

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, January 17, 2012 at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Rino, presiding
	Councilmembers	Baca Gonzalez, Bolton, Bonato, Pando, Shew, Velasquez
Also present:	City Manager	Gil de Rubio
	City Attorney	Beatty
	City Clerk	Garrett

The pledge of allegiance was recited.

READING OF THE MINUTES. A motion to accept the minutes of the regular meeting of January 3, 2012 as submitted was made by Councilmember Bonato and seconded by Councilmember Shew. The motion carried by a unanimous roll call vote.

PUBLIC HEARING. Transfer of ownership application by Johnny M. & Elizabeth Ann Jameson d/b/a Drop City Liquor at 155 Elm Street (formerly Chris & Lisa Velasquez d/b/a Kit Carson Liquor). Mayor Rino declared the public hearing open and announced that he would be presiding over the hearing. He stated the purpose, a transfer of ownership application filed by Johnny M. and Elizabeth Ann Jameson d/b/a Drop City Liquor, regarding the retail liquor store license currently held by Chris and Lisa Velasquez d/b/a Kit Carson Liquor for the premises located at 155 Elm Street in the City of Trinidad, Colorado. Mayor Rino then instructed those present on the order in which evidence and testimony would be heard as follows: Opening statements or remarks from the applicant followed by the same by the City Attorney, then applicant's evidence and testimony of witnesses. Next he advised that he would call for the City's evidence and testimony of witnesses. He then advised that she would thereafter call for a presentation of evidence and any testimony of witnesses by any party in interest. Rebuttal evidence would then be called for and finally closing statements by the applicant, the City and any party in interest. Mayor Rino said that the hearing would then be closed and he would call for a motion and discussion. He additionally advised that an executive session may be necessary, otherwise there will be a motion for the approval or denial. He asked anyone who was going to testify to come forward and be administered the oath and said he reserved the right to limit testimony or questioning that he felt improper, and to set a limit on the duration of testimony if necessary. Mayor Rino asked if the applicant was present. Elizabeth Jameson responded affirmatively. Mayor Rino asked if she was satisfied with the rules. She answered that she was. Mayor Rino called for her opening statement. Ms. Jameson declined to provide an opening statement. City Attorney Beatty provided Council as the local licensing authority a guideline for their consideration of this application. He explained that the Trinidad City Code provides that with a transfer application they may only consider the character of the applicant. If the applicants are determined to be of good moral character, the license transfer should be approved. He pointed out that the criminal records of the applicants are provided within their packets. Mayor Rino asked if anyone present wished to make comments relative to the transfer. There were none. City Attorney Beatty called upon the applicants to step forward. Elizabeth Ann Jameson identified herself and upon inquiry advised that Johnny M. Jameson was not present at the hearing because someone had to be at the store. Ms. Jameson was sworn in. City Attorney Beatty asked Ms. Jameson the following questions, to which she responded no to each: Have you ever applied for, held, or had an interest in a Colorado liquor or beer license? Have you ever been denied a liquor license in the United States? Have you ever been convicted of a crime or received a suspended or deferred sentence for any offense in criminal or military court? Do you have any criminal charges pending? Have you ever had any state-issued license suspended, revoked, or denied? Do you have any experience in operating a liquor store? City Attorney Beatty had no further questions. Mayor Rino ascertained that no one present had any further questions and the hearing was closed. A motion to approve the transfer of ownership request was made by Councilmember Shew and seconded by Councilmember Baca Gonzalez. The motion carried by a unanimous roll call vote.

PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN. Those who signed in to speak on the LED lighting were recognized under that item.

Eric Michaels addressed Council and presented a statement on behalf of the taxpayers of Trinidad. Those present that came in support of the statement were asked to stand so Council could look on the faces of the citizens who came for that purpose. Mr. Michaels read "On behalf of the concerned citizens of Trinidad, I present this statement to the Mayor and members of the Trinidad City Council: The Trinidad City Council is hereby placed on notice that the taxpayers will no longer tolerate pomposity and autocratic behavior by the Council. Taxpayers will no longer tolerate the patronage and nepotism that has long characterized the decision-making manner of the Council, including appointments to city jobs, and the awarding of city contracts. Council is hereby reminded that you have been elected to work for the taxpayers. Your primary function is to serve the best interests of the entire community, and not to serve special interests or to advance personal agendas. Council is reminded that the money it spends does not belong to this Council, it belongs to the taxpayers of Trinidad. Taxpayers demand full disclosure, and fair notice of all Council plans to make budgetary changes, or to create or to cancel proposed budgetary expenditures. In order for the taxpayers of Trinidad to contribute input and offer opinions on the proposed actions that council may take, the taxpayers demand that the Council's agenda be provided to the public in a timely and meaningful manner. Let the Council members be informed that the City Manager, Mr. Ed Gil de Rubio, and the initiatives he has proposed, such as the LED lighting program and the Creative District designation, have our full support and backing. We fully expect the Council to work cooperatively with Mr. Gil de Rubio to bring these programs to fruition as quickly as possible. Taxpayers are watching and are prepared to use the power of the ballot box and other available legal tools to guarantee that the Trinidad City Council is ultimately comprised of members working in the best interest of the entire community." Mr. Michaels said the people present each represent 20 to 30 other people in the community who have set up an e-mail network to stay informed and who are watching. He said they will review the minutes of the meetings and will be watching to see what is proposed and who votes for it. It is a new year and a new Council and he said they hope the Council will fulfill their duties they were elected for to work for the people of Trinidad. Respectfully, however, if they are

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not able to fulfill their duties and are unable to comply with the points he outlined this evening, he respectfully requested that maybe they should step down and allow someone be in that spot who would do that for the citizens.

