



SPECIAL MEETING AGENDA

**City of Black Hawk City Council
211 Church Street, Black Hawk, CO**

**December 1, 2020
11:00 a.m.**

The City of Black Hawk is hosting Virtual City Council meetings in Zoom in response to the Coronavirus COVID-19 until further notice. There are no physical meetings at this time.

Join from a PC, Mac, iPad, iPhone, or Android device:
Please click this URL to join: <https://us02web.zoom.us/j/83522066166>

Or join by phone:

888-475-4499 (Toll-Free)

Webinar ID: 835 2206 6166
International numbers available:

Phone commands using your phone's dial pad while in a Zoom meeting:

- *6 – Toggle mute/unmute
- *9 – Raise your hand to make a public comment or to speak for or against a Public Hearing matter

Public Comment:

If you wish to make a public comment during the meeting,
please go to:

https://www.cityofblackhawk.org/comment_signup

and provide your Name, Email address, and Telephone.

During the Public comment section of the meeting, the host will go in order of sign up to ask for comments from those who have signed up

1. CALL TO ORDER:
2. ROLL CALL & PLEDGE OF ALLEGIANCE:
3. AGENDA CHANGES:
4. CONFLICTS OF INTEREST: (Council disclosures are on file w/City Clerk and Sec. of State)
5. PUBLIC HEARINGS:
 - A. CB30, A Bill for an Ordinance Amending Chapter 1 of the Black Hawk Municipal Code by Adding a New Article XII Regarding Limited Gaming to Implement the Statewide and Local Voter Approval of Amendment 77
6. ACTION ITEMS:
 - A. Resolution 68-2020, A Resolution Authorizing Additional Approved Games in the City of Black Hawk Pursuant to Section 1-221 of the City of Black Hawk Municipal Code
7. CITY MANAGER REPORT: Employee Holiday Bonus
Sale of Buses
8. CITY ATTORNEY REPORT:
9. ADJOURNMENT:

MISSION STATEMENT

The mission of the City of Black Hawk is to progressively provide cost effective programs and services of the highest quality to the community

**COUNCIL BILL 30
ORDINANCE 2020-30
A BILL FOR AN
ORDINANCE AMENDING
CHAPTER 1 OF THE
BLACK HAWK
MUNICIPAL CODE BY
ADDING A NEW ARTICLE
XII REGARDING
LIMITED GAMING TO
IMPLEMENT THE
STATEWIDE AND LOCAL
VOTER APPROVAL OF
AMENDMENT 77**

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

COUNCIL BILL NUMBER: CB30

ORDINANCE NUMBER: 2020-30

TITLE: A BILL FOR AN ORDINANCE AMENDING CHAPTER 1 OF THE BLACK HAWK MUNICIPAL CODE BY ADDING A NEW ARTICLE XII REGARDING LIMITED GAMING TO IMPLEMENT THE STATEWIDE AND LOCAL VOTER APPROVAL OF AMENDMENT 77

WHEREAS, at the November 3, 2020 general election, statewide voters from the state of Colorado approved Amendment 77, which amends section 9, article XVIII of the Colorado Constitution to remove the \$100.00 limit on single bets and remove the limitation on the types of approved games, subject to local voter approval in the cities of Black Hawk, Central, and Cripple Creek;

WHEREAS, at the November 3, 2020 general election, local voters from the City of Black Hawk approved Ballot Question 1, contingent upon statewide passage of Amendment 77, to replace the single bet limit of up to \$100.00 with unlimited maximum single bets and to delegate authority to the Black Hawk City Council to authorize by resolution the approval of additional games, provided that the Colorado Limited Gaming Control Commission (the "Commission") also promulgates final rules to implement such additional games;

WHEREAS, Amendment 77 takes effect on May 1, 2021; and

WHEREAS, the City Council finds it in the best interest of the public health, safety and welfare to amend the City's Code by the addition of a new Article XII to Chapter 1 to address the changes implemented by Amendment 77 and Ballot Question 1.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, GILPIN COUNTY:

Section 1. Chapter 1 of the Black Hawk Municipal Code is hereby amended by the addition thereto of a new Article XII entitled, "Limited Gaming" to read as follows:

ARTICLE XII

LIMITED GAMING

Sec. 1-220. Implementation of Unlimited Maximum Single Bets.

Beginning May 1, 2021, consistent with the Colorado Constitution, as amended, there shall be allowed in the City of Black Hawk unlimited maximum single bets on games approved for play within the City.

Sec. 1-221. Implementation of Process for New Games.

Consistent with the statewide approval of Amendment 77, and to implement the local approval by the registered electors of the City of Black Hawk authorizing the City Council to determine by Resolution to authorize the approval of additional games for play within the City, provided that the Colorado Limited Gaming Commission also promulgates final rules to implement such additional games, the City Council shall determine to approve any such additional games by duly adopted Resolution of the City Council.

Section 2. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Black Hawk, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this Ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. The City Clerk is directed to post the Ordinance as required by the Charter. This Ordinance shall become effective upon posting by the City Clerk.

