

**THE BOARD OF DIRECTORS OF BLACKHAWK
GEOLOGIC HAZARD ABATEMENT DISTRICT**

Adopted this Resolution on _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RESOLUTION NO. 2023/03 (BLACKHAWK GHAD)

SUBJECT: Eliminating Blackhawk Geologic Hazard Abatement District (GHAD) Operations Manager Position and Transferring Services to the GHAD Manager, and Approving a New Contract for GHAD Manager Services with Sands Constructions Company, Inc.

WHEREAS, on March 15, 2011, the GHAD Board of Directors (GHAD Board) adopted Resolution 2011/01 approving the appointment of Sands Construction Company, Inc. to serve as the “Interim” GHAD Manager and Clerk, and approved a contract with Sands Construction Company, Inc. for such services.

WHEREAS, on January 8, 2013, the GHAD Board adopted Resolution 2013/01 appointing Sands Construction Company, Inc. to serve as GHAD Manager and Clerk thereby removing the label “Interim” and confirmed use of the contract for services approved by Resolution 2011/01.

WHEREAS, in 1990 due to the size and nature of the GHAD, an Operations Manager position was created in addition to the GHAD Manager position.

WHEREAS, on May 10, 2011, the GHAD Board adopted Resolution 2011/05 confirming Sands Construction Company Inc. to continue to serve as GHAD Operations Manager and approved a contract with Sands Construction Company, Inc. for such services.

WHEREAS, the GHAD Board desires to eliminate the GHAD Operations Manager position and transfer such services to the GHAD Manager position.

WHEREAS, the GHAD Board desires to approve a new contract for the GHAD Manager that covers both operational and managerial duties as set forth in Attachment 1.

The Board of Directors of the GHAD HEREBY RESOLVES THAT:

1. The GHAD Operations Manager position is eliminated and its contract for services approved pursuant to Resolution 2011/05 is hereby terminated.
2. The GHAD Operations Manager services are transferred to the GHAD Manager and approves the contract for services with Sands Construction Company, Inc. for GHAD Manager services, attached as Attachment 1.
3. The authority for performing all GHAD operations is authorized and delegated to the GHAD Manager, including managing and directing, on an everyday basis, the GHAD operations and staff and hiring appropriate persons and entities to undertake operation, maintenance, replacement, repair and other activities of the GHAD, other than the GHAD Attorney and GHAD Treasurer who are appointed directly by the GHAD Board. The GHAD Board further authorizes the GHAD Manager to award and execute contracts, for and on behalf of the GHAD, for repair, maintenance and improvement projects and for professional and support services with consultants, contractors, professionals and/or other service providers as it deems necessary to assist in carrying out the functions of the GHAD.
4. The Board further authorizes the GHAD Manager to appropriate and expend funds as necessary for carrying out the GHAD operations in accordance with the budget approved by the GHAD Board. In addition, the GHAD Manager is hereby authorized to expend funds necessary for emergency responses in excess of the approved budget. In such event, the GHAD Manager shall report back to the GHAD Board as soon thereafter as reasonably practical on the expenditure of funds. The GHAD Manager shall work with the GHAD Treasurer in receiving funds from the GHAD account to cover such costs and expenditures.
5. Declares the recitals are incorporated herein by this reference.
6. Orders this Resolution to become effective immediately upon its passage and adoption.

Attachment 1 – Contract for GHAD Manager services with Sands Construction Company, Inc.