Terry Sears addressed Council. He identified himself and said he is a resident of Trinidad. He said he came to the work session last Tuesday and for those not here he provided that he was a supervisor and then manager of a retirement community of 9,000 people in California for over 28 years with budgets in excess of \$30 million, so he said he knows what is involved in the City Manager's job. When a project like the LED light project surfaces, he said the best time for the best prices is very early in the game. City Manager Gil de Rubio is way ahead of the game. He said he checked and the Council members who were seated last session had LED lights in front of their homes so they could see what they looked like. It was also presented at a work session and discussed, so to say at the December meeting that they didn't know what was going on was at the very least disingenuous. Mr. Sears said his experience is that not only do you save money up front by doing this early and getting the discounts, but his experience is that as you get closer to the deadline not only are there no discount and no free training, but the prices will go up by 30 to 40 percent as you get closer to deadline. Another item he said he wanted to raise was the recommendation to hire an employee when the City Manager says you don't need one. Mr. Sears exemplified that at his previous employment he had three supervisors retire at the same time. Instead of replacing them he had the lead man report to him as a way to save his employer money. So in this instance he explained that if the City Manager left the lead person could inform the next person on the intricacies of the City's operation. He said to go against the recommendation of the person who has the training and experience to do that is not in the best interest of the taxpayers of Trinidad in his opinion. In the newspaper one council member who said he was opposed to these two things made his actions based on principle. Mr. Sears said that not only would the taxpayers have to pay the principle but we would have to pay the interest. Councilmember Pando commented that he doesn't have street lights of any kind on his street. He didn't get LEDs on his street. Mr. Sears said he asked the City Clerk who claimed they were put in front of all of the Council members houses. Councilmember Pando reiterated that there are no lights on his block and attributed it to a possible breakdown in communication. Mr. Sears confirmed with Councilmember Pando that he was at the work session when the project was discussed and said he would check back in the records because they must be in error about a light being placed in front of his home. Mr. Sears concluded that the points he made about saving the taxpayers money are still relevant.

Marilyn Leuszler addressed Council. She commented that Mr. Michaels has eloquently spoken about a number of issues and concerns affecting Trinidad citizens. She said she would merely list those, but wanted Council to know that she agreed fully with what he had presented, but has two additional points. She said City Council needs to have open communication with their constituents, drop all personal agendas, listen to and respect community opinion, and fully disclose and inform taxpayers regarding issues before City Council in a timely enough manner to allow public input. She said she felt there should be no Superintendent of Power & Light at this time, noting that financial reasons have been brought to your attention. Ms. Leuszler said she'd like the LED project brought back. It is mandated for LED lights to be installed by 2014, so there is absolutely no reason for the project to be delayed when the added cost will be substantial. She asked Council to give their full support to the Creative District designation, which can't do anything but help Trinidad. She also asked that they allow City Manager Gil de Rubio to do the job he was hired to do. She said this is the first time in the 12 years she has lived in Trinidad that she felt the City moving forward and it is primarily because of the programs City Manager Gil de Rubio has initiated. Finally, she said she strongly opposed the creation of a Blue Ribbon Panel Committee as proposed. In a city as small as Trinidad, there should be no reason whatsoever for there to be a group of people who would be placed between City Council and the citizens of Trinidad. Those of us who live and work in Trinidad are most certainly capable of advising City Council and making our wishes known when there are important issues being discussed or voted on. She pointed to Mayor Rino and said he was quoted in today's Chronicle News as saying 'City government needs to listen to the citizens and engage them in the governing process' and emphasized that the citizens are here, speaking and engaging in this very process. The idea of having a self-appointed committee telling you things she may not agree with is offensive to her. The citizens of Trinidad wish to use our own voices, not those of others appointed by City Council members.

REPORT BY CITY MANAGER. Work session schedule. City Manager Gil de Rubio advised Council that on February 14th he and City Attorney Beatty have to go to a status conference at the Las Animas County Courthouse regarding ARPA, which is a regular work session day. He asked and received Council's consensus to hold the work session at 3:00 p.m. on that date rather than at 1:30 p.m.

Retreat. City Manager Gil de Rubio reminded Council of the retreat/planning session scheduled for tomorrow (January 18, 2012) at 9:00 a.m. at Mt. Carmel Community Center.

Grants. Mayor Rino said he received a phone call from a reporter at the Chronicle News today who was asking him about grants being proposed. He said he couldn't answer his questions because he didn't know what was being written by the City Planner. The reporter mentioned a trail grant and soccer field grant. Mike Albanese from the Chronicle News said he called Mayor Rino about the Fishing for Fun grant, a bike grant and a GOCO grant for a soccer field at Central Park. Mayor Rino said it may be wise for Planning Director Fineberg to be at the next work session to go over the grants being applied for. City Manager Gil de Rubio reminded Council that the information was provided at the last budget hearing. He said they planned on the GOCO grant but weren't sure how they were going to use the money. Then President Lopez from TSJC approached him on creating a soccer field down by Central Park. It would fall in line with GOCO priorities. He added that there's a list of grants in the budget. Mayor Rino reiterated his request that Planning Director Fineberg be at the work session and also provide information as to the City's contributions and where the money will come from for the same. City Manager Gil de Rubio asked that Council look in their budget information provided at a budget work session where it had all been outlined in the Capital Improvement section. He said he'd print it out again and added that it shows where the in-kind funds will be derived.

Colorado Welcome Center Visitation Report. City Manager Gil de Rubio deferred to Welcome Center Director Tara Marshall to provide Council with a second quarter visitation report. Ms. Marshall addressed Council and pointed to the printed report at their seating places. She reminded them that the Welcome Center is the only City department on a different fiscal year, the State's fiscal year, which begins July 1st and ends June 30th. That is why she was before them to present the second quarter report rather than a fourth quarter report. On the handout distributed prior to the meeting, Ms. Marshall pointed out that she retained the first quarter information on the report for comparison purposes. She identified that while

