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337 E. Bennett Avenue, Cripple Creek, CO 80813

**CRIPPLE CREEK CITY COUNCIL REGULAR MEETING AGENDA
NOVEMBER 18, 2020**

4:00 PM – WORK SESSION TO DISCUSS 1). 2021 BUDGET; AND 2). PROPOSED RESOLUTION 2020-22 REGARDING COUNCIL SPECIALISTS AND POWERS AND DUTIES.

**5:30 PM – REGULAR MEETING AGENDA
ONLINE VIA WEBEX**

Webex Meeting Information: [November 18, 2020 Cripple Creek City Council Webex Mtg Link](#)

Meeting Number: 126 947 3399

Meeting Password: DmGJ2Dzdm63 (36452393 from phones and video systems)

Join By Phone: +1-415-655-0001 US Toll

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE & INVOCATION
3. ROLL CALL
4. PUBLIC COMMENT
5. REPORTS
 - A. City Administrator
 - B. Finance Director
6. PROCLAMATIONS, PRESENTATIONS, UPDATES & OTHER REPORTS
 - A. Introduction by Teller County Board of Commissioners; Bob Campbell, Erik Stone & Dan Williams, County Commissioners.
 - B. 2020 Post Election Legislative Update; Sol Malick, Peak Governmental Affairs, Ltd & City Legislative Liaison.
 - C. Update Regarding Bronco Billy's Expansion and Redevelopment Plans; Baxter Lee, General Manager.
7. NEW BUSINESS
 - A. Consider Approval of Resolution 2020-22 Authorizing the Mayor of the City of Cripple Creek to Appoint Members of the City Council to the Position of Council Specialist and Setting Forth the Powers and Duties of Such Council Specialists; Milford Ashworth, Mayor.
 - B. Consider Approval of Resolution No. 2020-24 Adopting Temporary Personnel Policies in Response to the Coronavirus (COVID-19) Public Health Emergency; Carol Stotts, HR & Risk Manager Director.
 - C. Consider Approval of Contract to Buy and Sell Real Estate for Sale of Property Legally Described as Lots 57-60 (Inclusive), Block 6 of the First Addition to Cripple Creek (Formerly Fremont) Together with 1/2 of the Adjoining Vacated Alley Appurtenant Thereto; Ray White, Interim City Administrator.
8. ADJOURNMENT.

Due to Teller County moving to Orange on the COVID-19 Public Health Dial effective Monday, November 16, 2020 at 5:00 PM, THIS CITY COUNCIL MEETING WILL BE CONDUCTED ENTIRELY ONLINE VIA WEBEX with NO in-person attendees other than the City Clerk and appropriate City Council. This policy is in effect until further notice.

**CITY OF CRIPPLE CREEK, COLORADO
RESOLUTION NO. 2020-22**

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF CRIPPLE CREEK TO APPOINT MEMBERS OF THE CITY COUNCIL TO THE POSITION OF COUNCIL SPECIALIST AND SETTING FORTH THE POWERS AND DUTIES OF SUCH COUNCIL SPECIALISTS

WHEREAS, Section 2-2-20 of the Cripple Creek Municipal Code provides that the Mayor shall be the presiding and executive officer of the City Council and that the Mayor shall exercise such powers as the City Council shall specifically confer upon him or her; and

WHEREAS, the City Council has determined that there are certain special areas of emphasis and concern in the City including, but not limited to, events, housing and building rehabilitation, that could best be addressed by the appointment of specific members of the City Council as City Council Specialists to lead and oversee the study, planning, adoption and implementation of City policy in regards to those special areas of emphasis and concern; and

WHEREAS, the City Council, consistent with Section 2-2-20 of the Cripple Creek Municipal Code and the other provisions of the Code relating to the powers and duties of the Mayor, the members of the City Council and the City Administrator, wishes to authorize the Mayor to appoint City Council Specialists and to establish the powers and duties of such City Council Specialists.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRIPPLE CREEK, COLORADO, THAT:

