0151] acre/\$[636.68] per space
Consultant Review Fee Deposit	\$2000.00

EXHIBIT E
POLICE DEPARTMENT FEE SCHEDULE

Fees	Local Fee
Certified VIN Inspection	\$50.00
Fingerprinting	\$30.00
Sex Offender Registration	\$75.00
Sex Offender Re-Registration	\$20.00
Sex Offender updates	No Charge
Copies/Per Page (Records Requests)	\$0.25
Research/Retrieval/Redaction Fee (Records Request)	\$33.58/hour
Video Redactions (Records Request) Actual Cost Audio/Video Fee/Per CD/DVD/USB (Records Request)	\$15.00

*Pursuant to the City's CORA policy, a 50% advance deposit must be paid before the City begins processing a records request that is estimated to cost in excess of \$100.00 to complete. A cost estimate showing the City's estimated costs related to the records request will be provided to the requester in such cases. Persons requesting records must pay 100% of the applicable costs, if any, before the City will produce records pursuant to a records request.

EXHIBIT F
SHORT-TERM RENTAL LICENSING FEE SCHEDULE

License Application Fees	Local Fee
Application Fee for Class 1 license	\$325.00
Application Fee for Class 2 license	\$325.00
Fire Safety Inspection (every 2 years)	\$50.00

EXHIBIT G
BUSINESS LICENSING FEE SCHEDULE

<u>License Application Fees</u>	<u>Local Fee</u>
Annual Application Fee (new or renewing businesses)	\$50.00
Application Fee (four-day event business license)	\$10.00
Transfer of Ownership	\$50.00
Late Fee after January 31 st	\$20.00

**EXHIBIT H
EXCAVATION PERMITTING FEE SCHEDULE**

<u>Permit Fees</u>	<u>Local Fee</u>
Application Fee for Excavation Permit (per block)	\$250.00
Application Fee for Right of Way/Alley Excavation (per block)	\$100.00
Application Fee for Sidewalk/Driveway	\$50.00
Application Fee for Projects lasting the duration of Excavation Season OR Projects requiring five (5) or more Permits per block	\$400.00

**EXHIBIT I
ENCROACHMENT LICENSE FEE
SCHEDULE**

Application Fee	Local Fee
Application Fee	\$150.00

**EXHIBIT J
RECORDS REQUEST FEES***

(Applies to requests for public records that are not criminal justice records)

Fees	Local Fee
Hard copies of records	\$0.25/page
Staff research, retrieval and redaction time	\$33.58/hour (after the first hour)
CD, DVD or USB of electronic records	\$15.00 each (to be consistent with Exhibit E)

EXHIBIT K
LEADVILLE LAKE COUNTY FIRE AND RESCUE

Fees	Local Fee
Residential (Single and two family residence plan review fee)	\$50.00
Commercial (R-1,R-2,R-3,R-4)	\$500.00 (5,000 sq. ft. or more) \$250.00 (4,999 sq. ft. or less)
Residential Solar Array Plan Review	\$25.00
Short-Term Rental Inspections (City)	\$50.00
Fire Alarm System Plans with Battery Calculations and Product Info.	\$400.00
Device Test During Inspection	\$2.00/each
Sprinkler System Test and Acceptance	\$400.00
Sprinkler Head Test	\$2.00/head
Suppression System (Standpipe System/Building Final)	\$200.00
Suppression System (Each Additional Riser)	\$100.00
Suppression System (Fire Pump)	\$200.00
Flow Test on all New Hydrants	\$100.00
Special Events (When Site Inspection is required/otherwise no cost)	\$100.00
Commercial Kitchen Hood System (New)	\$200.00
False Alarms	Per Current Resolution/Ordinance
Re-Inspections if Occupant Fails to Comply with Safety Regulations	\$200.00
Building Department (Building Department Project Valuation Greater Than \$50,000)	
"Total" Fee x .065	

EXHIBIT L
ANIMAL SHELTER FEE SCHEDULE

Fees	Local Fee
Impoundment Fee (May be reduced or waived at discretion of animal shelter manager) \$20.00/day after the first day. No charge if the animal is picked up on the first day before the Shelter closes and if the animal is licensed.)	
	+ \$20.00 Admin. Fee
License Fees for Spayed/Neutered Animals	
1-Year License	\$15.00
3-Year License	\$40.00
License Fees for Animals Not Spayed/Neutered	
1-Year License	\$40.00
3-Year License	\$100.00
Adoption Fees	
Small Dogs and Puppies	\$300.00
Adult Dogs	\$50.00- 200.00
Purebred	\$300.00
Spay/Neuter Deposit (in addition to adoption fee)	\$100.00 – 200.00
Surrender Fees (may be reduced or waived at the discretion of the animal shelter manager)	
Spayed/Neutered, Vaccinated	\$25.00
Spayed/Neutered, Not Vaccinated	\$50.00
Not Spayed/Neutered, Vaccinated	\$100.00
Not Spayed/Neutered, Not Vaccinated	\$150.00
Microchips	
Public	\$20.00
Return to Owner	\$15.00
Shelter Staff	\$10.00

EXHIBIT M
FILM PERMIT FEE SCHEDULE

<u>Fees</u>	<u>Local Fee</u>
One day film permit	\$50.00
Film permit each day per-day after day one	\$200.00

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 30
SERIES OF 2024**

**A RESOLUTION OF THE CITY OF LEADVILLE, COLORADO APPROVING A
CONTRIBUTION FOR DARK SKIES RESEARCH**

WHEREAS, the City of Leadville (“City”) recognizes the importance of outdoor recreation to the local economy; and

WHEREAS, the City acknowledges that achieving Dark Sky Place recognition for any part of Leadville or Lake County would contribute to the outdoor recreation attractions; and

WHEREAS, A Dark Sky Place certification requires, amongst other criteria, one year of sky quality meter readings (“SQM”); and

WHEREAS, the Lake County Tourism Panel has arranged for a Colorado Mountain College (“CMC”) student to conduct SQM readings and has requested a cost-sharing arrangement with the City to pay the CMC student over the summer; and

WHEREAS, the City has set aside monies in the annual budget for the purpose of supporting various community requests; and

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

The City Council hereby authorizes a financial contribution to the Lake County Tourism Panel in the amount of \$1500 from the City’s operating contingency fund.

This Resolution shall be effective upon its adoption.

**ADOPTED this 4th day of June, 2024 by a vote of ____ in favor, ____ against,
____ abstaining, and ____ absent.**

CITY OF LEADVILLE, COLORADO:

Dana Greene, Mayor

ATTEST:

Hannah Scheer
City Clerk

TREETOP CHILD ADVOCACY CENTER

Child Advocacy Center of the 5th Judicial District



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OPERATIONAL FUNDING REQUEST

Description of Services Funded by The City of Leadville.