first quarter visitation was 26,833, second quarter visitation was only 8,529. As anticipated, visitation dropped in the second quarter. The goal set by the State Tourism office, which is part of the contract with them, is 70,500 annually. So, she noted, six months into their fiscal year the Welcome Center is at 50% of its goal. Ms. Marshall said she is still trying to get a sense of whether they have the ability to hit their goal, but it is hoped that they will. They will have a better picture of whether it is possible third quarter. She continued that second quarter was down 13% from the same period last year. The drop off started to happen the third week of November and December was down significantly. Texas visitation numbers in the first quarter accounted for 43% of the total. The second quarter they accounted for 25%; Texas didn't show up in the second quarter. The entire Welcome Center system all around the state was down the month of December. Because Texas and California are the two largest visitors to the state, with Texas numbers being off, the state was down as well in the second quarter. Vehicle data from CDOT showed a decline as well. The count happens at the border and the data showed that northbound was down 12% down and southbound was down 4% in second quarter. She reiterated that Texas travelers just didn't come in the second quarter. However, the ski season hasn't really started in the northwest. She said she's hoping the next months can cover some of those numbers with the ski season starting up. Ms. Marshall said 1,293 individual zip codes were collected in the second quarter, with Amarillo, Texas, again having the highest number of visitors. Internationally, Canada and Germany were highest on the list. In the first quarter Mexico was third on the list of highest international visitors and second quarter there were no visitors from Mexico. Ms. Marshall said another part of their contractual requirement with the State Tourism Office is that they maintain at least 47 volunteers. Currently the Welcome Center has 50, however she and Asst. Director Carol Patrick have set their own goal of having 60. They hope to attain their goal by May or June. Yet another part of the contract, she reminded, is to hold volunteer events, 10 per year. She said she's detailed for them the five events in the past six months, the most recent being a murder mystery dinner/theatre party at Mt. Carmel Community Center. There was a 1920s speak-easy done in the basement of the church. There were about 70 people in attendance. She said it set the stage to continue to recruit quality volunteers. Ms. Marshall said she has also been interfacing with different groups. A Welcome Center Manager can approach things several ways. First they need to be recording and reporting data, which they are doing, and is the reactive position. The proactive position is by getting involved with groups to identify how to increase tourism and the economic base. If those increase eventually visitation will increase. She and Ms. Patrick are trying to approach it both ways. She spoke of four ongoing and upcoming programs. The first she reported on was the application to the State Byways Commission for 'Kid Healthy Family Vacations' designation. Trinidad partnered with Lamar and La Junta for the Santa Fe Trail; with La Veta, Aguilar, Walsenburg and Stonewall for the Highway of Legends. There were 25 byways in Colorado. They chose five of the 18 applications received and both of Trinidad's were chosen. When the Colorado Tourism Office and State Byways Commission kick off the national campaign to market these kid-friendly vacations she estimated it will be advertised something like "Come to Colorado and bring your family for a kid-friendly vacation" and they will suggest where the vacationers should go. Trinidad anchors two of those byways. Ms. Marshall said Trinidad is set up in a good position as this kicks off in 2013. She said this year they will set up partners and stake holders along those byways. Another program is the Five-County Heritage Tourism/DOT Signage Program which will happen in February or March. She explained that there will be two cars, one starting in Canon City and heading south and one starting in Trinidad heading north. There were 10 heritage tourism location identified in each of the five counties for a total of 50 locations. Over three days the two cars will travel. The person in the front seat of the car will be someone who has never been to the region or traveled in the five counties. In the back seat will be one person from the Colorado Tourism Office and one from the Colorado Department of Transportation. There will be no directions given to the person in the front seat from those in the back seat. The people in the front seat are to find these locations. She exemplified how the program worked through a past experience of participants, with the goal of improving motorist signage so as to find their destinations. The third program is a local state agency heritage tourism program. It is a partnership between the Welcome Center (the City) and the State Tourism Office, the Trinidad History Museum, which is history Colorado, and the Trinidad Lake State Park to offer four different heritage activities between the spring and summer. One will be a tour of national historic homes and buildings. Another will be an historic cemetery tour and one will be a tour of the WPA property at Monument Lake on the Highway of Legends, and yet another will be a pontoon boat tour over Trinidad Lake to show the Sopris area that was flooded several years ago. The idea is to try to bring our local heritage tourism to citizens who want to sign up. The Colorado Welcome Center will host this program. Finally, Ms. Marshall thanked Council for their support of the grant application they submitted in December to the National Scenic Byways for \$350,000 for infrastructure updates. Those applications were first reviewed by the Byways Commission who ranked them and passed them onto Washington, D.C. The Welcome Center in Trinidad's grant application went in ranked #3, which she said is very good news. This year there were 12 applications submitted. Last year there were ten applications submitted and nine funded, so it looks like this application will be funded. Councilmember Pando commended Ms. Marshall for doing a fantastic job. Ms. Marshall credited the volunteers.

REPORT BY CITY ATTORNEY. Special Meeting. City Attorney Beatty advised Council that Mayor Rino has authorized a special meeting next Tuesday, January 24th at 1:30 p.m. for review of a Special Event Permit application submitted to the City.

Special Event Permits. City Attorney Beatty addressed Senate Bill 11-66 regarding Special Event Permits with Council. He reminded that liquor licensing in Colorado is a dual-licensing process in the State of Colorado. This new bill allows cities to opt out of dual licensing for Special Event Permits to allow local authority action only. City Attorney Beatty said staff would like to bring forward an ordinance for Council's consideration to allow Trinidad to opt out. He clarified that the State would still receive a copy of the application but administrative action would occur separately only at the local level rather than both levels. This proposed change would afford applicants a monetary savings as they would not need to pay the state fee. He concluded that he would bring forward an ordinance in the near future.

ARPA Litigation. City Attorney Beatty reminded Council that in regard to the ARPA litigation, ARPA has made a request for production of documents. He asked that the sitting Council go through their notes and in the event they have any on the re-powering project they let him know.

COMMITTEE REPORTS. None.

UNFINISHED BUSINESS. None.

MISCELLANEOUS BUSINESS. Resolution of the City of Trinidad, Colorado, designating the Corazon de

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Trinidad National Historic District as a "Creative District" for the purpose of seeking certification by the Creative Industries Division of the Colorado Office of Economic Development and International Trade. City Manager Gil de Rubio reminded that this was discussed at work session and is a component of a grant being sought. Welcome Center Director Tara Marshall explained that the Governor will designate 15 municipalities as Colorado Creative Districts. Two will be designated as Creative Districts; five as Perspective and eight as Emerging. There are three levels of support that need to be shown – community support, which they are trying to demonstrate through a community letter of support; individual / group support, which they've asked about 23 organizations to cite their support of the designation for inclusion in the grant application with letters; and finally, government support, which will be indicated through the resolution if Council considers it favorably. She concluded that they are working to get the designation. A motion to approve the resolution was made by Councilmember Shew and seconded by Councilmember Baca Gonzalez. The motion carried by a unanimous roll call vote.

RESOLUTION NO. 1378

RESOLUTION OF THE CITY OF TRINIDAD, COLORADO, DESIGNATING THE CORAZON DE TRINIDAD NATIONAL HISTORIC DISTRICT AS A "CREATIVE DISTRICT" FOR THE PURPOSE OF SEEKING CERTIFICATION BY THE CREATIVE INDUSTRIES DIVISION OF THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT AND INTERNATIONAL TRADE

Consideration of lease agreement between the Trinidad Masonic Temple Association and the City of Trinidad. City Manager Gil de Rubio advised that this is for a lease with the Masonic Temple for the library computer center on Main Street. Councilmember Baca Gonzalez complimented City Attorney Beatty on the drafting of the lease. City Manager Gil de Rubio noted that there will be a sub-lease paid to the City for \$100 per month for the loft area. He identified the location as 132 (East) Main Street, upon inquiry from Councilmember Pando. He encouraged Council to stop in and see the computer center, adding that there are about 300 people per month in there and the number is climbing steadily. A motion to approve the lease agreement was made by Councilmember Bolton. Councilmember Bonato seconded the motion, which upon roll call vote carried unanimously.

