



**NOTICE AND AGENDA OF A
WORK SESSION
Idaho Springs City Council
May 4, 2020
5:30 p.m.**

- ❖ Quasi-Judicial Virtual meeting
- ❖ Recovery Task Force
- ❖ City clean-up day
- ❖ Revenue reduction for 2020

The Public will be able to view and hear this meeting remotely at the following address:
<https://www.colorado.gov/pacific/idahosprings/city-council-live>



ATTORNEYS AT LAW

TO: Hon. Mayor Hillman and Members of the City Council
CC: Andrew Marsh, City Administrator
FROM: Carmen Beery
DATE: April 30, 2020
RE: Quasi-Judicial Hearings: Remote (Virtual) Process

For over a month now, the City has been under a declared Local Disaster Emergency Related to the COVID-19 Coronavirus. You adopted a Resolution declaring this local state of emergency on March 23rd. As you are aware, since then, the State has issued a series of Executive Orders (Governor's Office) and Public Health Orders (CDPHE) implementing a host of statewide measures attempting to contain and mitigate the spread of the coronavirus here in Colorado.

For the past month and continuing into May, public gatherings of ten (10) or more people are prohibited. This prohibition of public gatherings presents a challenge to conducting local quasi-judicial proceedings. Quasi-judicial proceedings are best conducted in-person, where all persons involved – City staff, the applicant, the public, the City Council (or Planning Commission, as the case may be) and all called witnesses – can see and hear each other in person; look and perhaps point at the same exhibits, illustrations and presentations at the same time; read each other's body language; and gage voice inflection and all other hallmarks of a person's credibility when he or she speaks under oath. Conducting these hearings in person guarantees that the record is fully contained within the room and that every person involved hears, sees and has equal access to the exact same evidence.

Colorado cities, towns and counties are all grappling with *whether* and *how* to conduct quasi-judicial proceedings remotely during this time when in-person gatherings are prohibited. Some jurisdictions, including the City, have delayed such proceedings and scheduled them for future dates in the hopes that in-person gatherings might then be allowed. Other jurisdictions have begun to conduct quasi-judicial proceedings remotely, using on-line meeting platforms such as Zoom, GoToMeeting and Microsoft Teams.

While I cannot provide you with an absolute timeframe or legal deadline by which you *must* act to proceed with pending quasi-judicial matters, I can tell you that the City may not delay these matters indefinitely. At a certain point in time, a delay with no end in sight becomes a *de facto* denial and would certainly be subject to legal challenge.

I wish to discuss with you on May 4 the possibility of conducting quasi-judicial proceedings remotely, possibly commencing during the month of May. There are a number of these matters pending in the City's queue right now. We should discuss and plan for a realistic time frame to permit such matters to continue forward. Attached to this memorandum is a form of Request and Consent to Remote Hearings that I have prepared for your review.

I look forward to discussing this with you and answering any questions or concerns that you may have.

REQUEST AND CONSENT TO ELECTRONIC HEARING

This Request and Consent to Electronic Hearing is given this ____ day of _____, 2020 by _____, as owner(s) ("Owner(s)") of the real property located at _____, Idaho Springs, Colorado (the "Property").

The Owner(s) are the applicants for [description of case] : _____. The application is scheduled for the required quasi-judicial public hearing before the Idaho Springs _____ on _____, 2020. Because of the restrictions imposed by the Covid-19 pandemic, the City Council/Planning Commission is presently conducting all meetings, including public hearings, electronically, using simultaneous audio and video links which allow applicants, the public, staff and the City Council to participate.

For themselves and their successors in interest and assigns, the Owner(s):

1. acknowledge they have read and fully understand this Request and Consent;
2. acknowledge that all exhibits must be filed with the City on or before ____ 2020 and that no exhibits will be permitted to be introduced during the hearing;
3. acknowledge they have requested that the hearing proceed on the date scheduled as an electronic hearing and under the conditions described herein, having been given the option to delay the hearing until it can be held in-person;
4. acknowledge that holding a quasi-judicial hearing by electronic means presents legal risks and uncertainty;
5. agree that they assume all risk of conducting the hearing by electronic means, and
6. agree to defend and indemnify the City in any action arising from or in connection with any alleged deficiency in the conduct of the hearing as a result of the use of electronic means.

GIVEN AND SIGNED this ____ day of _____, 2020.

(OWNER)

Name: _____

Address: _____

(OWNER)

Name: _____

Address: _____

Diane Breece, City Clerk

From: Steve Indrehus <steve.i@tommyknocker.com>
Sent: Friday, May 1, 2020 11:01 AM
To: Diane Breece, City Clerk
Subject: Recovery Task Force / TKB

To whom it may concern:

As a long term and avid stakeholder business in Idaho Springs I would be very interested in being included in the upcoming COVID Recovery Task Force.