OUR TEAM



Amy Oliveira
Executive Director

M: 970-409-2111
amy@treetopcenter.org

Oba Diskin
Family Advocate

M: 970-409-2111
oba@treetopcenter.org

**We serve children of Clear Creek,
Eagle, Lake and Summit Counties.**

OUR VISION

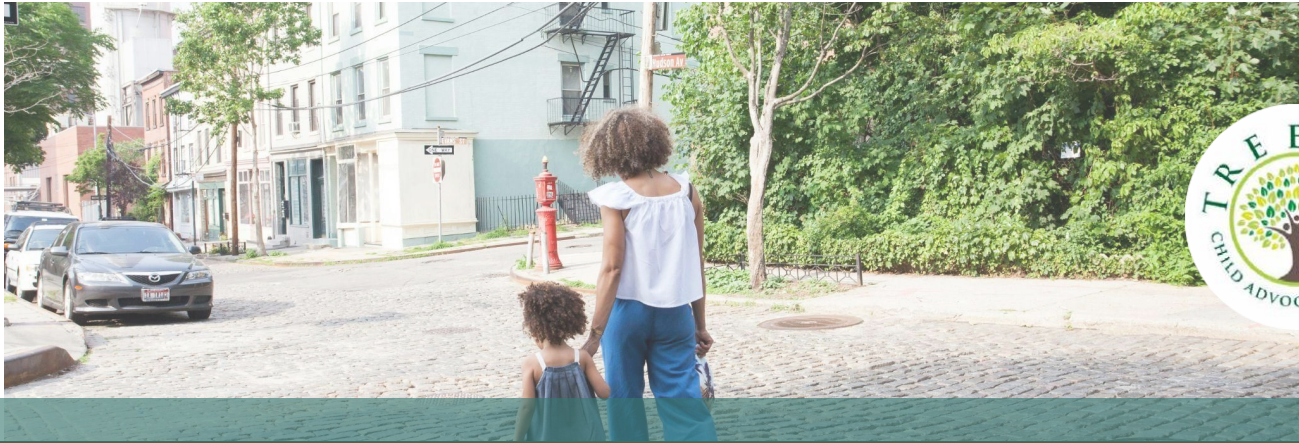
A community where all children and families feel supported, safe and empowered to pursue justice after experiencing abuse.

OUR MISSION

Our mission is to support child victims of abuse and their families through intervention, advocacy and support services.

VALUES: Trust, Respect, Equity, + Education





OUR HISTORY

1985

District Attorney Bud Kramer heard of a child victim who had to tell their story six to different agencies.

To create a system that better serves abused children, he created the first Child Advocacy Center in Huntsville, AL.

2018

TreeTop Child Advocacy Center (CAC) was established in 2018 as the only non-profit organization that forensically interviews child victims of violence in the 5th Judicial District in Colorado.

2024

Child Advocacy Centers operate in the US and in more than 34 countries around the world.

TreeTop coordinates the response of agencies like law enforcement, child protective services, prosecutors' offices, advocates, mental health and medical professionals to ensure that when a child discloses abuse, they are not re-victimized by the very systems designed to protect them.

By combining these three tools into one system, CAC's are able to increase the quality of the investigation and work to ensure the rights of the victim are prioritized.

MULTI DISCIPLINARY TEAM



**Law
Enforcement**



DHS



SANE



Advocates



**District
Attorney**



**Mental
Health**

THE CHILD ADVOCACY CENTER MODEL

The Child Advocacy Center Model is a research-supported approach that draws on the following three components:

1. **Forensic Interviews:** Recorded conversations between a trained interviewer and the child that are child-centered.
2. **Multidisciplinary Teams:** Collaboration of professionals who combine their efforts to benefit the investigation and the families.
3. **Victim Advocacy:** Providing assistance to families through trauma-informed support and resources.

2023 IMPACTED COUNTIES



44%

SUMMIT



29%

LAKE



18%

EAGLE



9%

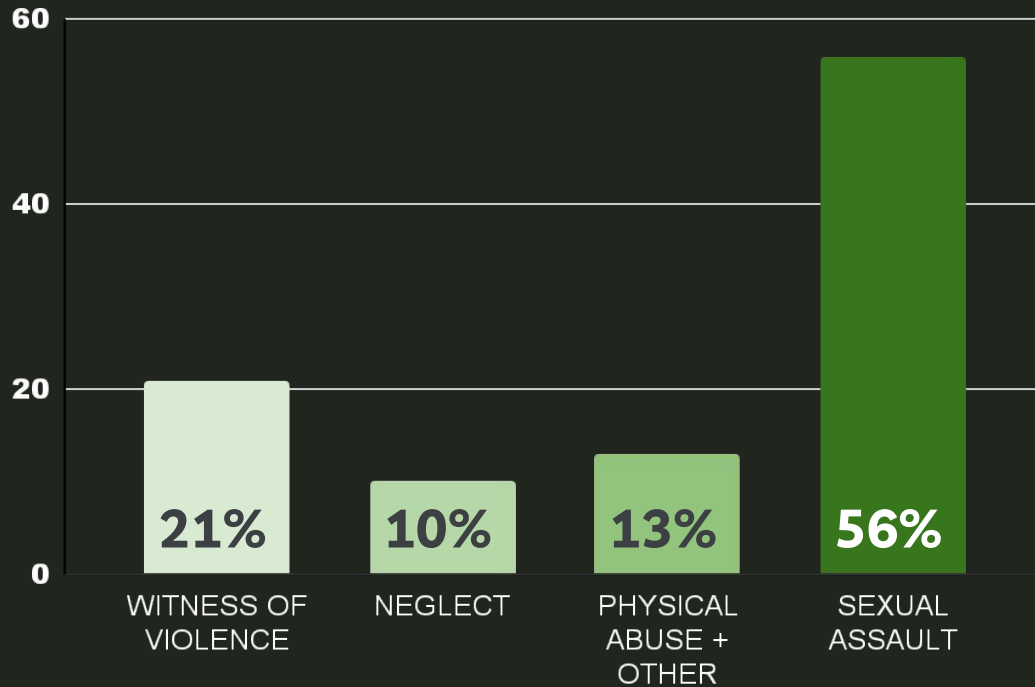
OTHER

76 CHILDREN VICTIMS AND 141 SECONDARY VICTIMS WERE HELPED. 217 LIVES SERVED TOTAL.

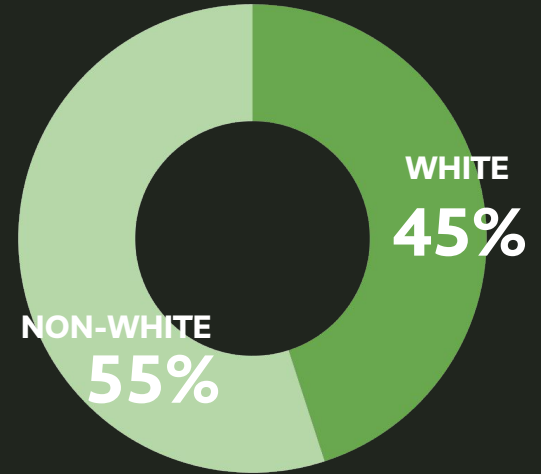


TYPES OF ABUSE (%)