Consideration of bid results for the City of Trinidad Golf Course Clubhouse remodel. Public Works Director Mike Valentine addressed Council. He said he advertised for bids in the local papers and sent them to contractors licensed in the City to do remodeling on commercial buildings. The work includes replacement of all windows, from single-pane to energy efficient Low E windows, new exterior exit doors to meet egress code for a public facility, new flooring where applicable, a new HVAC system, new plumbing and electrical systems and interior and exterior paint. He reminded Council of their discussion at work session whereby staff was originally intending to re-use the Community Center's kitchen equipment in the clubhouse. A mandatory pre-bid meeting was held on December 29, 2011 with 17 prospective contractors in attendance. Bids were received and opened on January 5, 2012. Seven bids were received and read aloud. He pointed to the bid schedule in the Council packets reflecting the bids received, low to high. He said the apparent low bidder was Purgatoire Valley Construction in the amount of \$307,250. Subsequent to the opening, PWD Valentine said he had contact with that contractor who suggested value engineering of the kitchen equipment. He said it appears they will be able to install new equipment for the same price. Councilmember Bonato asked the total City expenditures made toward the clubhouse since the project started, including this \$307,000. PWD Valentine said the purchase of the building and property cost \$280,000; the roof cost \$135,000; the asbestos abatement cost \$25,000 and the low bid for this work is \$307,250. City Manager Gil de Rubio said the total is about \$744,000, including the price of the building and land. Councilmember Baca Gonzalez asked PWD Valentine if he is satisfied with the integrity of the roof on the building. PWD Valentine said he is. The few issues they had have been corrected. Councilmember Pando moved to accept the low bid received from Purgatoire Valley Construction in the amount of \$307,250. Councilmember Velasquez seconded the motion. Councilmember Baca Gonzalez commented that the City has North Lake dam to repair and there are City streets to fix. This is a desirable project, but not essential. She suggested it should be deferred for that reason. The City can't keep doing business as usual. We have to focus on the critical needs first and then later on luxury items like the clubhouse. How can we justify a non-essential expense of \$300,000 on the clubhouse to our taxpayers, many of whom cannot pay their light bill because a substantial number of them get less than \$500 per month either in social security or disability payments? She said she thinks it imperative that they focus on critical issues of safety, safe water, safe streets and improvements to the infrastructure – things the taxpayers can understand. She reiterated that this project is desirable but not essential at this time. Councilmember Bonato asked without the golf course running in proper order are we going to give up? Will we just abandon this effort? It is a great nine-hole course. He said he knows it brings in a lot of tourism money. He asked Councilmember Baca Gonzalez what her plans are, opining that they need the Golf Association to run it. The City can't run it, between the maintenance, etc. He asked if this is not allowed are they just going to let it deteriorate. Councilmember Baca Gonzalez said that was why she asked about the integrity of the roof, to ensure it will not deteriorate from leakage. She said she is suggesting it be deferred until other more critical issues are addressed. Individuals can go and play golf without a clubhouse. She added that the course is very well maintained. She said she is not saying to put it off forever, but they should focus on critical issues, like the North Lake project and coming into compliance with State regulations regarding backflow preventers as discussed in the recent work session. We are a City with many older structures. We don't know what it will cost to come into compliance with that law and perhaps assist our taxpayers in meeting those requirements with the installation. She pointed out that there are civil and criminal penalties with the failure to comply with that legislation. Councilmember Baca Gonzalez concluded that these are the things that are bothering her and between now and when we get a handle on the critical projects. She recommended they can cover over the windows to minimize the possibility of vandalism. One to two years isn't going to be harmful to the project. The golf course is still useable; people can still play golf. Roll call was taken on the motion to accept the low bid, which carried with the following votes being cast:

Aye – Pando, Shew, Velasquez, Rino
Nay – Baca Gonzalez, Bolton, Bonato

Councilmember Bonato in casting his vote commented that it is based on it being deferred one year. Councilmember Shew said there is a problem that may need to be solved – there are no restrooms up there and they have to bring in port-a-potties. He asked if there's some way they can solve that problem with the clubhouse itself. City Manager Gil de Rubio said he can look into temporary access to the clubhouse. He said they can't let the building sit there unheated. It is important to move forward with the HVAC system. They have to heat the building or the moisture will ruin it. He estimated it to cost \$50,000 for the HVAC system and another \$10,000 to isolate access for bathrooms for a total of about \$65,000. Councilmember

Shew in casting his vote commented that the City has a lot invested in the project. Upon conclusion of the voting, Mayor Rino pointed out that the clubhouse project is in the budget. Here we are doing exactly what they were going to do because the money is already in the budget. The money for North Lake has been established – there’s money in the water department budget, close to \$4 million, plus a grant pending for \$800,000. Capital improvement money can’t be used for North Lake. He emphasized that this is a capital improvement project and those projects were established long ago. This project is not taking money away from anything.

Memorial resolution of the City Council of the City of Trinidad, Colorado, acknowledging the contributions of Alex L. Passarelli, Jr., upon his passing. The resolution was read aloud. A motion to adopt the resolution was made by Councilmember Bolton. The motion was seconded by Councilmember Shew and carried unanimously upon roll call vote.

RESOLUTION NO. 1379

MEMORIAL RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, ACKNOWLEDGING THE CONTRIBUTIONS OF ALEX L. PASSARELLI, JR., UPON HIS PASSING

WHEREAS, Almighty God, in His infinite wisdom, has seen fit to take Alex L. Passarelli, Jr., from this earthly life; and

WHEREAS, during his lifetime, Alex L. Passarelli, Jr., distinguished himself as a military veteran, civil servant and civic leader; and

WHEREAS, Alex L. Passarelli, Jr., faithfully served the people of the City of Trinidad as a City Councilmember from January, 1994 to January, 2002. He also served as Mayor Pro-Tem from August, 2000 to January, 2002; and

WHEREAS, upon the passing of Alex L. Passarelli, Jr., the City of Trinidad wishes, by this Resolution to acknowledge his many contributions to the community and to express its regret and sorrow to the Family of Alex L. Passarelli, Jr.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TRINIDAD, COLORADO, that:

The Mayor and City Council do hereby extend their condolences to the Family of Alex L. Passarelli, Jr., and by this Resolution do hereby remember the many outstanding contributions made by Alex L. Passarelli, Jr., to the Trinidad Community.