Thank you

Steve Indrehus
(303) 567-4419 office



Diane Breece, City Clerk

From: Mary Jane Loevie <maryjaneloevie@mightyargo.com>
Sent: Thursday, April 30, 2020 3:46 PM
To: Diane Breece, City Clerk
Cc: Andrew Marsh, City Administrator; Jonathan Cain; Patti Tyler; Mary Jane Loevie
Subject: Recovery Task force Interest

Diane Breece
Idaho Springs City Clerk
Idaho Springs, CO 80452

Dear Diane;

I would like to become a member of the Idaho Springs Recovery Task Force. I am a life-long resident of Idaho Springs, have raised my children and grandchildren here and have a tremendous love and respect for our great community. I have been a Commercial and Residential Property owner in Idaho Springs for over 35 years—and have always tried to contribute to the positive and inclusive future of our historic town. I have consistently improved my properties and recruited businesses that are beneficial to this town. Some of my community involvement includes: President, Idaho Springs Historical Society, Founder of Clear Creek County Tourism Bureau, I-70 Coalition and Collaborative Effort, co-author of Historic ordinance creating District, Fund raiser for Idaho Springs Heritage and Visitor Center, Supporter of Downtown Improvement District, to name a few.

Additionally my husband and I own and operate Shotcrete Technologies out of our Historic Building---an International Mining and Tunneling Company. I am an owner/partner in the Mighty Argo Mill and Tunnel- we are focusing on preserving and activating this historic treasure for the future of the citizens.

I look forward to helping the City navigate thru this most difficult of times.

Kind regards,

Mary Jane Loevie

Owner – Keeper of the Karma



303-567-4871 (O)

303-903-2427 (C)

MaryJaneLoevie@MightyArgo.com

www.MightyArgo.com

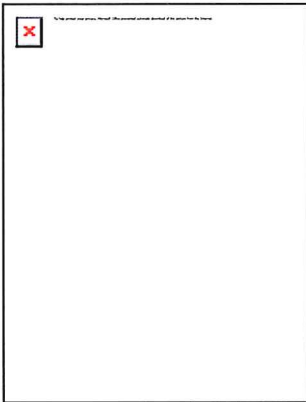
Diane Breece, City Clerk

From: Tracy Stokes <80452realestate@gmail.com>
Sent: Tuesday, April 21, 2020 9:30 AM
To: Michael Hillman, Mayor; Diane Breece, City Clerk; Jonathan Cain; Andrew Marsh, City Administrator
Subject: letter requesting consideration

Hello all,

I would like to be considered for a seat on the Task Force for re-opening Idaho Springs. I recently became aware this type of citizens advocate committee may be formed.

Thank you,



Diane Breece, City Clerk

From: ursulacqm81@gmail.com
Sent: Tuesday, April 21, 2020 7:14 PM
To: Diane Breece, City Clerk
Subject: Economic Recovery Task

I am a resident and business owner in Idaho Springs and I am interested in participating in an Economic Recovery Task Force.

I would also like to request more details about this task force.

Thanks,

Ursula Cruzalegui
1302 Colorado Blvd.
Guches Ventures
303.522.0057

Diane Breece, City Clerk

From: Sadie Peak <s.peak@spiceandtea.com>
Sent: Thursday, April 23, 2020 11:43 AM
To: Diane Breece, City Clerk
Subject: Economic Recovery Task Force

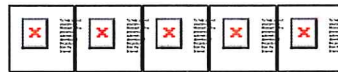
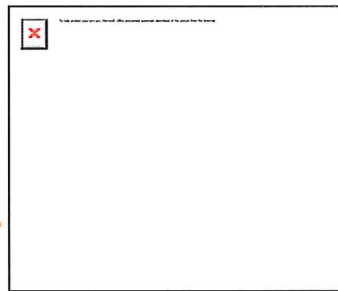
Diana,

I would like to submit my interest in being apart of the Economic recovery task force. I feel that as a business owner in the community I would like to participate in our community efforts.

Thanks
Sadie

Sadie Peak
Store Owner
The Spice & Tea Exchange®
of Idaho Springs

1634 Miner Street
Idaho Springs, CO 80452
Phone: 303-993-8018
Mobile: 720-606-9038
www.spiceandtea.com



This communication and any files transmitted with it may contain information that is privileged, confidential and/or exempt from disclosure under applicable law.

Diane Breece, City Clerk

From: Marcel Templet <marcel@westboundanddown.com>
Sent: Wednesday, April 29, 2020 8:03 AM
To: Diane Breece, City Clerk
Subject: Interested in task force for reopening city

Hello Diane,

Chris reached out to me yesterday to ask for my participation in the COVID recovery task force. I'm very excited to join. I may be very limited in my abilities depending on the schedule of the upcoming weeks, but I want us to come up with great ideas to help the town bounce back.