76 CHILDREN VICTIMS SERVED

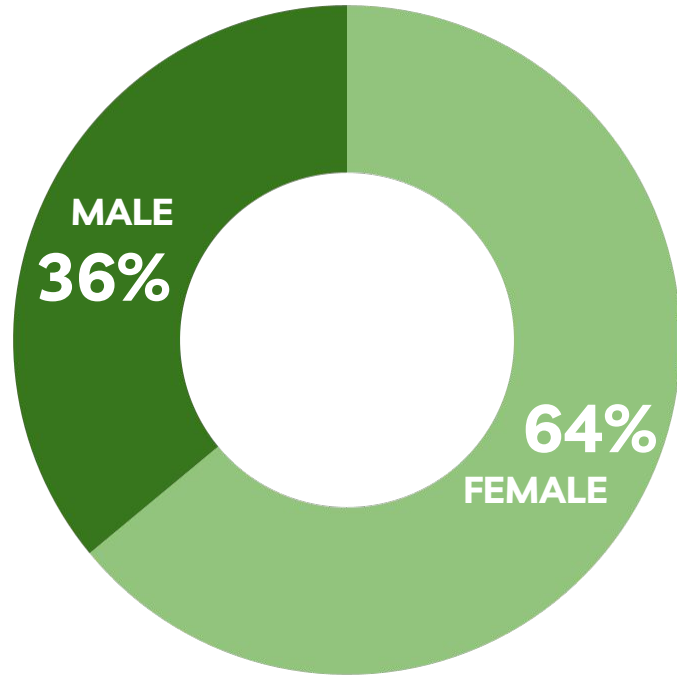


RACE IN PROGRAM



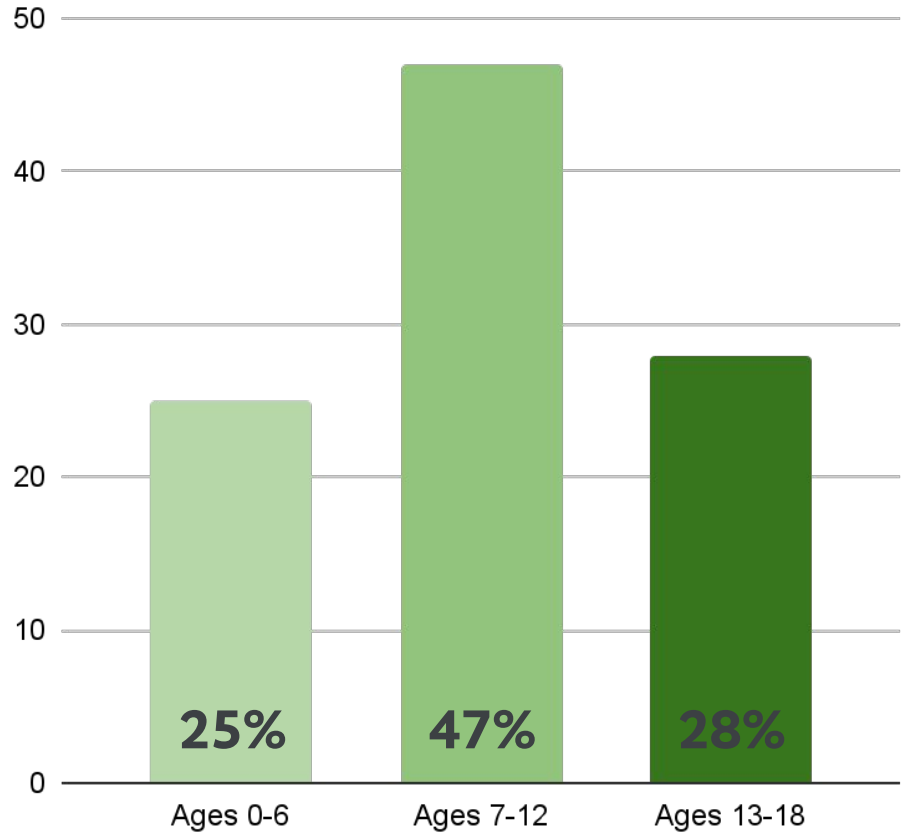
AGE + GENDER STATISTICS

76 CHILDREN VICTIMS
217 LIVES SERVED IN 2023.



GENDER IN PROGRAM (%)

AGE IN PROGRAM (%)



**Enhance Community
Awareness**

**Expand Business
Partnerships**

**Achieve Operational
Excellence**

**Improve Board
Governance**

**Sustain Financial
Stability**


**STRATEGIC
GOALS**



CRIME VICTIMS FUND AND THE VOCA REDUCTION



Issue:

The Crime Victims Fund (CVF), established through the Victims of Crime Act of 1984 (VOCA), is the primary funding source for victim services throughout the nation. The CVF is funded by monetary penalties associated with federal convictions, which fluctuate annually based on the cases that the Department of Justice successfully prosecutes. Deposits have been low for several years, culminating in our current funding crisis. The VOCA funding stream has steadily decreased from an award to Colorado of \$56.7 million in 2018 to a low of \$18.2 million in 2021. The latest cut to VOCA means Colorado will face a decrease of 40–50% this funding cycle.

Inconsistent and fluctuating funding hurts survivors and victim service providers alike. Many agencies are already working beyond their means to provide housing assistance, legal advocacy, case management, on-site crisis response, emergency financial assistance, and more to Colorado victims and survivors. Over the last few years, agencies have faced the difficult decision to downsize due to lack of funding while at the same time managing an increase in survivors seeking services. This devastating reduction in Colorado's VOCA award could force hundreds of victim service providers to layoff staff, cut programs, or shut their doors, leaving thousands of victims and survivors of domestic violence, sexual violence, stalking, child abuse, and human trafficking without access to support.

Impact to Treetop:

\$250,000 over the next 2 years.

Ask of The City of Leadville: \$25,000 annually, initiating in 2025.

CRIME VICTIMS FUND AND THE VOCA REDUCTION



State of Colorado Proposed Solution for 2025 and 2026:

1. Asking the Joint Budget Committee, Senate President, Speaker of the House, and Governor Polis to invest \$30 million in one-time funds to backfill the VOCA shortfall and maintain critical services for Coloradans.
2. HB24 - 1349 FireArm & Ammunition Excise Tax - Goal is \$45 Million - **On the November Ballot**
 - a. 11% Excise Tax of Gross Taxable Retail Sales of firearm dealers, manufacturers, ammunition dealers, firearm pre-cursor parts, + Ammunition Sold in the State that would go directly to fund victim support services and crime prevention.

Federal Proposed Solution:

Crime Victims Fund Stabilization Act of 2024 (CVFSA) introduced in the House alongside Reps. Nathaniel Moran (R-TX), Debbie Dingell (D-MI), Stephanie Bice (R-OK), and Jim Costa (D-CA). The CVFSA will redirect leftover funds derived from the False Claims Act (FCA) into the CVF and avert a catastrophic reduction in support to child crime victims.

Due to the nature of the Victims of Crime Act (VOCA), the CVF is a pool of monies primarily collected from federal settlements, criminal prosecutions, fines and forfeited bonds. The fickle nature of this financial source leaves the CVF and child victims of sexual abuse and violent crimes open to vulnerabilities. The CVFSA seeks to help address the recent shortfall, tiding over the CVF until a permanent solution is enacted.

For more details about the CVFSA and CACs, including how the Act protects and ensures the interests of whistleblowers and federal agencies first, [see the fact sheet](#).