BE IT FURTHER RESOLVED that this Resolution shall become a part of the official minutes of the proceedings of the Trinidad City Council and a copy of the same shall be provided to the Family of Alex L. Passarelli, Jr.

INTRODUCED, READ AND ADOPTED this 17th day of January, 2012.

/s/ JOHN RINO, Mayor

/s/FRANKLIN SHEW, Mayor Pro Tem

/s/JOE BONATO, Councilmember

s/BERNADETTE BACA GONZALEZ, Councilmember

/s/ALFREDO PANDO, Councilmember

/s/CAROL BOLTON, Councilmember

/s/LINDA VELASQUEZ, Councilmember

Discussion regarding the LED Lighting Project. Mayor Rino commented that he didn’t think Council ever said the LED lighting will be discarded totally and altogether. He said his position is that they took an oath of office about a week ago to follow the Constitution of the United States and the ordinances of the City. According to the ordinances, we have to bid out anything over \$30,000. This project was never bid out. There was a proposal negotiated by City Manager Gil de Rubio. Mayor Rino said he thought they’d be in violation of our ordinances if they do not bid the project. He continued that he previously spoke to City Attorney Beatty who probably thinks the same thing. He said he was willing to put the project back in the budget so long as it goes out to bid. To those present he said they are asking Council to be careful with their dollars. He would like it to go out to bid, which he estimated would only delay it by 60 to 90 days. He asked City Manager Gil de Rubio if this project can be put back in the budget. Mayor Rino said he was elected to represent the people and felt this is the proper way to go, apologizing to anyone who felt he was overstepping his bounds. Mayor Rino added that concerning the comment made earlier about nepotism and hiring practices, he has never asked the City Manager to hire or fire anyone. He continued that his family has been in Trinidad since the early 1900s and none have ever worked for the City. It is terrible to say they are showing nepotism. He said his opinion is that the City needs to hire an engineer in the electric and gas departments, maybe others don’t agree. His opinion shouldn’t be taken negatively. It would alleviate a number of problems. He reminded that the City settled a lawsuit about four years ago that cost over \$500,000. The suit wasn’t Council’s fault. He said he just firmly believes that the City needs that kind of person. He added that the City Manager’s job, with all of the goals and objectives and projects he wants to do, will be a full-time job to accomplish them. Councilmember Pando advised that he was willing to back down on the LED lighting project if we go out to bid and perhaps save even more money. He reiterated he is willing to do that – back off of where he’s been. Bill Winter addressed Council. He asked if there’s a reason why the City’s Power & Light Department can’t install the LED lighting and the City go out to bid. Mayor Rino said that’s the plan and the price is still \$444,000. Bill Winter asked if that’s the price without going to bid. City Manager Gil de Rubio pointed out that City Attorney Beatty made reference in work session to the bidding, but

