

The City Council of the City of Trinidad, Colorado met in Special Session on Tuesday, January 22, 2013 at 9:00 a.m. in the Pioneer Room at Trinidad State Junior College, 600 Prospect Street, 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, January 22, 2013 at 9:00 a.m. in the Pioneer Room at Trinidad State Junior College, 600 Prospect Street

The following item is on file for consideration of City Council:

- 1) City Manager Finalist Interviews
 - a) Mr. John Schneider, New Port Richey, FL – using WebEx
 - b) Mr. Tom Acre, Denver, CO

The meeting was called to order at 9:00 a.m.

Roll call was taken.

There were present:	Mayor	Baca Gonzalez, presiding
	Councilmembers	Bolton, Bonato, Mattie, Miles, Shew, Velasquez
Also present:	City Attorney	Downs
	City Clerk	Garrett

The pledge of allegiance was recited.

City Manager Finalist Interviews. Mr. John Schneider, New Port Richey, FL – using WebEx. Mayor Baca Gonzalez asked Mr. Schneider what interested him in the position and in what way the position fit with his career goals. Mr. Schneider said he had never been to Trinidad and thought he was probably like a lot of people who have lived in Colorado and have driven by on I-25. He said he has done research on the community and was really impressed with the historic down town, the old Victorian homes, the history and the location, adding that he is intrigued with southern Colorado and northern New Mexico with the mountains not that far away and the terrific climate. As far as the position, he said he has been a City Manager for over 20 years and an Assistant City Manager two times for about two and one-half years. He added that being a City Manager is what he thinks he is best at and at this point in his life is what he wants to be. Mr. Schneider said he sees Trinidad's challenges as financial, like a lot of places. It is linked to economic development and he said both are strengths of his – he can help in both areas. He continued that he has a long list of accomplishments when it comes to economic development. The biggest thing you do is base it on the assets of the area and Trinidad has unique assets. It is also based on partnerships. If they don't exist you have to develop them. Mr. Schneider said he has an interest in coming back to Colorado because he has friends, a son and grandson in Grand Junction. Mayor Baca Gonzalez asked Mr. Schneider to describe his budgeting and financial management skills. Mr. Schneider said as City Manager and Assistant and Deputy City Manager he has been responsible for the development of the budget. He said he has also been involved with the development of different types of budgets. Everyone seems most comfortable with line-item budgets but program budgets are also very beneficial when finances are getting really tight. He said he mostly worked with department heads in hashing out the budget and then hopefully presenting it to City Council in such a way that they can understand what it is that's included and Council can ask questions that need to be asked and the questions can be answered. When it comes to budgeting a lot is communication and teamwork. He added that he is a big believer in doing a five-year capital improvement program. He said he involved the community in that process in a number of places he's worked and in times have used a community survey to get the information to feed into the budget. Marketing the budget to the community is an important part of building trust between City Hall and the community. Regarding financial management, Mr. Schneider said that he has been involved in all aspects of financial management. New Port Richey, Florida, where he last worked, he thought was headed for bankruptcy but they didn't realize it and didn't want to believe it. He said he did a five-year cash flow analysis for all of the funds of the City, which is a good tool when financial times are rough. You can anticipate where you'll be five years from now and make gradual changes. He said they did a lot of debt refinancing. Mr. Schneider said he's done union negotiations as well, with New Port Richey having police and fire unions. In 20 years he said he presented 20 budgets to different City Councils. Councilmember Mattie said he's sure that in his research of Trinidad Mr. Schneider has come to appreciate that the community has been a bit divided and we have been without a City Manager since May with a couple of interims since that time. With the previous City Manager's termination came strong opinions on both sides. Through it this Council came to the opinion that they want to unify and have consensus. He asked Mr. Schneider his philosophy rather than have winners prevail and the losers suck it up. He clarified, asking his experience in building consensus. Mr. Schneider said consensus is a good and important thing. Trust amongst Council and management is critical. He said he's seen different things and has actually brought in someone to do some team building. He exemplified that when he was City Manager in Montrose the City Council was not getting along so he brought someone in and did some exercises. He said he thought it would be a good next move in this fiscal climate to develop a plan with goals that can unify City Council and get them working together in the same direction. Councilmember Mattie clarified that Council is unified, however the community is not. Many in the community have opinions and all of them are valid. We need to work in a single direction. Mr. Schneider suggested the City needs to look at different forms of community outreach, involving the community in different aspects of