Treetop 2024-2026		2024 FY FCST	2025	2026	GOAL
Revenue					
	Donations	\$ 12,000	\$ 12,000	\$ 12,000	\$ 30,000
	Grants:				
	VOCA	\$179,000	\$ 77,000	\$ 77,000	\$ 77,000
	BGV	\$ 15,000	\$ 15,000	\$ 15,000	\$ 25,000
	Summit Foundation	\$ 10,000	\$ 10,000	\$ 10,000	\$ 20,000
	Pinnacle Gives	\$ 5,000	\$ 5,000	\$ 5,000	\$ 5,000
	Other	\$ 9,281	\$ -	\$ -	\$ 50,000
	Govt Pledged Income				
	Dillon	\$ 4,000	\$ 2,000	\$ 2,000	\$ 9,500
	Frisco	\$ 5,000	\$ 5,000	\$ 5,000	\$ 12,500
	Silverthorne	\$ 5,000	\$ 5,000	\$ 5,000	\$ 12,500
	Breckenridge	\$ 20,000	\$ 20,000	\$ 20,000	\$ 27,500
	Summit County	\$ 30,000	\$ 30,000	\$ 30,000	\$ 37,500
	Lake County	\$ -	\$ -	\$ -	\$ 25,000
	Leadville	\$ -	\$ -	\$ -	\$ 25,000
	Town of Vail	\$ -	\$ -	\$ -	\$ 20,000
	Town of Eagle	\$ -	\$ -	\$ -	\$ 10,000
	Avon	\$ 5,000	\$ 5,000	\$ 5,000	\$ 10,000
	Eagle County	\$ 15,000	\$ 15,000	\$ 15,000	\$ 30,000
	Clear Creek County	\$ -	\$ -	\$ -	\$ 15,000
	Fundraising/Business Sponsorships	\$ 5,895	\$ 6,500	\$ 6,500	\$ 50,000
	Total Revenue	\$320,176	\$ 207,500	\$ 207,500	\$ 491,500
	Total Expense	\$341,428	\$ 370,749	\$ 389,287	\$ 450,000
	Net Income	\$ (21,252)	\$(163,249)	\$(181,787)	\$ 41,500
	YE Cash Balance	\$ 9,401	\$(132,098)	\$(313,885)	\$ 50,901

TREETOP FINANCIALS

TREETOP GOVERNMENT FUNDING SUMMARY:

TREETOP FINANCIALS

		CURRENT	ANNUAL ASK	VARIANCE
SUMMIT	BOCC	\$ 30,000 37%	\$ 37,500 16%	\$ 7,500
	BRECKENRIDGE	\$ 20,000 24%	\$ 27,500 12%	\$ 7,500
	FRISCO	\$ 5,000 6%	\$ 12,500 5%	\$ 7,500
	DILLON	\$ 2,000 2%	\$ 9,500 4%	\$ 7,500
	SILVERTHORNE	\$ 5,000 6%	\$ 12,500 5%	\$ 7,500
		\$ 62,000 76%	\$ 99,500 42%	\$ 37,500
EAGLE	VAIL	\$ - 0%	\$ 20,000 9%	\$ 20,000
	AVON	\$ 5,000 6%	\$ 10,000 4%	\$ 5,000
	EAGLE	\$ - 0%	\$ 10,000 4%	\$ 10,000
	EAGLE BOCC	\$ 15,000 18%	\$ 30,000 13%	\$ 15,000
		\$ 20,000 24%	\$ 70,000 30%	\$ 50,000
LAKE	LEADVILLE	\$ - 0%	\$ 25,000 11%	\$ 25,000
	LAKE BOCC	\$ - 0%	\$ 25,000 11%	\$ 25,000
		\$ - 0%	\$ 50,000 21%	\$ 50,000
CLEAR CREEK	BOCC	\$ - 0%	\$ 15,000 6%	\$ 15,000
		\$ - 0%	\$ 15,000 6%	\$ 15,000
TOTAL		\$ 82,000 100%	\$ 234,500 100%	\$ 152,500 *

*\$152,500 Variance will help offset the 2025 projected shortfall.

OPERATIONAL SUPPORT

What will the \$25,000 a year support?

- Infrastructure - rent, IT/telecom
- Personnel - ED, advocacy, and forensic interviewers
- CAC continuing education
- CAC membership (associations/national certification)
- Accounting - bookkeeping, annual audit, 990
- Marketing and development

What additional funding would support?

- Bilingual family advocate
- Dedicated mental health provider
- Dedicated SANE (sex assault nurse exam) room
- More productive work space
- Training for victim advocacy
- In-house marketing/development/grant professional
- In-house court appointed interpreter
- Financial sustainability

Lake County Focus:

- County/Town Governments
- Businesses (Chamber of Commerce)
- Grants
- Donors and Fundraising

Thanks!

Amy Oliveira - Executive Director

M: 970-409-2111

D: 970-389-1119

amy@treetopcenter.org

Child Advocacy Center - 5th Judicial District
103 S Harris St. Breckenridge, CO 80424



Please feel free to reach out to us with any questions or assistance in these areas or would like to request additional training.





AGENDA ITEM #8A

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: June 4, 2024

SUBJECT: Resolution No. 31, Series of 2024: A Resolution Appointing a Planning and Zoning Commission Member

PRESENTED BY: Chapin LaChance, AICP – Planning Director

ORDINANCE
 RESOLUTION
 MOTION
 INFORMATION

I. **REQUEST OR ISSUE:**

Staff requests that our Honorable Mayor Greene, with consent of the City Council, appoint a regular Planning and Zoning Commission member for a six-year terms expiring 6/4/2030.

II. **BACKGROUND INFORMATION:**

Former regular Planning and Zoning Commission (P&Z) member and P&Z Chair Gabby Voeller's term expired, creating a vacancy for a regular P&Z member position. There is also a remaining vacancy for an alternate P&Z member position.

Advertisements for the available P&Z positions were posted in the *Leadville Herald* on May 16 and May 23, 2024. Responding applicants are Gabby Voeller and Paul Mueller. No applications were received for the alternate position. Both applicants are bona fide residents, which is required by the city's municipal code in order to serve on P&Z.

Applicable excerpt from Leadville Municipal Code [Chapter 2.36 - PLANNING AND ZONING COMMISSION](#): *"The six remaining voting members and two alternates shall be appointed by the mayor, with the consent of council, and their terms shall be for six years, staggered so that one new member is appointed each year. In the event a member resigns before the expiration of their*

term, the senior alternate shall be accepted to fill that position without any action by the city council...Vacancies shall be filled for an unexpired term in the same manner as in the case of original appointments with priority consideration given to alternate members.”

III. **FISCAL IMPACTS:** None.

IV. **LEGAL ISSUES:** None.

VI. **COUNCIL OPTIONS:**

1. Adopt the Resolution.
2. Do not adopt the Resolution.
3. Table consideration of the Resolution and provide direction to staff.

VII. **PROPOSED MOTION:**

“I move that the City Council adopt Resolution No. 31, Series of 2024, a Resolution of the City Council of the City of Leadville, Colorado, Appointing a Planning and Zoning Commission Member.”