this is the first time he has heard City Council having a problem with the way the prices were procured even though the project has been discussed since July. According to the City Attorney, this was within the procurement ordinance. He explained that he didn't go out for an RFP. The proposed lighting will be special fitted to each existing light the City has with a template. He added that this if the first time he has heard that Council wanted an RFP. It could have been done a while back, but this is the first time he has heard this as opposed to during the budget process. Mayor Rino said it was discussed at the last work session. City Manager Gil de Rubio acknowledged it being mentioned at work session but there was a qualifying reason why it didn't get bid out and the City Attorney had said we were within the procurement ordinance. Mayor Rino asked why it can't go out to bid. City Manager Gil de Rubio answered that we can, but when this project was first started there were very few manufacturers nationally who would retrofit out lights. There were companies that would sell the City new fixture and lights and install them themselves. He said if Council is willing to go through the process, he's willing to go out to bid tomorrow, he just wished he would have known it earlier. Councilmember Shew recalled that there were four price proposals at work session and asked if he obtained those prices by calling and requesting a quote. City Manager Gil de Rubio said he did, mostly through e-mails. Basically we are buying light bulbs, not light fixtures. Councilmember Baca Gonzalez opined that her understanding of the relevant section of the ordinances is that nothing was done illegally because of exception provided in the ordinance for specifically manufactured and/or sole source of the lights. Mayor Rino commented that he didn't say it was illegal. City Attorney Beatty told Council that from a procedural prospective, in the event City Council contemplates the LED project commencing this year, they must first pass an ordinance or resolution amending the 2012 budget for that purpose. The City Manager would not feel comfortable proceeding unless that's done. Regarding the City's procurement policy, it sets forth standard procedure for the procurement of goods. When the purchase price of goods is \$30,000 or greater, the standard policy requires a competitive, sealed-bidding process. However there are exceptions to the policy. They don't necessarily have to apply. City Council is not doing anything illegal if the standardization or compatibility of the goods being purchased are overriding considerations. City Attorney Beatty said he felt very possibly and probably that this falls into that exception under the City's procurement ordinance. However, it is not the most conservative approach. The standard approach of a competitive sealed-bid process is preferred, rather than taking our chances of falling under an exception of the policy. He added that he has discussed this with the City Manager in the past. City Attorney Beatty opined that the whole topic has been in overdrive because of a propaganda campaign. This was first discussed in work session in mid-2011 and then Council received an update thereafter. It was formerly a line item in the 2012 budget, however there's been no formal consideration by Council. That would be something forth coming if City Council amends the budget to pursue that course this calendar year. Councilmember Baca Gonzalez asked where that leaves them if they want to move forward in taking action in approving the LED lighting. She asked if City Attorney Beatty is more comfortable in going out to bid how it can be packaged for action at a future meeting. City Attorney Beatty said he would need to formulate a resolution to make a line item adjustment in the Power & Light Fund. Then City Manager Gil de Rubio can go forth with the bid process and it can go forward this year. Mayor Rino clarified that the \$75,000 allocated in the 2012 budget for a Superintendent would just be transferred to the LED lighting in the resolution to take care of the payment for this year. City Manager Gil de Rubio pointed out that it would depend on if the numbers work out accordingly, how the bids come in and the interest rate. Mayor Rino said it is proposed as a seven-year note. Councilmember Baca Gonzalez noted that this is not posted for action tonight. Councilmember Bolton asked if this goes out to bid will the City lose the already negotiated \$200,000 discount and free lights at the ballfield and the classes at the junior college. City Manager Gil de Rubio corrected that the lights at the ballfield were not going to be free but are at the manufacturer's cost, but all bets are off with the proposal when it's out to the competitive bid process. He said he was informed that the manufacturer will hold their proposal until January 31st. Dave Grugel asked if it is possible that bids could come in lower than the \$400,000. City Manager Gil de Rubio said what he has been told is that the mark up on this proposal is between \$5,000 and \$7,000, but we can go out for an RFP. He reminded that it has been on the table for a long time now and he's concerned that he's only hearing about interest in an RFP tonight. Dave Grugel commented that Council is good at last minute stuff. Councilmember Bonato asked City Attorney Beatty if according to Robert's Rules of Order when a motion is made and voted on, such as is the case with the LED lighting project on December 20th where a vote was taken by the previous Council (to not proceed with the LED lighting), how this Council can overrule a vote taken only two weeks ago. He suggested if Council does that they will be opening a can of worms. He asked if Council were to deny a variance does that give that person the right to come back two weeks later. We better stick to Robert's Rules of Order. There are people looking into it, he said and he has a number of questions. Sandra Nichols said Council didn't have the authority to put this issue up for call on December 20th. Councilmember Bonato responded that the motion was made in a City Council meeting. Ms. Nichols reiterated their lack of authority. She said it is not Council's job, rather it is the City Manager's job. Council can't strip the budget. Councilmember Bonato said Council has the right to disagree and that they work for the people of this City. City Attorney Beatty clarified that the motion on December 20th to amend the budget was a lawful budget amendment made on the second reading of the annual appropriations ordinance. That is a function of City Council to oversee the budget for the City. Secondly, City Council has the authority to re-address the budget during the calendar year as provided for by the Charter. They can amend and re-consider expenditure of public funds. As analogized, there are actions by the governing body they can't be reversed, however this isn't one of them. Mayor Rino added Council has the right to repeal the decision of the previous Council. He said he would change his position on this matter if we were to go out to bid. Steve Bolton addressed Council. He said the conversation can be ended real quickly. He asked the audience to respond if they wanted to have City Manager Gil de Rubio's plan put back into the budget as it is and move on with this lighting project. Those interested illustrated so with applause. He said he would like to have the plan put back into the budget as is and move on with the lighting project. He urged Council to listen to the citizens and move forward and get it taken care of. Then they can move on to other things. Mayor Rino said they should do it the right way and go out for bids. Mr. Bolton responded that the citizens are happy with the program and cost the City Manager came up with. He asked them to move forward, please. Councilmember Pando commented that the people in the audience don't represent the whole City, rather they represent this group of people and they want Council to make a decision because of this group. He added that he wasn't elected by a small group but rather he was elected by the whole City and he'll make his decision based on their request. Mayor Rino said they have to make a decision based on what they think is right. He reiterated that he wants to go out to bid. We may save money. Tim Peters asked City Attorney Beatty if they can move forward legally where they are right now. City Attorney Beatty answered that the appropriate procedure is to amend the 2012 budget to appropriate funds for this project. Once we have a mandate for doing so from Council regarding the budget, they can look into the expenditure of those funds. Tim Peters surmised that he was saying it is legally okay. He then asked City Manager Gil de Rubio about the four other proposals provided to Council and asked if anyone else saw those bids and what the cost range was. Mayor Rino pointed out that those were not bids. There were no specifications. He added that with Mr. Peters being a contractor had the City hired someone to do work on the clubhouse without bidding he would be the first one here to