READ, PASSED AND ORDERED POSTED this 1st day of December, 2020.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, CMC, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Implementation of Amendment 77

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Council Bill 30, Ordinance 2020-30, A Bill for an Ordinance Amending Chapter 1 of the Black Hawk Municipal Code by Adding a New Article XII Regarding Limited Gaming to Implement the Statewide and Local Voter Approval of Amendment 77

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

At the November 3, 2020 general election, statewide voters from the state of Colorado approved Amendment 77, which amends section 9, article XVIII of the Colorado Constitution to remove the \$100.00 limit on single bets and remove the limitation on the types of approved games, subject to local voter approval in the cities of Black Hawk, Central, and Cripple Creek;

At the November 3, 2020 general election, local voters from the City of Black Hawk approved Ballot Question 1, contingent upon statewide passage of Amendment 77, to replace the single bet limit of up to \$100.00 with unlimited maximum single bets and to delegate authority to the Black Hawk City Council to authorize by resolution the approval of additional games, provided that the Colorado Limited Gaming Control Commission (the "Commission") also promulgates final rules to implement such additional games;

Amendment 77 takes effect on May 1, 2021; and

The City Council finds it in the best interest of the public health, safety and welfare to amend the City's Code by the addition of a new Article XII to Chapter 1 to address the changes implemented by Amendment 77 and Ballot Question 1.

AGENDA DATE: December 1, 2020

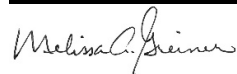
WORKSHOP DATE: N/A

STAFF PERSON RESPONSIBLE: Corey Y. Hoffmann

DOCUMENTS ATTACHED: Draft Council Bill Number 30, Ordinance 2020-30

RECORD: [] Yes [X] No

SUBMITTED BY:



Melissa A. Greiner
City Clerk/Administrative Services Dir.

REVIEWED BY:



Stephen N. Cole
City Manager

RESOLUTION 68-2020
A RESOLUTION
AUTHORIZING
ADDITIONAL APPROVED
GAMES IN THE CITY OF
BLACK HAWK PURSUANT
TO SECTION 1-221 OF THE
CITY OF BLACK HAWK
MUNICIPAL CODE

**STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK**

Resolution No. 68-2020

TITLE: A RESOLUTION AUTHORIZING ADDITIONAL APPROVED GAMES IN THE CITY OF BLACK HAWK PURSUANT TO SECTION 1-221 OF THE CITY OF BLACK HAWK MUNICIPAL CODE

WHEREAS, pursuant to the authority granted to it by the local voters at the November 3, 2020 election, and implemented by the City Council by the approval of a new Section 1-221 of the City of Black Hawk Municipal Code, the Council hereby determines it in the best interest of the public health, safety and welfare to approve additional games in the City as described below.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. Subject to rulemaking by the Limited Gaming Control Commission, the Black Hawk City Council hereby authorizes the following casino games:

A. Baccarat and Baccarat variations, including without limitation:

- i. 3 Card Baccarat;
- ii. EZ Baccarat;
- iii. Dai Baccarat;
- iv. Bad Beat Baccarat;
- v. Nepal Baccarat;
- vi. Fortune;
- vii. 7 Baccarat;
- viii. War Baccarat;
- ix. Big Baccarat;
- x. Midi Baccarat; and
- xi. Mini Baccarat.

B. Tiger Split;

C. All forms of Keno not already authorized and approved by the Commission, including without limitation:

- i. Live Keno;
- ii. In person Keno; and
- iii. Remote Keno;

D. Casino War;

E. Double Ball Roulette;

- F. Big Six Wheel [or Big Wheel Six];
- G. Any variations of Blackjack not currently authorized and approved by the Commission, including Free Bet Blackjack and Stadium Blackjack; and
- H. Pai Gow poker, playing cards and tiles, and any variations thereon.

Section 2. Subject to rulemaking by the Limited Gaming Control Commission, the Black Hawk City Council hereby authorizes the following side bets:

- A. 99 Fortunes Baccarat Progressive;
- B. Royal 9 Progressive;
- C. 5 Treasure;
- D. Dragon Bonus;
- E. Jackpot Baccarat;
- F. Perfect Pair;
- G. Lucky 6, 3-Card Six;
- H. Egalities; and
- I. Rabbit Play.

Section 3. By this Resolution, the City of Black Hawk hereby requests the Limited Gaming Control Commission to commence rulemaking on the above listed games and activities to be implemented by May 1, 2021.

RESOLVED AND PASSED this 1st day of December, 2020.

David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, CMC, City Clerk

CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: Authorization of Additional Games

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen:

MOTION TO APPROVE Resolution 68-2020, A Resolution Authorizing Additional Approved Games in the City of Black Hawk Pursuant to Section 1-221 of the City of Black Hawk Municipal Code

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Pursuant to the authority granted to it by the local voters at the November 3, 2020 election, and implemented by the City Council by the approval of a new Section 1-221 of the City of Black Hawk Municipal Code, the Council hereby determines it in the best interest of the public health, safety and welfare to approve additional games in the City as described in the attached draft Resolution 68-2020.

AGENDA DATE: December 1, 2020

WORKSHOP DATE: N/A

STAFF PERSON RESPONSIBLE: Corey Y. Hoffmann

DOCUMENTS ATTACHED: Draft Resolution 68-2020

RECORD: [] Yes [X] No

SUBMITTED BY:



Melissa A. Greiner
City Clerk/Administrative Services Dir.

REVIEWED BY:



Stephen N. Cole
City Manager