VIII. **ATTACHMENTS:**

- Letter of interest from Gabby Voeller
- Letter of interest from Paul Mueller
- Resolution No. 29, Series of 2024

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 31
SERIES OF 2024**

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LEADVILLE, COLORADO
APPOINTING A PLANNING AND ZONING COMMISSION MEMBER**

WHEREAS, pursuant to the City of Leadville (“City”) Municipal Code (“Code”), Section 2.36.010, a planning and zoning commission (“Commission”) for the City is created pursuant to Title 31, Article 23, Parts 2 and 3, Colorado Revised Statutes (“C.R.S.”) 1973, as amended;

WHEREAS, pursuant to Section 2.36.020 of the Code, six voting regular members and two alternates on the Commission shall be appointed by the mayor, with the consent of council, and their terms shall be for six years, staggered so that one new member is appointed each year;

WHEREAS, due to term expirations and resignations, there currently exists one vacancy for a regular Commission member and a vacancy for an alternate Commission member;

WHEREAS, on May 16, 2024 and May 23, 2024 the City advertised these vacancies in the *Leadville Herald*;

WHEREAS, the City received two (2) applications for a regular Commission member in response to the advertisement;

WHEREAS, the applicants are all qualified to serve on the Commission (being bone fide residents of the City pursuant to Section 2.36.030 of the Code).

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

_____ is hereby appointed a City of Leadville Planning Commissioner for a six-year term expiring June 4th, 2030.

This Resolution shall be effective upon its adoption.

ADOPTED this 4th day of June, 2024 by a vote of ___ in favor, ___ against, ___ abstaining, and ___ absent.

CITY OF LEADVILLE, COLORADO

Dana Greene, Mayor

ATTEST:

Hannah Scheer, City Clerk



Chapin LaChance <planningdirector@leadville-co.gov>

letter for re-appointment

Gabby Voeller <gvoeller@gmail.com>

Fri, Apr 12, 2024 at 12:53 PM

To: 'Mayor - Greg Labbe <lvmayor@leadville-co.gov>', Chapin LaChance <planningdirector@leadville-co.gov>

Dear Mayor Greene,

I am writing to ask for a re-appointment to the Planning and Zoning Commission for the City of Leadville. Over the last eight years on the Commission, I have demonstrated diligence to, leadership of, and collaboration within the commission members and staff. Through the STR ordinances, Railyard PUD process, and many other initiatives and permitting processes, I have worked to allow all the voices on the commission be heard, attempted to facilitate open dialogue, and worked with Chapin to figure out what issues should be addressed each year.

I would love to continue to serve as a Commissioner and Chair. Please consider this letter.

Best,

Gabby Voeller

--

Gabby Voeller | gvoeller@gmail.com | 617.962.2066
(she/hers)

Dear Leadville City Council,

My name is Paul Mueller. I live at 212 E. 7th St. I am writing to express interest in joining the Planning and Zoning Commission for Leadville as a Commissioner.

I am a property and business owner in the area (The Abbey bed and breakfast) and have owned various other real estate in the past, including a multi-family building. I have a PhD in economics as well.

Planning and Zoning are closely tied to the affordability and availability of housing. I believe I can contribute significantly to the Commission's discussions about how to allow responsible development in Leadville.

I am willing to serve a six

-year term and can be available for the normal bi-monthly meetings as well as for other periodic meetings – although I may have to call in as I travel regularly.

While I am interested in serving as a Commissioner, I am not interested in serving as an alternate.

Please let me know if I can answer any questions and thank you for considering my application!

Best,

Paul D. Mueller

Paul D. Mueller



AGENDA ITEM #8B

CITY COUNCIL COMMUNICATION FORM

MEETING DATE: June 4, 2024

SUBJECT: Resolution No. 32, Series of 2024: A Resolution Approving an Intergovernmental Agreement by and Between the City of Leadville and Lake County Government for the Conduct and Administration of the 2024 General Election to be Held November 5, 2024

PRESENTED BY: Laurie Simonson, City Administrator

- ORDINANCE
 RESOLUTION
 MOTION
 INFORMATION
-

I. REQUEST OR ISSUE:

Staff requests that council approve Resolution No. 32, Series of 2024: A Resolution Approving an Intergovernmental Agreement by and Between the City of Leadville and Lake County Government for the Conduct and Administration of the 2024 General Election to be Held November 5, 2024.

II. BACKGROUND INFORMATION:

November 5, 2024 is a designated general election date under state law. The City of Leadville ("City") intends to participate in the November 5, 2024 election. Pursuant to Section 1-7-116(5), Colorado Revised Statutes ("C.R.S."), by way of this Resolution, the City is notifying the Lake County Clerk and Recorder in writing of its intent to participate in the November 5, 2024 election.

Pursuant to Section 1-7-116(1), C.R.S., if more than one political subdivision holds an election on the same day in November and the eligible electors for each election are the same of the boundary overlap, the county clerk and recorder shall conduct the elections on behalf of all

political subdivisions. Section 1-7-116(2), C.R.S., states that the political subdivisions for which the county clerk and recorder will conduct the coordinated election shall enter into an agreement with the county clerk and recorder, which agreement shall be signed no later than seventy days prior to the election. The City Council of the City of Leadville wishes to enter into such an agreement (“IGA”) with the Lake County Government by and through the County Clerk and Recorder for Lake County, Colorado (the “County Clerk”) regarding the conduct of a coordinated election on November 5, 2024.

III. FISCAL IMPACTS:

The fiscal impact of this Resolution is the expenditure of the City’s share of the actual costs of the general election to be paid to the Lake County Government/Lake County Clerk and Recorder pursuant to the IGA.

IV. LEGAL ISSUES:

City Attorney Hilary Graham and County Attorney Chris Floyd have reviewed the IGA and have provided their comments and edits which have been incorporated into the IGA as presented.

VI. STAFF RECOMMENDATION:

Staff recommends that the council approve Intergovernmental Agreement by and Between the City of Leadville and Lake County Government for the Conduct and Administration of the 2024 General Election to be Held November 5, 2024.

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. 32, Series of 2024: A Resolution Approving an Intergovernmental Agreement by and Between the City of Leadville and Lake County Government for the Conduct and Administration of the 2024 General Election to be Held November 5, 2024.”

IX. ATTACHMENTS:

1. Resolution No. 32, Series of 2024: A Resolution Approving an Intergovernmental Agreement by and Between the City of Leadville and Lake County Government for the Conduct and Administration of the 2024 General Election to be Held November 5, 2024.
2. Intergovernmental Agreement by and Between the City of Leadville and Lake County

Government for the Conduct and Administration of the 2024 General Election to be Held
November 5, 2024.

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 32
SERIES 2024**

**A RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT
BY AND BETWEEN THE CITY OF LEADVILLE AND LAKE COUNTY
GOVERNMENT FOR THE CONDUCT AND ADMINISTRATION OF THE 2024
GENERAL ELECTION TO BE HELD NOVEMBER 5, 2024**

WHEREAS, November 5, 2024 is a designated general election date under state law;
and

WHEREAS, the City of Leadville (“City”) intends to participate in the November 5,
2024 election; and

WHEREAS, pursuant to Section 1-7-116(5), Colorado Revised Statutes (“C.R.S.”), by
way of this Resolution, the City is notifying the Lake County Clerk and Recorder in writing of its
intent to participate in the November 5, 2024 election; and

WHEREAS, pursuant to Section 1-7-116(1), C.R.S., if more than one political
subdivision holds an election on the same day in November and the eligible electors for each
election are the same of the boundary overlap, the county clerk and recorder shall conduct the
elections on behalf of all political subdivisions; and

WHEREAS, Section 1-7-116(2), C.R.S., states that the political subdivisions for which
the county clerk and recorder will conduct the general election shall enter into an agreement with
the county clerk and recorder, which agreement shall be signed no later than seventy days prior
to the election; and

WHEREAS, the City Council of the City of Leadville wishes to enter into such an
agreement with the Lake County Government by and through the County Clerk and Recorder for
Lake County, Colorado (the “County Clerk”) regarding the conduct of a general election on
November 5, 2024.