complain. He said he's just asking that they do this the way they are supposed to do it by going out to bid to proceed. Then they can bring it to Council to transfer money in the budget. Mr. Peters responded that if he gets a job he may call four suppliers on prices – that sounds like what City Manager Gil de Rubio did. He would dial into the best deal on the job. He asked City Manager Gil de Rubio if there were specifications when this was sent out to price. City Manager Gil de Rubio responded affirmatively. Mr. Peters questioned what he was missing here. Mayor Rino answered no advertisement, no Council recommendation to go to bid. This was never done. Mr. Peters said he disagreed with Council with the information he has heard. Terry Sears asked if Council may by motion put the project back into the budget. Mayor Rino said it needs to be done by resolution and suggested it could be included on the special meeting agenda for Tuesday. City Manager Gil de Rubio suggested that before they do a resolution they find out the cost so there are adequate funds stated in the resolution. Councilmember Shew asked to hear from the representatives from the company making the proposal. Bob Bigalow, Live Green Solutions stepped forward. Councilmember Shew asked Mr. Bigalow since he sells the product and to other communities, what his opinion is on the City taking bids on what he is selling to us. Mr. Bigalow said Live Green Solutions submitted a proposal, and as he understands it several were actually submitted. The difference with their product is that they are custom made. He pointed to the product in City Hall's parking lot and explained that those were measured by the City's employees and then they built them to specification. They don't have to replace the entire head like some of their competition sell. The discount is in place until the end of the month. Mayor Rino asked if most companies submit a request for bids to his company. Mr. Bigalow answered that some do. The problem is that there is a lot of leg work in terms of an audit. Mr. Bigalow said they provide the service for free. He added that it is difficult to put specifications together for a project like this because they are custom made. Mayor Rino asked if he is willing to submit a bid. Mr. Bigalow said he feels they already did, knowing they are in competition with others. Councilmember Bonato asked what kind of lights are in our City now. Chad Limbeck, Live Green Solutions, answered that in their proposal they submitted about ten different bulb types, from 100 watt metal halide to 150 watt mercury vapor. He also pointed to the lights in the parking lot illustrating that the fixtures were retrofit with their bulbs to keep the aesthetic appearance of the traditional light head. He added that they offer 100% quality control with every bulb they sell. Councilmember Bonato said his understanding is that the Federal government mandated the elimination of incandescent lighting and that we don't have that many here. The only type of fluorescent lighting we have is on Simpson's Rest lighting the Trinidad sign. No where does the manuscript state the photo metrics of the bulbs proposed, whether they'll be lighter, brighter, use more power or less power, as compared to what the City has now. He said he read the whole thing. Mr. Limbeck offered to provide a specification sheet for traditional bulb. Councilmember Bonato asked why it wasn't included in the proposal. Mr. Limbeck explained that in their proposal is an energy schedule showing existing wattage with the ballasts included and then the replacement wattage with their LEDs. Bill Winter asked the representatives of Live Green Solutions if the City has to go out for an RFP would there be a strong likelihood that the contractor selected to install the lighting would have to produce an energy audit. Bill Bigalow said there is probably enough information now for the City to put out an RFP and the companies submitting can come up with whatever replacement they choose. LED lighting saves energy, maintenance and repairs, the disposal, they are not hot. The mandate for LEDs is here and the future is now. He reiterated that their proposal would retrofit the lighting to the existing fixture and therefore doesn't require a new head. Bill Winter asked if he, as a general contractor, jumped in on the RFP could he expect to be contacted to produce an energy audit by a state or federal agency. Mr. Bigalow answered that if he wants to gather the information they did then absolutely. Steve Bolton told Mr. Bigalow that the community has hit a brick wall with Council who is going to continue arguing with them on this issue. He asked Mr. Bigalow to please hold their proposal's benefits in place until this is resolved with Council if this goes out for bid. This is going to take a little bit of time and Council is not going to let us have this lighting right now and the community is going to have to fight for it. Mr. Bigalow said he is willing to try to work with the manufacturer. He explained that one reason the manufacturer is willing to generate that significant discount is that they want to be in front of this with a city to show off their product. Mr. Bolton asked Mr. Bigalow to please relay his message to them. Mr. Bigalow said they'd do their best. City Attorney Beatty noted that there was a statement or two made regarding the federal mandate of retrofitting to LEDs by 2014. He asked that the energy standards mandated by Congress be clarified in the 2007 Energy Bill. Mr. Bigalow deferred to Live Green Solutions' General Counsel Mark Adams. Mr. Adams addressed Council. He said the law passed in 2007 and the Bill passed with overwhelming bi-partisan support with the thought by some being that wasting energy is bad for the environment and others thinking that wasting energy makes us dependent on foreign oil. They established a schedule by which incandescent light bulbs including HIRs and high and low pressure sodium would have to become more efficient producing the same light with less wattage. The problem is a 75 watt light bulb can't produce the same light as a 100 watt bulb. The first bulb to be effected by this was the 100 watt lights bulbs which became illegal to manufacture or import as of January 1st of this year, 2012. In December the Department of Energy was denied funds to enforce the law for ten months, then the funding will be back in effect. He reiterated it is illegal to manufacture or to bring in 100 watt bulbs but there's no money to enforce the law. The industry is very much against any delay in the federal law because they have taken the last four years to retool and change their factories to get compliant with that law. They've made that investment and don't want the law to change. Starting with 100 watt bulbs being eliminated this year, the standards take effect year after year through the end of 2014. Mayor Rino asked if the mandate is absolute. Can an extension be applied for? He said he couldn't find anything in the law that said it would be done by 2014 and can't go beyond that. Mr. Bigalow answered that they are only talking the 100 watt bulbs but it will eventually affect every light bulb. Mark Adams added that every light bulb in Council Chambers is an incandescent bulb that will be affected by this legislation. He said he's not aware of any process available to apply for an extension. This is a federal law that will override state and city law. The future is here. The federal law makes it illegal but there's no money to enforce it, so the question becomes do you follow it or run the risk. Terry Sears pointed out that the manufacturer of the bulbs wants a city that's a show place. They are willing to give training and extra discounts to the cities that move early and fast so they can bring other cities along. The City will lose that edge if we take too long. Massod Siaed asked, assuming this doesn't go forward tonight and the Mayor and City Council will cooperate, how long will it take to draft a resolution, to get the bids, and come back to pass it. Can they have a special meeting? City Manager Gil de Rubio said he can turn RFPs around within 30 to 45 days. He has to advertise and get the bids in. Tim Peters asked if every company is offering the training program this company is offering at TSJC and to explain the program, opining that he felt it to be an important factor. Mr. Bigalow answered that he can't speak for the competition. He added that they are a Colorado company headquartered in Denver, they have a footprint nationally and expect a significant amount of business. Mr. Bigalow said the training of personnel is important. The City's staff did the install of their product and found it to be a simple process. They will also offer training at Trinidad State Junior College and Pueblo. Tim Peters asked how long the training program will go on. Mr. Bigalow answered that there will be permanent jobs for the installation of the lights in this part of the world. The program itself is not long. They need some senior electricians involved. However, he said the program would be done over and over as needed. Anthony Mattie commented that the City

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has a rather lucrative proposal before them tonight and we should take advantage, pointing out that they have legal authorization to do so. He said he understands the RFP approach is a more conservative way, however this proposal may go away. He posed the question – what is Council’s plan to cover the cost difference? Mayor Rino answered that he didn’t know if there would be a difference and that they’d have to live with it. It may be less. They should go out to bid. Mr. Mattie asked if they are willing to take that risk, how they will cover the difference. Mayor Rino answered that they don’t know whether it will be more or less. An unidentified party in the audience commented that the City’s not going to be able to buy bulbs and asked where we will be when the lights go out in Trinidad. Michelle Miles commented that this comes down to the risk on the issue in court if it violates the Charter. She asked City Attorney Beatty where the risk falls – more likely than not which is has 51% threshold; then there’s will hold; and finally there’s should hold, which means you would expect to prevail in a court of law. She asked if this is more likely than not or should hold. City Attorney Beatty answered that it falls into the category should hold in a court of law. City Manager Gil de Rubio asked for directed. He pointed out that the money is already in the budget, it would just require a resolution for line item adjustments. He suggested that before the resolution is drafted they have the numbers. He asked if they are considering approaching this resolution they could informally instructing the City Manager to go out to RFP. Mayor Rino suggested they can use the same figures. City Manager Gil de Rubio asked if Council wants the City Attorney to draw up a resolution using the same numbers as was there previously. Mayor Rino answered affirmatively. City Attorney Beatty asked if they would like it to be included on the special meeting next Tuesday. Mayor Rino said yes, if he could get it done.

Discussion regarding the Power & Light Superintendent position. This item was addressed concurrently with the previous item.