City business. Social gatherings would get the community together and create an opportunity for them to get involved and change the agenda. The planning process may be done in such a way that you involve the community on the front end and get their input so that they feel like you are listening and want to hear from them. Somehow we have to change the agenda to something more positive. Councilmember Miles told Mr. Schneider that Trinidad faces many challenges and is currently undergoing a large-scale CIP project in the North Lake Dam Rehabilitation Project, which has faced delays. The City through its membership in ARPA has also been involved in another large-scale project – the Lamar Repowering Project – which over the past ten years has gone more than 100% over budget to where it is now at \$172,000 million. It is a big burden on the City. She said we all want to know that the North Lake Dam Project will not turn into that. She asked Mr. Schneider what large-scale projects he has managed or had oversight of project management. Mr. Schneider answered that although not exactly on that scale, but in Montrose there was a half million dollar bypass around the City whereby the City was not happy with the project manager and therefore got rid of him and hired someone new. Councilmember Miles explained that there are a number of communities involved in ARPA who made decisions and members of those communities' staff were involved in making sure due diligence was done. Trinidad realized way too late that the project was mismanaged. She asked his thought process to put a proficient manager in place. Mr. Schneider said it was a business decision because they didn't meet schedule and there were cost overruns. He said he was involved in other situations like that. He would jump into it with both feet and come back to Council with a recommendation. He added that this was an issue he did not find information on in his research and is the first time he's heard of the issue. Councilmember Miles commented that when things get out of control the community gets upset. She asked Mr. Schneider if he pre-empted the situation so it didn't get out of control. Mr. Schneider said he did. The City had a specific budget and didn't want to spend more than that. They had obtained Federal money through an earmark through Congressman Scott McGinnis and the Feds don't like you to go over budget and will not pay it. Making people accountable is what it comes down to. If someone's not working out you get rid of them. Councilmember Miles agreed that is common sense. She told Mr. Schneider that Trinidad is suffering from the difficult economy and time is of the essence. She asked what his priorities would be in the first 90 days in the job. Mr. Schneider said he would get to know people in the community and have lots of sit downs with City Council. He said he would also be going out to departments and businesses and groups. At the same time he said he hears what they are saying about economic development it would be so critical to focus on developing relationships with economic development oriented companies. He said he doesn't know how good the partnerships are between those groups but at the bottom of it are partnerships. He suggested there may need to be a meeting once per month with key players in the community. The Federal and State government are not there to help smaller communities which means you need to work together with other economic development groups. Along with that he said he would digest everything possible in writing such as plans, reports, the Charter, Code of Ordinances, etc., to get to know the community to develop the expertise. He added that in the back of his mind economic development is a key issue so he'd probably be working on economic development issues and looking for opportunities. There are some really simple tools to start off that don't take a lot of time. Councilmember Velasquez asked Mr. Schneider to describe his management style. Mr. Schneider answered that it is team-oriented or participatory. He said he would think of us as a team, all with different roles and if we all do our jobs we'll be successful. He added that he is also a contingency manager which means at times when participatory management doesn't work, he'll use what he needs to use to get the job done. Mr. Schneider clarified that he is not talking about micromanaging people or being autocratic. Councilmember Velasquez asked Mr. Schneider how he would maintain good Council/staff relations. Mr. Schneider said