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

Section 1. The Leadville City Council hereby:

- (1) Approves the Intergovernmental Agreement by and Between the City of Leadville and
Lake County Government for the Conduct and Administration of the 2024 General
Election to Be Held November 5, 2024 (“IGA”) in substantially the same form as
attached as **Exhibit 1**;

- (2) Authorizes the City Clerk and any other City staff, as needed, to take the actions necessary to coordinate the 2024 election;
- (3) Designates the City Clerk as the City's Election Official for the City for the 2024 general election;
- (4) Specifically approves the expenditure of the City's share of the actual costs of the general election to be paid to the Lake County Government/Lake County Clerk and Recorder pursuant to the IGA; and
- (5) Authorizes the Mayor to execute and the City Clerk to attest the IGA on behalf of the City.

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

CITY OF LEADVILLE, COLORADO:

By: _____
Dana Greene, Mayor

ATTEST:

Hannah Scheer, City Clerk

**ADOPTED by a vote of ___ in favor and ___ against, and ___ abstaining,
this 4th day of June, 2024.**

EXHIBIT 1

**INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF
LEADVILLE AND LAKE COUNTY GOVERNMENT FOR THE CONDUCT AND
ADMINISTRATION OF THE 2024 GENERAL ELECTION TO BE HELD
NOVEMBER 5, 2024**

[See attached agreement]

**INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF
LEADVILLE AND LAKE COUNTY GOVERNMENT FOR THE CONDUCT AND
ADMINISTRATION OF THE 2024 GENERAL ELECTION TO BE HELD
NOVEMBER 5, 2024**

This Intergovernmental Agreement for a coordinated election (“IGA”) is made and entered into this _____ day of _____, 2024 (the “Effective Date”) by and between the City of Leadville (the “Jurisdiction”) and Lake County Government by and through the County Clerk and Recorder for Lake County, Colorado (the “County Clerk”), together “the Parties.”

1. RECITALS AND PURPOSE

1.1 As provided by law, the County Clerk shall conduct an election on behalf of the Jurisdiction, whose election is part of the General Election;

1.2 The Jurisdiction is a political subdivision that is authorized to hold an election as provided by law;

1.3 The election to be held on November 5, 2024 (the “Election”) shall be conducted pursuant to the Uniform Election Code of 1992 § 1-13.5-101, C.R.S., *et seq.* (the “Code”) and the Rules and Regulations of the Colorado Secretary of State 8 CCR 1505-1, *et seq.* “Rules Concerning Elections” (the “Rules”) as a “mail ballot election” as defined under § 1-7.5-102, C.R.S.;

1.4 Pursuant to § 1-7-116(2), C.R.S., the County Clerk and the Jurisdiction are required to enter into an agreement for the administration of their respective duties and sharing of the actual costs related to the Election;

1.5 The County Clerk and the Jurisdiction have determined that it is in the best interests of the Jurisdiction, and its inhabitants and non-resident property owners, to cooperate and contract for the Election upon the terms and conditions contained in this IGA; and

1.6 The purpose of this IGA is to allocate responsibilities between the County Clerk and the Jurisdiction for the preparation and conduct of the Election and provide for a reasonable sharing of the actual costs of the Election among the County, the Jurisdiction and other participating political subdivisions.

For and in consideration of the mutual covenants and promises in this IGA, the sufficiency of which are acknowledged, the Parties agree as follows:

2. GENERAL MATTERS

2.1 ***Chief Designated Election Official.*** The County Clerk shall act as the Chief Designated Election Official, (“County Clerk”) in accordance with § 1-1-110, C.R.S. and will be responsible for the administration of the Election as detailed in statutes, the Code, and the Rules.

2.2 **Designated Election Official.** Lake County Clerk and Recorder Tracey Lauritzen will be the primary liaison and contact for the County Clerk. The Jurisdiction designates the Jurisdiction's Deputy City Clerk as its "Designated Election Official" (DEO) who shall act as the primary liaison between the Jurisdiction and the County Clerk and who shall have primary responsibility for the management and performance of the Jurisdiction's obligations under this IGA. Nothing in this IGA relieves the County Clerk or the Jurisdiction's Governing Board from their official responsibilities for the conduct or in the holding of the Election as required by law.

2.3 **Term.** The term of this IGA shall be from the Effective Date through December 31, 2024.

3. RESPONSIBILITIES OF THE COUNTY CLERK

3.1 **Initial ballot layout.** Upon receipt of the certified ballot text provided by the Jurisdiction pursuant to Section 3.2 below, the County Clerk will create the layout of the text of the ballot in a format that complies with the Code. The ballot text must be satisfactory to the County Clerk. Furthermore, no content changes by the Jurisdiction shall be allowed after the September 6, 2024 certification of the ballot, without the approval or direction of the County Clerk. The County Clerk will provide the Jurisdiction with a copy of the draft ballot for the Jurisdiction's review along with any instructions for modifications to the ballot layout and the time period within which the Jurisdiction must return the modified ballot to the County Clerk. If modifications are made by the Jurisdiction, the County Clerk will review the changes upon receipt from the Jurisdiction of the modified ballot and notify the Jurisdiction that the ballot is approved or return the ballot for further modifications and time requirements for return to the County Clerk.

3.2 **Final ballot layout.** Once the Jurisdiction has made all changes to the ballot layout as required by the County Clerk and the ballot is in final draft form, the County Clerk will lay out the ballot text and submit it to the Jurisdiction for final review, proofreading, and approval. The Jurisdiction's DEO shall have **no more than four (4) hours** from the time the County Clerk sends the final ballot proofs to perform the final review and proofread. The County Clerk is not responsible for ensuring that the final ballot text complies with the requirements of TABOR or any other constitutional or statutory requirement related to the text of ballot language.

3.3 **Ballot printing and mailing.** The County Clerk will contract with a vendor to prepare and print the ballots; prepare a mail ballot packet for each registered elector within the Jurisdiction; address a mail ballot packet to each registered elector within the Jurisdiction; and mail the ballots between 22 days and 18 days before Election Day, or between October 14, 2024 and October 18, 2024. In cooperation and coordination with the County Clerk, the vendor shall perform the printing, preparation of the ballots for mailing, and the mailing of the ballots. Ballots will be available at the County Clerk's office or the office designated in the Mail Ballot Plan no sooner than twenty-two (22) days to the election [Section [1-75.-107(3)(a), C.R.S.].

3.4 **Voter Service and Polling Centers.** The County Clerk shall provide Voter Service and Polling Centers from October 21, 2024 through Election Day. The County Clerk will hire and

train staff and judges to operate Voter Service and Polling Centers according to § 1-7.5-107(4.5)(a)(I), C.R.S.

3.5 ***Additional ballots.*** In addition to the mail ballots printed and mailed by the vendor as specified in subsection 3.3, the County Clerk will provide regular, Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and provisional ballots to registered electors in the manner and method required by the Code. All requests for absentee ballots shall be transmitted to and processed by the County Clerk at 505 Harrison Avenue, P. O. Box 917, Leadville, Colorado 80461. All completed forms must be returned to the County Clerk.

