

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 16
SERIES OF 2024**

**A RESOLUTION APPROVING A PAYMENT MANAGEMENT AGREEMENT WITH THE
TABOR OPERA HOUSE PRESERVATION FOUNDATION FOR PHASE 3 OF THE TABOR
OPERA HOUSE REHABILITATION OF EXTERIOR ENVELOPE PROJECT**

WHEREAS, the City of Leadville (“City”) has the authority to enter into contracts for any lawful municipal purpose pursuant to C.R.S. § 31-15-101; and

WHEREAS, the City has secured grant funding from the Department of Local Affairs for a significant portion of Phase 3 of the rehabilitation of the exterior envelope of the City’s historic Tabor Opera House (“Project”); and

WHEREAS, the Tabor Opera House Preservation Foundation (“Foundation”) leases the Tabor Opera House from the City and maintains and operates the Tabor Opera House pursuant to that certain theater operating agreement dated May 10, 2017 between the City and the Foundation (“Operating Agreement”); and

WHEREAS, Section 3 of the Operating Agreement permits the Foundation to manage and oversee renovation efforts to benefit the Tabor Opera House and to manage and administer grants and other funding sources for the operation, maintenance and renovation of the Tabor Opera House; and

WHEREAS, Section 4 of the Operating Agreement permits the parties to contract to allow the Foundation to administer grants awarded to the City to benefit the Tabor Opera House; and

WHEREAS, the Foundation is a non-profit corporation that is eligible for historic preservation income tax credits and has agreed to contribute funds toward the Project; and

WHEREAS, the City and the Foundation desire for the Foundation administer and manage the payment of all contractors completing services or other work related to the Project; and

WHEREAS, the City Council therefore desires to approve a Payment Management Agreement with the Foundation in substantially the form attached as Exhibit 1.

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

Section 1. Contract Approval. The Leadville City Council hereby: (a) approves the Payment Management Agreement (“Agreement”) in substantially the form attached as Exhibit 1; (b) authorizes the City Attorney to make such changes to the Agreement as may be necessary that do not materially increase the obligations of the City; and (c) authorizes the Mayor to execute the Agreement on behalf of the City when in final form.

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

ADOPTED this 20th day of February 2024 by a vote of 7 in favor, 0 against,
0 abstaining, and 0 absent.



CITY OF LEADVILLE, COLORADO:



Dana Greene, Mayor

ATTEST:



Deputy City Clerk

EXHIBIT 1
PAYMENT MANAGEMENT AGREEMENT

(see attached document)