1. **City Council Specialist.** There is hereby created the position of City Council Specialist.
2. **Appointment.** City Council Specialists shall be appointed from the membership of the City Council by the Mayor and shall serve at the pleasure of the Mayor.
3. **Term of office.** The term of a City Council Specialist shall be indefinite but shall not extend beyond the City Council Specialist's term on the City Council. Any City Council Specialist may be removed from such position by the Mayor at any time, with or without cause.
4. **Powers and Duties.** The powers and duties of a City Council Specialist shall be as follows:
 - a. To initiate and oversee the study of the issue or area designated in the Mayor's appointment of the City Council Specialist.

- b. To initiate and oversee the preparation of a plan or plans to address the City Council Specialist's issue or area of emphasis.
- c. To suggest and submit to the City Council for consideration and adoption plans, policies or legislation addressing the City Council Specialist's issue or area of emphasis.
- d. Subject to the limitations set forth herein, to oversee and supervise the implementation of any plan, policy or legislation adopted by the City Council relating to the City Council Specialist's issue or area of emphasis.
- e. To report to the City Council, regularly or at such intervals as directed by the Mayor, regarding the activities and progress of the City Council Specialist regarding the City Council Specialist's issue or area of emphasis.
- f. To work and cooperate with the City Administrator and staff in performing the powers and duties set forth herein.
- g. Subject to the limitations set forth herein, to perform such other functions as are reasonable or necessary to the performance of the powers and duties set forth herein or such other powers and duties as are contained in the Mayor's appointment of the City Council Specialist.

5. **Limitations**. Nothing contained herein contained is intended to expand the authority of a City Council Specialist beyond that of an individual member of the City Council as set forth in the Colorado Revised Statutes and the Cripple Creek Municipal Code. Accordingly, the following limitations shall apply to the position of City Council Specialist.

- a. City Council Specialists may request information and assistance from the City Administrator or staff but shall not individually give direction to the City Administrator or City staff or any way interfere with the authority of the City Administrator as set forth in Subsection 2-3-40(e) of the Cripple Creek Municipal Code.
- b. City Council Specialists shall have no individual authority to contract on behalf of the City, commit City funds or adopt City policy.

ADOPTED at Cripple Creek, Colorado, this _____ day of _____,
2020.

CITY OF CRIPPLE CREEK

Milford Ashworth, Mayor

ATTEST:

Janell Sciacca, City Clerk

Erin M. Smith, City Attorney

CITY OF CRIPPLE CREEK, COLORADO

RESOLUTION NO. 2020-24

AN RESOLUTION ADOPTING TEMPORARY PERSONNEL POLICIES IN RESPONSE TO THE CORONAVIRUS (COVID – 19) PUBLIC HEALTH EMERGENCY

WHEREAS, the City of Cripple Creek (“City”) is a municipal corporation possessing all powers granted to statutory city by Title 31 of the Colorado Revised Statutes, including the power to make and publish resolutions to provide for the safety of the City and the inhabitants thereof; and

WHEREAS, on March 10, 2020, the Governor of Colorado declared a state of Emergency related to the presence of COVID-19 in the State. The Colorado Department of Public Health and Environment has confirmed COVID-19 continues to spread throughout the State of Colorado; and

WHEREAS, the City Council of the City of Cripple Creek (“Council”) approved Emergency Resolution No. 2020-07 on March 18, 2020 Concerning the Coronavirus (COVID-19) and Declaring an Emergency; and

WHEREAS, the Council confirmed that protecting public health is a top priority of the Council and Council is empowered by Section 31-15-401(1)(b), C.R.S., to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, the Governor of the State of Colorado and the Colorado Department of Public Health and Environment have issued Orders directing all businesses and governmental entities in the State of Colorado to establish and follow policies to promote the suppression of disease, including but not limited to policies regarding Disease Prevention Measures in the Workplace, Face Coverings, and encouraging individuals to limit travel to Necessary Travel; and