3.6 ***Mail ballots.*** In cooperation with the vendor, the County Clerk will ensure that the mail ballot packets contain the materials required by the Code, including voter instructions; an inner verification/privacy return envelope; and the outer/mail envelope containing the appropriate postage, Official Election logo, and indicia for Return Service Requested.

3.7 ***Ballot security.*** The County Clerk will track ballot inventory and provide security for all ballots as required by the Code.

3.8 ***Election Judges.*** The County Clerk will appoint, train, provide written and/or online materials to and pay a sufficient number of qualified election judges to receive and process voted ballots.

3.9 ***Election Notices.*** The County Clerk shall publish all Election notices required by the Code. The Jurisdiction shall not publish any notice related to the Election without first obtaining the approval of the County Clerk. To request approval to publish a notice, the Jurisdiction shall provide the County Clerk with all relevant information related to the proposed publication, including a copy of the proposed notice, at least one (1) week prior to the Jurisdiction's deadline for submitting the proposed notice to the publisher. The Jurisdiction shall bear full responsibility for any Election notices published without the County Clerk's approval and shall comply with all instructions issued by the County Clerk to remedy any incorrect or improper notices.

3.10 ***TABOR Notice.*** If applicable, the County Clerk, through a vendor, will distribute to all Lake County registered electors' households the printed TABOR Notice submitted by the Jurisdiction along with those of other jurisdictions. The County Clerk may determine the order of the TABOR Notice submitted by the Jurisdiction and those of other jurisdictions to be included in the TABOR Notice Package provided. However, the materials supplied by the Jurisdiction shall be kept together as a group and in the order supplied by the Jurisdiction. The cost for the printing and mailing of the TABOR Notice Package shall be shared on a prorated basis as further described in Section 5 below. The County Clerk is not responsible for ensuring that the TABOR Notice complies with the requirements of TABOR or any other constitutional or statutory requirement relating to the TABOR Notice.

3.11 ***Testing.*** The County Clerk will perform Logic and Accuracy Testing of the electronic vote counting equipment as required by the Code. The Jurisdiction may provide a representative to witness and initial the results of the three runs of the test deck.

3.12 **Tally.** The County Clerk will provide for the counting and tallying of ballots, including any recounts required by law. The Jurisdiction may designate one representative to observe the counting of the ballots. An unofficial abstract of votes will be provided to the Jurisdiction upon completion of the counting of all ballots. The County Clerk will release initial election returns after 7:00 p.m. on the date of the Election. The unofficial results will be published to the State’s Election Night Reporting site throughout election night. The County Clerk will count and tally valid cured and provisional ballots on or before 5:00 pm on November 13, 2024.

3.13 **Certification of results.** Jurisdictions will be issued a certified statement of results by November 27, 2024.

4. RESPONSIBILITIES OF JURISDICTION

4.1 **Authorization to Hold Election.** The Jurisdiction must provide the County Clerk along with a signed copy of this IGA a certified copy of the ordinance or resolution stating that the Jurisdiction will participate in the Election in accordance with the terms and conditions of this IGA. The ordinance or resolution must authorize the presiding officer of the Jurisdiction or other designated person to execute this IGA.

4.2 **Boundaries of Jurisdiction.** If any annexations to the Jurisdiction have occurred between November 1, 2019 and the date of the signing of this IGA, the Jurisdiction is responsible for informing the County Clerk in writing by the date of the signing of this IGA.

4.3 **Ballot content and layout.** No later than September 6, 2024, the DEO shall certify the ballot order and content for the Jurisdiction and deliver the certified ballot layout to the County Clerk. The ballot layout shall be in a form acceptable to the County Clerk. Ballot content layout shall not include any graphs, tables, charts, or diagrams. The ballot order and content shall include the names and office of each candidate for whom a petition has been filed with the Election Officer and any ballot measure(s) the Jurisdiction has certified. The Jurisdiction shall be solely responsible for the accuracy of the information contained in the certificate and ballot content. The Jurisdiction shall make any modifications to the ballot layout requested by the County Clerk. The County Clerk will correct errors as specified in § 1-5-412, C.R.S. at the Jurisdiction’s expense. The County Clerk assigns the ballot measure(s) number(s).

4.4 **Audio for visually impaired.** No later than the Jurisdiction’s submission of the ballot layout to the County Clerk, the Jurisdiction shall confirm that each candidate has provided a clearly spoken recording of the candidate’s name. This requirement aids the County Clerk in programming the audio component of the electromechanical voting equipment for the Election. The Jurisdiction shall timely make any modifications to the audio recording requested by the County Clerk.

4.5 **TABOR Notice.** The Jurisdiction shall provide to the County Clerk all required TABOR Notices concerning ballot measure(s) in the manner required by Article X, Section 20 of the Colorado State Constitution by noon on September 20, 2024. The submission will include the ballot title, text, and fiscal history or any other required wording for the TABOR Notice. The

submission date will expedite print layout and review of the TABOR Notice. The Jurisdiction shall be solely responsible for the accuracy of the information contained in the TABOR Notice.

4.6 **Final layout.** The Jurisdiction shall timely make any modification to the ballot layout requested by the County Clerk. The Jurisdiction shall review and proofread and approve the layout, format, and text of the final draft form of the Jurisdiction's official ballot and, if applicable, TABOR Notice **within four (4) hours** of the County Clerk providing the Jurisdiction with the copy to be proofed.

4.7 **Testing.** The Jurisdiction may be asked to provide a person to participate in Logic and Accuracy Tests, which will be scheduled to occur prior to October 15, 2024.

4.8 **Cancellation of Election by the Jurisdiction.** If the Jurisdiction resolves not to hold the election or to withdraw a ballot measure(s), the Jurisdiction shall immediately provide notice of such action to the County Clerk. Initial notice to the County Clerk must be in writing. If by email with email confirmation of receipt from the County Clerk or her designee. The Jurisdiction shall provide proof to the County Clerk of the Jurisdiction's formal action canceling the election or withdrawing a ballot measure(s) as soon as practicable after the Jurisdiction's formal action. The Jurisdiction shall promptly pay the County Clerk the full actual costs relating to the Jurisdiction's election, both before and after the County Clerk's receipt of such notice. The Jurisdiction shall provide notice by publication in a newspaper(s) of general circulation within the Jurisdiction of such cancellation of the election or withdrawal of ballot measure(s). The County Clerk shall post notice of the cancellation or withdrawal of ballot measure(s) in the office of the County Clerk, and the DEO shall post notice of the cancellation at buildings of the Jurisdiction. The Jurisdiction shall not cancel the election after the 25th day prior to the Election as provided in § 1-5-208, C.R.S.

4.9 **Canvass.** The County Clerk shall appoint a canvass board, as contemplated by the Election Code, and conduct a canvass of the votes in order to certify the results of the City's election. Such canvass will be completed no later than twenty-two (22) days after the General Election (November 27, 2024; 1-10-102(1) C.R.S.) as required by law, and official results of the canvass will be provided to all political subdivisions participating in the election. The County Clerk shall provide the City with a copy of all election statements and certificates which are to be created under the Election Code.

5. PAYMENT

5.1 **Intent.** This section addresses the reasonable sharing of the actual cost of the Election among the County and the jurisdictions participating in the Election.