he thinks a lot has to do with information we provide to Council and how we present it. He said he would want us to present information in a very professional way. The goal is to develop trust. Another thing he said he would like to do is develop a strategic plan, noting that he wrote a really nice one for New Port Richey. He said he didn't facilitate the meeting, an outside facilitator came in. Then he wrote the strategic plan. It helped the staff accomplish the things that needed to be done and made them accountable to City Council to meet those accomplishments. He exemplified the North Lake project stating that it would most likely be a goal with a timeline and who is responsible and staff would report to Council when it is to be completed. Regarding Council/staff relations, Mr. Schneider said he is fine with Council talking with staff as long as Council is not giving direction to staff. He added that he is all for any kind of function we can do together to help build team work. We are a team and all have roles – Council has the big-picture policy role, the most important; the City Manager's role is to implement the policies of City Council. If we strive for open and honest communication and are successful it will trickle down within the organization and become part of the culture of the organization. Regarding consensus in the community, one thing he thought to be critical was with the City having 150 employees, they are the City's best marketing tool available for the City because they are out there all day talking to the community. Getting staff on board and getting them to buy into what's going on and why is pretty important. They can be out there working against the best interest of the City. Mr. Schneider said he's seen that plenty of times and that's why it is important to have those good relationships. Councilmember Bonato asked Mr. Schneider what experience he has with economic development. Mr. Schneider answered that he has a tremendous amount of experience in economic development starting with his first job as a circuit writer, manager and planner for Grandby and Grand Lake. He said he developed a public/private train depot for Amtrak. In Windsor where he was Assistant City Manager for two and one half years he said he helped to get a trail started around Windsor Lake. In Fruita he said he felt responsible with City Council for turning that community around. Fruita wasn't prospering – they had just lost 400 jobs when he got there. One of the first projects he worked on was a \$2.5 million regional paleontology center by the Colorado Welcome Center. They got the land donated and put 10% of the money into the project with the rest coming from grants, including \$650,000 from Senator Ben Nighthorse Campbell. At the same time they did a corridor plan to develop a tourist commercial development and got the dinosaur museum which became a money maker for them and also got \$20 million in tourist commercial development surrounding there including a state park with a lake and state patrol office. It doubled the revenues in the City and Fruita went from poor to paying off bonds and start to do things. They did a downtown revitalization project in Fruita and also in one in Grandby. They also took the old elementary school from 1912-1935 which had been abandoned and turned it into a civic center. It became an anchor for downtown. They did a lot of tourism-type things, including mountain bike festival, and other festivals. He said one thing he is proud of it how he lead the effort to create the dinosaur diamond, a 350-mile tour of Colorado and Utah with 50 partners being involved. They were designated in both states and nationally as well with grant money to help develop it. They became a focal point and it was a huge help for the City. Industry wise they brought in a Fortune 500 company that employed a couple of hundred employees. Fruita became a place where people wanted to live and started to really grow and just recently they built a new recreation center and new library. He continued that when he was in Montrose he worked with developers on the south end of the city to do a large commercial development and they got some big box stores in there. They also worked with Telluride. Telluride owned their own air service and Montrose had a big airport with a 10,000 foot runway. Telluride's was scary. Consequently they flew into Montrose, so Montrose subsidized the airfares. They also got some industry. Mr. Schneider said he didn't want to take credit for the industry