WHEREAS, the City Council has appointed the City Administrator pursuant to Section 2-3-10 of the Cripple Creek Municipal Code and the City Administrator has all the powers and duties described in Sections 2-3-20 and 2-3-50 of the Cripple Creek Municipal Code, including the power to enforce the laws, ordinances and policies of the City and to establish, subject to approval of the Mayor and City Council, appropriate personnel rules and regulations governing officers and employees of the City; and

WHEREAS, the City Council finds and determines that the adoption of this resolution is necessary for the promotion of health and the suppression of disease.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CRIPPLE CREEK, THAT:

Section 1: Temporary Personnel Policies: The City Council determines that Temporary Personnel Policies related to the COVID-19 Pandemic are necessary for the promotion of health and the suppression of disease and hereby approves the following policies attached and incorporated into this Resolution:

Exhibit A – Personal Travel Policy

Exhibit B – Employee Health Screening Policy

Exhibit C – Pandemic Mask Policy

Section 2: Ratification. The City Council ratifies any action previously taken with regard to applicability and enforcement of the Temporary Personnel Policies attached and incorporated herein.

Section 3: City Administrator Authority. The City Administrator has the authority to enforce the attached Temporary Personnel Policies and the authority to revoke the attached Temporary Personnel Policies as deemed appropriate and based on specific circumstances.

Section 4. Conflict With Other Resolutions. If any provision of this resolution conflicts with any other resolution, this resolution shall control.

Section 5. Conflict with Laws. If any provision of this resolution conflicts with any other resolution, this resolution shall control.

Section 6. Effective Date. This resolution shall become effective immediately upon adoption.

ADOPTED at Cripple Creek, Colorado, this _____ day of _____, 2020.

CITY OF CRIPPLE CREEK, COLORADO

Milford Ashworth, Mayor

ATTEST:

Janell Sciacca, City Clerk

EXHIBIT A
Personal Travel Policy



TEMPORARY COVID-19 PERSONAL TRAVEL POLICY

We understand that staying at home is tough. However, we are still amid a pandemic, and the health and safety of our employees are of the utmost importance. Remember, we are all responsible for each other’s wellbeing.

Please note that the [Centers for Disease Control \(CDC\)](#) advise that staying home is the best way to protect yourself and others from COVID-19. The [Colorado Department of Public Health and Environment \(CDPHE\)](#) do not recommend any non-essential travel at this time, as individuals are encouraged to leave their residences only to perform or utilize *Necessary Activities*. If you must travel, please keep in mind the quarantine chart below, the [CDC’s travel advice webpage](#), and the local guidance and requirements for anyplace you are visiting or spending time in.* Quarantine imposed after non-essential travel **will not** be covered by FFCRA Paid Leave; you will need to use your accrued vacation/compensatory leave balances or speak with your supervisor about telework options at the time of your leave request. Sick leave will also not apply to quarantine unless the employee is subject to Federal, State or local quarantine, in which FFCRA would be awarded first, followed by sick leave.

Important Note: Due to possible quarantine having an impact on staffing and operations, all employees must get approval from their supervisor prior to making any travel plans outside the state of Colorado.

If you must travel, please do so responsibly and continue practicing frequent hand washing and/or sanitizing, social distancing, and wearing facial coverings when around other people. In addition to the quarantine requirements below, you will need to monitor for symptoms, including temperature checks. If COVID-19 related symptoms develop, report the symptoms to your supervisor and/or Human Resources immediately, and begin following the [CDC guidance](#) on what to do if you are sick.

Post-Travel Quarantine Requirements
(in calendar days)

	In-State (outside of local travel)	Out of State		
		Low Risk Area **	Moderate Risk Area **	High Risk Area **
Car or RV	No quarantine	No quarantine	No quarantine	14 days of quarantine
Bus or Train	14 days of quarantine	14 days of quarantine	14 days of quarantine	14 days of quarantine
Airline	14 days of quarantine	14 days of quarantine	14 days of quarantine	14 days of quarantine

**determined by state health department data on your last day in the area

Low Risk Area: A region with fewer cases and/or a slower growth rate of COVID-19 cases than Colorado.