Consideration of Blue Ribbon Panel Committee. Mayor Rino told Council and those present that this committee is his suggestion. He said he is still of the opinion that this is a viable way to present alternatives to Council for priorities. He said some of the people present might be on that committee. Mayor Rino said he thinks it is important that Council listen to the people. They may have different interests. For example, when the City Manager budgeted \$344,000 for land acquisition he said he didn’t know that was a priority of Council nor of the citizens of Trinidad, to buy a property and not know what it is to be used for. That may be something that can be delayed and the funding be put to another project. It may be wise to look at it and see what direction we want to go. He said he also thinks there needs to be buffer zone between City Council and the committee. The committee will come up with suggestions and ideas. Mayor Rino continued that he hears a lot of complaints on Colorado Avenue. It drastically needs repairs. He said the budget had \$200,000 allocated to repair it and subsequently \$100,000 identified for Colorado Avenue was removed by City Manager Gil de Rubio for trees. He suggested it can be put back into that project. Colorado Avenue is a priority that Council had in previous years and now it’s off the table. He said he hopes this committee can come back with ideas with what they think is important that Council can’t see some times. Councilmember Bonato said he is also willing to listen to citizens and has had a number of them call him. He said he thinks one top priority that’s not even mentioned tonight is the water problem with the backflow valves. The State also mandated the City has to repair our water lines with the backflow valves. Council has to have some input from the public. He said he is very concerned with the matter of priorities. Regarding lighting, he said they may be able to live with it for one or two years but we are taking a chance of our water being polluted and getting people sick. The Blue Ribbon Committee will offer people an opportunity to talk to Council. North Lake Dam has to be repaired, these water valves also. Council has a lot of major decisions and it will take input to help this Council decide what the priorities are. Carol Cometto commented that Council’s priority is the golf course. Councilmember Bonato said a priority is our water. Dave Grugel asked whose fault that is. Councilmember Bonato said maybe the City knew about this for years, but the City has to get it taken care of. Put your input to us. Steve Bolton stated that we collectively just put input about LED lighting and Council did nothing but argue with them. Now you want input on the water situation. What will stop you from arguing with us again? Councilmember Bonato said he didn’t think as an elected officials they had to take verbal abuse from people like they did at the last meeting. Mr. Bolton asked what that has to do with tonight – stop arguing and start listening. Mayor Rino told those present that they as well as others in the community spend money in Trinidad. That one-cent sales tax is money they are putting forth for capital improvements. He said he thinks it is important that they do things with that capital improvement money that is productive for the City, not to further anyone’s personal goal. He added that he thinks if Council doesn’t do things that the community wants they will not vote it back in. If we lose it, we will lose a great deal of progress. The City uses \$500,000 per year of that money to resurface the streets. We used that money to build a \$2.3 million swimming pool. He reminded that Herm Heise when he was on City Council recommended a skate park and it was built with that money. There are a lot of projects we can use it for but if we don’t show we are using what they want it for, the voters will not continue to support it. They want Council to do things that will show off the City of Trinidad. The City has a lot of work to do in the downtown, on the streets, curb and gutter and parks and trails. We need input, he said, and that’s why he encourages support of a Blue Ribbon Committee. He added that he’s listening to people. To Mr. Bolton he commented that he feels they have come a long way on the LED lighting tonight and thinks that will continue. The only thing he said is that it needs to go out to bid, noting that it may take only another 45 days. It is not that much of an emergency at this point. It is imperative that the City do it the right way with the bidding process. City Attorney Beatty recommended that if audience members wished to address Council they come to the podium. He said there’s a requirement set forth in the Charter regarding committees. His view is this would be an advisory board to City Council. Section 8.2 of the Charter would require the passage of a resolution or ordinance setting forth the requirements of the committee, the number of members and the criteria, duties, terms and other such things such as whether there will be a chair person and secretary. If there’s a consensus of Council, he said he can formulate a resolution or ordinance. Mayor Rino asked that he wait until they vote. Councilmember Bolton opined that she feels they have their committee. Rather than restricting the input to 15 hand-picked individuals, they need to work with the entire community. There are already a number of advisory commissions in existence. That can be a part of their duties, to come forward with ideas to Council. Those people have already gone through the process and are willing to volunteer their time and energy and never get recognized. She concluded that she opposed the appointment of 15 hand-picked people. Councilmember Baca Gonzalez added that Council needs to take a close look at the constraints imposed by the Charter, which was approved back in the 1990s. Chapter 9 of the Charter places responsibility of preparing the budget, including the Capital Improvement budget squarely on the City Manager. Section 6.6 states that neither the Mayor nor any member of City Council shall dictate or interfere with the responsibilities of the City Manager and his employees. Chapter 8 sets forth that while City Council may create advisory boards, those board cannot interfere with any function or duty of the City Manager or Department Heads. Taken together, she said she believes Council has to proceed with utmost caution so as to not overstep its bounds. With respect to capital improvements, Department Heads take their list of priorities to the City Manager who presents them to City Council. The

City Manager presents them to Council. City Council is responsible then for prioritizing. We do have in place a mechanism for public input – public hearings. Any committee, despite its best efforts, will provide only a very limited view and if we want more input there are more effective ways to attain it. They could take surveys, conduct town hall meetings, include questionnaires in the utility bills. There are a lot of ways to collect diverse and meaningful feedback from all taxpayers. The bottom line is we don't need to reinvent the wheel. Let's follow the Charter and let the City Manager come back with recommendations for gathering additional citizen input if that's what Council believes needs to occur. We shouldn't be trying to drive this process – that's the City Manager's job. Councilmember Bolton made a motion to reject the establishment of a Blue Ribbon Panel Committee. The motion was seconded by Councilmember Baca Gonzalez. Roll call was taken and the motion failed by majority with the following votes cast:

Aye – Baca Gonzalez, Bolton, Shew
 Nay – Bonato, Pando, Velasquez, Rino

A motion to accept the establishment of a Blue Ribbon Panel Committee was made by Councilmember Bonato and seconded by Councilmember Velasquez. The motion carried by majority with the following votes cast:

Aye – Bonato, Pando, Velasquez, Rino
 Nay - Baca Gonzalez, Bolton, Shew

BILLS. A motion to approve the bills was made by Councilmember Baca Gonzalez. The motion was seconded by Councilmember Bolton. Roll call was taken on the motion. The motion carried unanimously.

PAYROLL, January 7, 2012 through January 20, 2012. A motion to approve the payroll was made by Councilmember Shew and seconded by Councilmember Bolton. The motion carried unanimously.

EXECUTIVE SESSION. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) – Union contract negotiations. This item was deferred to a special meeting on January 24, 2012.

ADJOURNMENT. There being no further business to come before Council, a motion to adjourn the regular meeting was made by Councilmember Shew and seconded by Councilmember Bonato. The meeting was adjourned by unanimous vote of Council.

ATTEST:

 JOHN RINO, Mayor

 AUDRA GARRETT, City Clerk