

A RESOLUTION BY THE BOARD OF TRUSTEES OF THE TOWN OF PITKIN,
COLORADO REGARDING THE USE AGREEMENT WITH THE PHCA

TOWN OF PITKIN, COLORADO
Resolution No. 5, Series 2019

WHEREAS, Colorado Revised Statutes (2009), Section 31-15-101, et seq., authorizes a municipality to enact regulations that promote the health, safety and welfare, and improve order, comfort, and convenience of the municipality and inhabitants thereof; and

WHEREAS, the Town of Pitkin and the Pitkin Historical and Community Association (the "PHCA") own separate buildings within the town, namely the Town Hall and the Newcomb Community Center; and

WHEREAS, the Newcomb Community Center has been used to host multiple public Town meetings each month, with permission by the PHCA, at no additional cost to the Town; and

WHEREAS, the Town Hall has been traditionally used by the PHCA, with permission from The Town, for multiple weeks each July for PHCA fundraising activities, at no cost to the PHCA; and

WHEREAS, the Town of Pitkin recognizes its desire to continue using the Newcomb Community Center in which to host Town meetings; and

WHEREAS, the PHCA recognizes its desire to continue using the Town Hall for its summer fundraising activities; and

WHEREAS, the Town Hall and the Newcomb Community Center each have use agreements it requires building users to sign; and

WHEREAS, persons renting the Town Hall and the Newcomb Community Center typically pay fees; and

WHEREAS, the Town of Pitkin agrees to waive fees for the usage of the buildings contemplated herein; and

WHEREAS, such waiver of fees is deemed to be good and valid consideration; and

WHEREAS, Garry Winget, the PHCA President, is authorized by his board to sign this agreement on behalf of the PHCA;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Town of Pitkin, Colorado that

1. The Town of Pitkin will use the Newcomb Center for meetings in June, July, August, and September 2019.
2. The PHCA will use the Town Hall for the melodrama and Pitkin's Got Talent in July and August 2019.
3. The Town of Pitkin and the PHCA will continue their discussion regarding future use of the Newcomb Community Center for Town meetings.

4. The Town of Pitkin in no way waives governmental immunity through its agreement herein with the PHCA.
5. The Town of Pitkin will sign the use agreement for the Newcomb Center.
6. The PHCA will sign the use agreement for the Town Hall.

INTRODUCED, READ, AND ADOPTED THIS 8th DAY OF JULY, 2019



By: *Rachel New*
Rachel New, Mayor

Attest: *SG*
Sara Gibb, Town Clerk/Treasurer

By its execution below, the PHCA agrees to the contents of Resolution No. 5, Series 2019, and the terms of this Resolution shall be deemed binding on the Town of Pitkin, and the Pitkin Historical and Community Association.

BY: *Garry Winget*
Garry Winget, PHCA President