Moderate Risk Area: A region with cases and growth rate of COVID-19 comparable to Colorado.

High Risk Area: A region with more cases and/or a faster growth rate of COVID-19 than Colorado.

COVID-19 Travel Policy

Effective: 11/18/2020 Until Terminated by the City Administrator

*Please remember that your final destination could be a low risk area, but you may spend time in (stay overnight, dine out, etc.) moderate to high risk areas. The length of your post-travel quarantine will correspond with the highest amount of risk you have encountered, as determined by state health department data.

This guidance is subject to change as data, guidance, and situations unfold

Determining Out-of-State Risk

To determine the risk of your travel, you will need to do some research:

1. Visit the CDPHE website for COVID-19 case data in Colorado.
2. Determine what locations you will be stopping in during your travel.
3. Look up the COVID-19 case information for those areas:
 - a. The CDC has compiled a list of state health department website links:
<https://www.cdc.gov/publichealthgateway/healthdirectories/healthdepartments.html>
 - b. The CDC has an interactive map of the states, where you can see the total cases, cases in the last 7 days, and the rates: <https://www.cdc.gov/covid-data-tracker/index.html#cases>
 - c. Google has an interactive website with COVID-19 case data:
<https://news.google.com/covid19/map?hl=en-US&gl=US&ceid=US%3Aen&mid=%2Fm%2F01n4w>
4. Compare the data for the places you stopped during your travel to Colorado's case data to determine if the risk is low, moderate, or high.
5. **NOTE:** The length of your post-travel quarantine will be determined by the highest level of risk you encountered and the data to determine that risk will come from your last day in that area.

****NOTE:** Data by county will be more useful than state-wide data, if it is available.

It is best to err on the side of caution when determining the risk of your travel. If you are unsure which risk category your travel falls into, follow the longer quarantine requirement.

Example: If the area you traveled to is between low and moderate risk, follow the quarantine guidance for moderate risk.

For additional information, please visit these resources:

CDC Travel Advice: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/travel-in-the-us.html>

CDC Cases, Data & Surveillance: <https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/cases-in-us.html>

CDC Travel Warning Level: <https://wwwnc.cdc.gov/travel/notices/warning/coronavirus-global>

CDC Travel Notice Map: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/map-and-travel-notices.html>

CDPHE Travel Advice: <https://covid19.colorado.gov/prepare-protect-yourself/prevent-the-spread/travel>

CDPHE Case Data: <https://covid19.colorado.gov/data/case-data>

CDC COVID-19 Incubation: <https://www.cdc.gov/coronavirus/2019-ncov/hcp/clinical-guidance-management-patients.html>

EXHIBIT B
Employee Health Screening Policy



TEMPORARY COVID-19 HEALTH SCREENING POLICY

Policy

The safety of our employees is always of foremost importance, particularly when the environment is uncertain. While working in pandemic conditions the City of Cripple Creek is implementing this temporary policy to provide additional safety procedures to ensure your health and safety. This policy is being implemented in response to the COVID-19 pandemic and at the guidance of the Colorado Department of Public Health and Environment.

Health Screenings for Employees

All employees reporting to work at a City of Cripple Creek facility must participate in a health screening when they report to work. The screening must be completed by a designee of their Department Head prior to allowing employees to enter the facility at the beginning of their shift, as well as upon completion of their shift.

The designee completing the health screening will be required to wear a mask. To the greatest extent possible, the individual will also wear gloves and practice good hand hygiene before and after the screening process.