As the General Manager of Westbound & Down/The Buffalo for the last four years, I've watched this community get through a lot together, and I know we can get through this!

Cheers

Marcel Templet
General Manager
Westbound & Down
303-396-9055

April 29, 2020

Mary Broyles
POB 1470
1848 Miner Street
Idaho Springs, CO 80452

City of Idaho Springs
Recovery Task Force

To Whom it May Concern,

I am interested in serving on the Recovery Task Force. I moved into Idaho Springs in 1975 but I have spent the last 10 years in Wheat Ridge, helping with our bead business. In September, 2019, I was able to move back into Idaho Springs.

I have always been an active members of the community and I would like for you to consider me for the City of Idaho Springs Recovery Task Force.

Sincerely,

Mary Broyles

Randall C. Watson

2024 Miner Street, Idaho Springs, CO 80452-1930

April 30, 2020

Dear Diane

I am writing to express my interest in participating in the Economic Recovery Task Force related to the COVID-19 Pandemic for Idaho Springs.

My wife, Glenda, and I purchased The Frothy Cup in late 2014 and moved into town in 2016. Over this period of time we have learned a lot about the town, its history, its current struggles, and the challenges it faces as this small town continues to be affected by the growth of the Denver metro area.

In addition to overseeing the growth of the Frothy Cup here in Idaho Springs, my experience includes being the Chief Operating Officer for one of the country's largest Private Cable Operators, and while with Time Warner, leading a business unit covering 13 states, responsible for generating over \$400 million in annual revenue.

The COVID-19 Pandemic has created some significant challenges for the town, our residents and the local businesses. These challenges will be even more significant as we map out our strategies and tactics to navigate through the recovery process.

I appreciate your consideration and look forward to the opportunity to participate as a member of the Economic Recovery Task Force for Idaho Springs.

Respectfully,

Randy Watson

Diane Breece, City Clerk

From: Andrew Marsh <amarsh123@msn.com>
Sent: Thursday, April 30, 2020 10:30 AM
To: Diane Breece, City Clerk
Subject: Fwd: Interest in COVID task force

Sent from my iPhone

Begin forwarded message:

From: Terri Bowland <tbowland@gmail.com>
Date: April 30, 2020 at 8:55:38 AM MDT
To: "amarsh123@msn.com" <amarsh123@msn.com>, Janice Bowland <jabowland08@gmail.com>
Subject: Interest in COVID task force

Hello Andy-

I am writing to express my interest in the COVID task force for the city of Idaho Springs. I am hopeful that my experience and training as a family practice physician might assist in addressing the pandemic. Thank you for your consideration.

Sincerely,
Terri Bowland, DO

Sent from my iPhone

Diane Breece, City Clerk

From: Joshua DuBien <joshuadubien171@hotmail.com>
Sent: Thursday, April 30, 2020 2:00 PM
To: Diane Breece, City Clerk
Subject: Re: Economic Recovery Task Force

Diane,
If I can help, I would be happy to. Should I send you a formal letter of intent, or will this email suffice?
Thanks,
Josh

From: Diane Breece, City Clerk <cityclerk@idahospringsco.com>
Sent: Tuesday, April 28, 2020 11:37 AM
To: Joshua DuBien <joshuadubien171@hotmail.com>
Subject: RE: Economic Recovery Task Force

Josh,
I think initially they will meet once (maybe twice) a week, remotely and anywhere from 1-2 hrs. It is the hope that some consensus/idea could be gathered and presented to City Council in a month's time?? We are still looking for interested folks and I think you would be a great voice for the team. I think it's going to take some very creative and innovative ideas to get businesses "back to business".

From: Joshua DuBien [mailto:joshuadubien171@hotmail.com]
Sent: Monday, April 27, 2020 2:27 PM
To: Diane Breece, City Clerk <cityclerk@idahospringsco.com>
Subject: Economic Recovery Task Force

Hi Diane,
I'm interested in a bit more information regarding the Economic Recovery Task Force the city is creating. Specifically, when and how will it meet? What sort of time requirement will there be from the members? What is the projected scope of work for the task force? If you have lots of interest already, that's great! Maybe there is some additional information online somewhere I can review?
Thanks for your time, and I hope you are well.
Josh DuBien
303-229-2964

City of Idaho Springs

City Council Communication



MEETING DATE: May 4, 2020
PRESENTED BY: Jonathan Cain, Assistant City Administrator
ITEM: City Clean Up Day

BACKGROUND

The City has traditionally held a “Citywide Cleanup Day” in the Spring in which volunteers help clean up accumulated trash both in the Neighborhoods and in the Creek. Traditionally, this is followed by a “BBQ in the Park” event for the volunteers.