5.2 **Responsibility for costs.** The Jurisdiction shall not be responsible for sharing any portion of the usual costs of maintaining the office of the County Clerk, including but not limited to, overhead costs and personal service costs of permanent employees, except for such costs that are shown to be directly attributable to conducting the Election on behalf of the Jurisdiction.

5.3 **Invoice.** The Jurisdiction shall pay the County Clerk the Jurisdiction's share of the County Clerk's costs and expenses in administering the Election within thirty (30) days of receiving an invoice from the County Clerk. If the invoice is not timely paid by the Jurisdiction, the County Clerk, in his or her discretion, may charge a late fee not to exceed 1% of the total invoice per month.

5.4 **Cost Allocation.** The County Clerk shall keep a careful and accurate accounting of time, supplies, printing costs and salaries attributable to the County's administration of the General Election. The County Clerk will determine the Jurisdiction's invoice amount by allocating to all participants in the ballot a share of the costs specific to the administration of the General Election as provided by law. If the Jurisdiction is placing a ballot question that qualifies as a TABOR election, a portion of the TABOR Notice publication and mailing costs will also be billed for in the invoice. If the Jurisdiction is placing a ballot measure that requires additional costs specific to that Jurisdiction's ballot measure, the Jurisdiction will be also be billed for that portion of the costs in the invoice. The Jurisdiction agrees to pay the invoice within 30 days of receipt unless the County Clerk agrees to a longer period of time.

5.5 **Disputes.** The Parties shall attempt to resolve disputes about the invoice or payment of the invoice. If the Parties cannot reach a resolution and in the event of litigation, jurisdiction and venue shall be in Lake County District or Lake County Court, depending on the amount.

6. MISCELLANEOUS

6.1 **Notices to Parties.** Notices required to be given by this IGA are deemed to have been received and to be effective: (1) three (3) days after they are mailed by certified mail, return receipt requested; (2) immediately upon hand delivery; or (3) immediately upon receipt of confirmation that a fax or email was received to the fax numbers or email addresses of the Parties as set forth below or to such party(ies) or address(es) as may hereafter be designated in writing.

To County Clerk:
Tracey Lauritzen
505 Harrison Ave
P.O. Box 917
Leadville, CO 80461
Fax:
E-mail: TLauritzen@co.lake.co.us

To DEO:
Deputy City Clerk
City of Leadville
800 Harrison Avenue
Leadville, CO 80461
cityclerk@leadville-co.gov

6.2 **Amendment.** This IGA may be amended only in writing and following the same formality as the execution of the initial IGA.

6.3 **Integration.** The Parties acknowledge that this IGA constitutes the sole agreement between the Parties relating to the subject matter of this IGA and that no party is relying upon any oral representation made by another party or employee, agent or officer of that party. Any prior agreements, promises, negotiations, or representations not expressly set forth in this IGA are of no force and effect. This IGA fully supersedes any previous “Intergovernmental Agreement” between the Parties.

6.4 **Waiver of Claims.** The Jurisdiction has familiarized itself with the election process used by the County Clerk and waives any claims against the County Clerk related to the County Clerk’s processing or administration of the Election except as specified in paragraph 6.5 below and claims arising out of willful and wanton acts of the County Clerk.

6.5 **Limitation of Liability.** If a lawsuit is filed challenging the validity of the Jurisdiction’s election, the Jurisdiction shall provide prompt notice to the County Clerk of such a lawsuit. If the County Clerk chooses to intervene and defend its position, the Jurisdiction will support such intervention and cooperate in the defense of any such claims. If, as a result of a lawsuit against the Jurisdiction or against the Jurisdiction and other defendants by a third party, a court of competent jurisdiction finds that the Jurisdiction’s election was void or otherwise fatally flawed due solely to a cause arising from the negligence of the County Clerk, then the County Clerk’s sole responsibility and liability shall be to refund to the Jurisdiction all amounts paid to the County Clerk under Section 5 above. The County Clerk shall have no other responsibility for or liability to any parties of or third parties in connection with the lawsuit, including, but not limited to, any judgment, damages, costs, or fees.

6.6 **Conflicts of this IGA with the Law, Impairment.** If any provision in this IGA conflicts with the law, this IGA shall be modified to conform to such law or resolution.

6.7 **Time of the Essence.** Time is of the essence in the performance of the work under this IGA. The statutory time requirements of the Code shall apply to completion of the tasks required by this IGA, unless earlier deadlines are required by this IGA.

6.8 **Good Faith.** The Parties shall implement this IGA in good faith, including acting in good faith in all matters that require joint or coordinated action.

6.9 **Third Party Beneficiary.** The enforcement of the terms and conditions of this IGA and all rights of action relating to such enforcement shall be strictly reserved to the County Clerk and the Jurisdiction, and nothing contained in this IGA shall give or allow any claim or right of action by any other or third person. It is the express intent of the Parties that any person receiving services or benefits under this IGA shall be deemed an incidental beneficiary.

6.10 **No Waiver.** No waiver of any of the provisions of this IGA constitutes a waiver of any other of the provisions of this IGA, and no such waiver constitutes a continuing waiver, unless otherwise expressly provided in this IGA, nor will the waiver of any default under this IGA be deemed a waiver of any subsequent default.

6.11 **Appropriation.** The Parties' obligations under this IGA outside the current fiscal year are conditioned on the prior appropriation of good and sufficient funds for such purpose, pursuant to § 29-1-110, C.R.S. The Parties affirmatively assert that each has budgeted sufficient funds for its obligations under this IGA for the year it was executed.

6.12 **Storage of Records.** The County Clerk shall store all materials required by the Election Code for twenty-five (25) months in such a manner that the City may request and receive such materials, if necessary, through a Colorado Open Records Act request to resolve any challenges or other legal questions that might arise regarding the General Election.

6.13 **Colorado Governmental Immunity Act.** The Parties understand and agree that the Jurisdiction and the County, their respective council members, commissioners, officials, officers, directors, agents, and employees, are relying on, and do not waive or intend to waive by any provisions of this IGA, the monetary limitations or any other rights, immunities and protections provided by the Colorado Governmental Immunity Act (the "CGIA"), § 24-10-101 to 120, C.R.S., or otherwise available to the County or the City. To the extent the IGA imposes varying obligations or contains different waivers of immunity for cities and counties, both the City and the County agree that each will remain liable for their independent obligations under the IGA, and neither party shall be the agent of the other or liable for the obligations of the other.

IN WITNESS WHEREOF, the Parties have signed this IGA as of the Effective Date.

Lake County

City

Sarah Mudge, Chair
Board of County Commissioners

Dana Greene, Mayor
City of Leadville

**ATTEST AS TO
COMMISSIONER'S SIGNATURE:**

ATTEST TO CITY'S SIGNATURE:

Tracey Lauritzen, Clerk and Recorder

Hannah Scheer, City Clerk

June

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

July

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	1	2 11am - BOCC@505 6pm - Regular CC Mtg	3	4 Independence Day - City 6pm - LURA Board	5	6
7	8	9 4pm - HPC Meeting @	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	27
28	29	30	31	1 6pm - LURA Board	2	3

August

Sun	Mon	Tue	Wed	Thu	Fri	Sat
28	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
25	26	27 4pm • HPC • Regular Mtg	28 6pm - P&Z Meeting @	29	30	31