Donning and Removing Personal Protective Equipment:

- Wash your hands before donning gloves and face mask
- Use a disinfecting wipe on the thermometer before beginning use and after finishing use
- Remove the gloves as soon as task is completed and immediately wash hands or use hand sanitizer

The employee whose temperature is being taken should also be wearing an approved mask per the City of Cripple Creek Pandemic Mask Policy.

Following the temperature check (where possible) of the employee (must be 100 degrees or below), the employee will respond to the following questions asked by the designee:

- Do you have a cough
- Do you have shortness of breath or difficulty breathing
- Do you have chills
- Do you have muscle aches
- Do you have a sore throat
- Do you have new loss of taste or smell

Employee Health Screening Policy

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If employee responds “Yes” to any of the above, ask employee if the sign or symptom is consistent with his or her normal seasonal allergies?

If the employee has a fever, the employee agrees to self-isolate at home until he or she contacts their medical provider or local public health department.

Positive responses to the screening must be reported to a representative of the HR team. Positives that are not related to seasonal allergies will require the employee to return home to self-isolate and follow the recommendations of the CDC and to follow up with their medical provider or local health department prior to returning to work.

Efficient employee screening should not add much time to an employee’s workday. Clock in for the beginning of your shift following the screening and clock out for the end of your shift after the screening. If the time spent for screening prior to clocking in would have altered your rounding time in ADP, please notate this in the timecard so that the supervisor can adjust the time accordingly.

This policy will remain in effect until terminated by the City Administrator who will use guidance from the Centers for Disease Control, the State of Colorado, and Teller County Public Health.

EXHIBIT C
Pandemic Mask Policy



PANDEMIC MASK POLICY

Policy

The City of Cripple Creek will provide all employees with a non-medical cloth mask which shall be worn while working as specifically provided below.

The purpose of the mask, and this policy, is to help prevent the spread of the novel coronavirus (COVID-19) within our organization, our community, and to protect those most vulnerable to COVID-19.

This policy provides guidance on how to wear and care for the City provided cloth mask. An employee may wear a mask other than that issued by the City if the employee receives prior approval from their direct supervisor. An employee may not cover the entirety of his or her face; any mask shall provide coverage of an employee's mouth and nose when worn.

This policy will remain in effect until terminated by the City Administrator.

Mask Requirements – Office, Field, and First Responders

All employees are required to wear the City issued cloth mask or other covering as approved by their direct supervisor, unless doing so would inhibit the employee's health. CDC does not recommend using masks for source control if they have an exhalation valve or vent. There is currently not enough evidence to support the effectiveness of face shields for source control. Therefore, CDC does not currently recommend use of face shields as a substitute for masks. Employees with health issues that preclude them from wearing a cloth mask must document those concerns with a Human Resources representative. Masks shall be worn each workday as summarized below.

Office Personnel

- Traveling to/from a vehicle to a personal workspace
- Leaving a personal workspace (private office/common work area) for any reason
- During meetings or in-person interactions with others

Field Personnel

- Traveling to/from a vehicle to the work area
- Traveling to/from a work site
- Working in public regardless if working alone or with a team
- During meetings or in-person interactions with others

First Responders*

Pandemic Mask Policy

Effective: 11/18/2020

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- Traveling to/from a vehicle to the work area
- During routine contacts with citizens
- While working or interacting with others in a confined area
- Leaving assigned work area

**Police and Fire personnel must follow Departmental Operating Procedures and Directives regarding the wearing of masks.*

Proper Mask Care

Wearing a cloth mask helps to protect others from the spread of COVID-19; however, it does not protect the wearer and in order to be as effective as possible, it is essential that employees care for masks and how masks are worn. Employees are encouraged to:

- Wash hands and/or apply hand sanitizer prior to removal and placement of the cloth mask;
- Touch the cloth mask only by the ties or ear loops, not by the part contacting the face;
- Wash the cloth mask each night in hot water and either dry in the clothes dryer or let air dry;
- Continue to maintain social distancing and stay at least 6 feet from others;
- Wash hands frequently;
- When wearing the mask have it fit closely across the mouth and nose