As many residents have been stuck in their homes for the past six weeks, there has been significant interest from residents in holding such an event this year. The City did budget for this event to be held in 2020, however, if it is to be held, it is crucially important that it is done safely and within the parameters of the “Safer at Home” public order related to the COVID-19 pandemic.

EVENT DETAILS

Staff recommends that we hold this event the morning of Saturday, May 16th. Staff is currently working to secure a Dumpster for this event. In the past, this has been donated to the City by the Rafting Companies or other organizations. Staff is trying to identify an organization that may be willing to donate a dumpster this year, however, if we are unable to do so, we should be able to “rent” a dumpster for about \$300. We have discussed locating this dumpster at CRC Park. The City would also provide gloves and trash bags to volunteers at this location.

Once properly equipped, Volunteers would be able to disperse to locations around the City to clean up trash. In the past, they have left these trash bags in locations around town (typically along the curb of streets) and Public Works has come with trucks to pick them up and dispose of them.

FOOD & BUSINESS PROMOTION

In the past, the City has worked with some of the restaurants in town to provide meals for volunteers that are helping with the City Clean up. While we are not able to “congregate” in this way under the Safer at Home Orders, Staff has had an idea to still provide lunch to volunteers. Some of our area restaurants and businesses may be willing to include “coupons” in a discount “goodie bag” that we would provide for volunteers. Tommyknockers, for instance, has offered to sell breakfast burritos to the City at a discount to provide to volunteers. When volunteers come to pick up trash bags and gloves, they could also get a coupon for a “free breakfast burrito” redeemable from Tommyknockers. Under this scenario, volunteers could redeem that coupon at Tommyknockers for their burrito. It is possible that other businesses may be interested in participating as well, with either free or subsidized coupons to shop locally.

Staff has also contacted the Chamber of Commerce to see if they might be interested in participating in this effort as well.

RECOMMENDED BUDGET

Staff has been working to try to secure a donation for the dumpster and for food items for this event. In the event that we can secure these donations, the cost of the event will be drastically decreased. It is the intention of staff to try to get as much of this donated as possible. What follows is a breakdown of anticipated costs for different components of the event.

Dumpster	\$300-400, depending on size and duration of “rental”
Trash Bags (estimate 200 bags)	\$70 (we likely do not need to purchase any)
Gloves	\$60 (May not need to purchase. Cost may be variable depending on availability)
Breakfast Burritos	\$2 each; Was thinking about purchasing 2 Dozen (\$48-72)
Lunch Boxes	Anticipating paying \$100 to an area restaurant to create a “discount” for volunteers
Other Discounts	If the Chamber of Commerce would like to help subsidize cost, we may be able to provide discounts for coffee, or other such discounts to Volunteers to help foster local business.
Maximum Anticipated Cost (not including donations)	\$750 (we may have enough trash bags and gloves to hold event without purchasing more; we may get donations for the dumpster and food items as well).

STAFF REQUEST

Staff requests direction from City Council on 2 points:

1. Direction from Council regarding whether or not to hold a City Clean Up Day on the morning of May 16, 2020.
2. Direction from staff regarding the budget for the event, and whether or not Staff should pursue including a limited number of “breakfast burrito and coffee” coupons for volunteers participating in the event.

Diane Breece, City Clerk

From: Andrew Marsh, City Administrator
Sent: Friday, May 1, 2020 11:55 AM
To: Diane Breece, City Clerk
Subject: FW: Covid 19 Recovery Task Force

From: Dan Ebert <DEbert@enbcolorado.com>
Sent: Friday, May 01, 2020 11:52 AM
To: Andrew Marsh, City Administrator <admin@idahospringsco.com>
Subject: Covid 19

Andy,

I would like to express my interest in serving on the CoVid-19 economic impact committee be assembled by the City of Idaho Springs.

As a 25 year resident and business owner I feel my input would be of value to the community.

Dan M Ebert

Vice President



28145 Hwy 74
Evergreen Co 80439

303-670-4009 Office
303-907-9491 Mobile
www.enbcolorado.com
debert@enbcolorado.com
NMLS# 1490762

Mailing Address:
P.O. Box 2020
Evergreen Co 80437



CITY OF IDAHO SPRINGS
1711 MINER STREET
P.O. BOX 907
IDAHO SPRINGS, CO 80452

NOTICE AND AGENDA
SPECIAL MEETING
IDAHO SPRINGS CITY COUNCIL
May 04, 2020
7:00 P.M

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE**
- IV. AGENDA APPROVAL**
 - a) Move to approve the agenda for the May 04, 2020 meeting.
- V. MAYOR AND COUNCIL**
 - a) Move to approve members to serve on the Recovery Task Force
- VI. ADJOURN**

The Public will be able to view and hear this meeting remotely at the following address:
<https://www.colorado.gov/pacific/idahosprings/city-council-live>