

The City Council of the City of Trinidad, Colorado met in Special Session on Tuesday, March 25, 2014, at 1:00 p.m. in City Council Chambers at City Hall pursuant to the following call:

CITY OF TRINIDAD
TRINIDAD, COLORADO

SPECIAL MEETING

There will be a Special Meeting of the City Council of the City of Trinidad, Colorado, on Tuesday, March 25, 2014, at 1:00 p.m. in the Council Chambers at City Hall

The following items are on file for consideration of City Council:

- 1) Executive session – For a conference with the City’s attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – Discussion regarding potential litigation
- 2) Approval of Boulevard Addition property acquisitions

The meeting was called to order at 1:00 p.m.

Roll call was taken.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles

Also present:	City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett

Absent:	Councilmember	Torres
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Executive session - For a conference with the City’s attorney (outside counsel) for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – Discussion regarding potential litigation. A motion to enter into executive session for the stated purposes was made by Councilmember Bolton. Councilmember Bonato seconded the motion. Upon roll call vote the motion carried unanimously. The executive session ensued at 1:04 p.m. Outside legal counsel Marni Nathan Kloster participated in the executive session via a conference call. Upon conclusion of executive session at 1:55 p.m., Councilmember Bolton moved to resume the special meeting and Councilmember Bonato seconded the motion. The special meeting resumed upon a unanimous roll call vote.

I, Les S. Downs, City Attorney for the City of Trinidad, do hereby attest that the executive session held on this 25th day of March, 2014, was permissible under CRS Section 24-6-402 (4)(b).

As City Attorney, it is my opinion that the discussion of the matter announced in the motion to enter into executive session constituted a privileged attorney-client communication. Therefore, it is my recommendation that no further record be kept of this executive session.

Les S. Downs
City Attorney

Approval of Boulevard Addition property acquisitions. Planning Director Fineberg addressed Council. He advised them that the City has a closing for the Boulevard Addition properties scheduled for this Thursday. He explained that several of the City’s due diligence documents are expiring at the end of March. Therefore the arrangement the City has worked out with GOCO is that the City will conduct the closing and issue the checks for payment; thereafter GOCO will reimburse the City. There will be three checks issued in the amounts identified in the Council Communication to the three property owners. Planning Director Fineberg further explained that this is for the portion of the Boulevard Addition that is within City limits. There is a portion outside of City limits. That portion outside of City limits will close on a separate date. Councilmember Mattie asked if the portion outside of City limits is owned by a fourth party. Planning Director Fineberg answered that it is owned by one of the three, Charles Milosevich. Councilmember Miles confirmed that to be the 10 to 12 acres identified in the Council Communication. Planning Director Fineberg further explained that the City applied for grant money to purchase the Boulevard Addition based on an initial appraisal the City acquired which turned out to be higher than the final appraisal, so the City had additional money left over. GOCO agreed to allow the City to use that additional money to buy additional land since we are working on extending the Riverwalk up to Trinidad Lake State Park. It is a floating amount that will allow for the purchase of approximately 10 to 12 acres. Councilmember Miles asked if a sale price has been discussed. Planning Director Fineberg answered that the City had an appraisal done and it is based on the appraised value which was different for each property. Upon inquiry he said it averaged \$6,000 per acre. The land out of the City limits appraised at approximately \$7,000 per acre. Councilmember Miles deduced the additional land will cost between \$70,000 to \$90,000. Councilmember Bolton made a motion to approve the purchase of the property for the Boulevard Addition. Councilmember Bonato asked staff to find out if there is money available for flood control, explaining his concern for the potential for flooding of the area because of Raton Creek. Planning Director Fineberg said he hasn’t been able to locate any funding yet. He said he asked GOCO in particular. The bottom line is that the Army Corp. of Engineers

feels the flood control we have is sufficient. They have jetty jacks in place as part of their flood control design. Those cannot be removed, primarily because the cost to replace them with modern structures is exorbitant. Councilmember Bonato said his understand is there was money from the State since the flooding occurred up north. If the City gets in contact with the right people he thought they could help the City with flood control. He said he'd rather see flood control in place rather than the City's planned improvements getting lost with flooding down Raton Creek. It is important staff looks into this. Mayor Reorda asked if he thinks the Corp. of Engineers has taken this into consideration. Planning Director Fineberg said that Councilmember Bonato is correct in that there is still a flood danger because Raton Creek joins the Purgatoire River below the dam. Councilmember Fletcher said the last flood was in 1955. Councilmember Bonato said flooding has affected Starkville. City Manager Acre said staff will continue to look into it, but thought that most of the money from last summer for flooding was available to rebuild the losses from those floods. Councilmember Miles seconded the motion, which upon roll call vote carried unanimously.

There being no further business, Councilmember Bolton moved to adjourn the special meeting and Councilmember Bonato seconded the motion. Pursuant to a unanimous roll call vote, the meeting was adjourned.

ATTEST:

JOSEPH A. REORDA, Mayor

AUDRA GARRETT, City Clerk