because they had an economic development council they worked with who were their partners. In another city where he was Deputy City Manager he oversaw development of plans and downtown projects, a community redevelopment plan and a huge \$5 million downtown storm water project as well as a way finding signage program and a branding program for the City. In New Port Richey the economy was so bad when he started that there hadn't been any great opportunities. He said he worked to keep some projects moving. Things were really bad and the City is one step from bankruptcy. Councilmember Bonato stated that Trinidad is rich with history, such as the coal mines and old buildings. He asked Mr. Schneider about his involvement in historic preservation efforts. Mr. Schneider said he has gotten historic preservation grants, such as for the Fruita civic center and a number of others in Montrose, including their city hall building. Councilmember Bolton asked Mr. Schneider how he would ensure transparency of city operations and financial transactions. Mr. Schneider answered that they will find him to be an open book and that he believes in transparency. It is a cultural thing. He added that he thinks people have different perspectives on it but to him there is no reason not to share. One has to use common sense. When you are in the middle of something it may not be appropriate because you have to do what's in the best interest of the City. He said he would be open and honest—that's his style. He said he saw the City's website and feels more can be done with it. He added that he doesn't know how much is done by way of press releases but thinks it to be a good idea, especially with budget. Also, community surveys are a good tool to get information from the community. Transparency makes the community happy. Regarding financial matters he said he thinks it is staff's responsibility to do a good job in articulating the budget and to get financial reports periodically. Another thing he said he has done is 'Coffee with the City Manager'. People come in and ask tough questions to find out what is really going on. Councilmember Bolton asked Mr. Schneider his salary and employee contract request or expectations. Mr. Schneider said he would prefer to hold off on discussion of salary. He said having not even had the opportunity to see the community it is pretty difficult to say. Regarding the contract he said he'd be looking for some reasonable amount of severance pay if it were decided they didn't want him anymore. Councilmember Shew asked what experience he has with utilities. Mr. Schneider answered that he has experience with water, sewer and irrigation but not with power or natural gas. However, he said he didn't think he would have any problem managing those but hasn't had the opportunity. Councilmember Shew asked under what circumstances he left his last job. Mr. Schneider said with his last job it got to the point where he didn't feel he had the support of the majority of City Council. There were two elections during the time he was there and was a backlash to his discovery that the City was going bankrupt and his being transparent about it that angered some people. They didn't want to be transparent and wanted to sweep it under the rug. He said he knew actions needed to be taken to deal with it and didn't believe he could perform his duties as City Manager with them wanting to sweep the inevitable under the rug. Already the community redevelopment agency went under. The only hope was if they could steal enough money from the utilities and then the utilities would get into trouble. Then every fund would be in jeopardy. Mr. Schneider said he didn't think that was right because the water and sewer served about 45,000 people. To take money from the utilities to balance the general fund he felt was inappropriate. He guessed that would be what they may do if they can. He said he didn't have the support and it became frustrating. He added that his evaluation would have been in November and he left on October 9th thinking he would have been terminated. Councilmember Shew asked what his solution to the problem would have been. Mr. Schneider answered that he would have laid people off. He said he was asked to cut the budget by 10% and he worked very hard to cut it by 6% laying off about 12 or 13 people. No one likes it. They ended up taking it back and only cutting it 3%. It was really a matter of living within your means. Councilmember Mattie asked how long of a commitment he'd make and what assurances he would want from the City. Mr. Schneider said City Managers don't really want to be in a job less than five years, so that's what he would be looking at. Regarding assurances he said the most important thing would be an open and honest relationship and that they negotiate in good faith if we get to that point. He said he'd also like to get out to the community and see it before we were to proceed with anything. Mayor Baca Gonzalez opened the floor to questions from Mr. Schneider. He asked how economic development groups work together now. Mayor Baca Gonzalez answered that we need considerable collaboration and new ideas in that regard. There are some good signs. We have commenced communication with the County and there is a real positive climate that will promote efficiency between the City and County. She added that the County has a new Administrator and that the City is looking forward to working with the County to enhance that component for economic development. Mr. Schneider asked how concerned Council is with the revenues of the City. Mayor Baca Gonzalez said it is very critical. She recalled him mentioning that we must live within our means. Sometimes we have to make hard choices to be able to live within the budget. It is critical that they look at that component to make sure that what we are doing is sustainable, and Council is united to that end. Councilmember Miles added that this community has historically been very dependent on its natural resources, and spoke to the challenges the community has faced because of it. There are substantial community initiatives to try to diversify away from natural resources to tourism and retirement. Mr. Schneider asked if the energy impact program is still around. Mayor Baca Gonzalez said it is through DOLA. Mr. Schneider said he has a good relationship with Lee Merkel at DOLA. Mr. Ron Miller asked Mr. Schneider to discuss his approach to conflict resolution. Mr. Schneider said he thinks a lot of it comes down to listening, not just to the words but what is really meant. Communication is the essential ingredient. He said he likes to approach it from a non-emotional basis, from a business perspective and try to come up with a solution that works, to be creative and think outside the box. Sometimes that means you can't come up with an immediate solution. Also there needs to be respect of the other person and walking away as friends or people who get along. Mr. Miller asked how he would go about conducting an organizational assessment. Mr. Schneider said there are different levels by which one can be done. As City Manager it could mean trying to meet with each employee and finding out what's on their minds. That's not always practical so maybe you pick a sampling of employees from different departments and try to assess what's going on in those departments. How quickly you approach it is based on priority. Another approach is to simply survey City employees on how they feel on a multitude of issues and tell them they can leave the surveys anonymous. If you embark on an exercise like that you have to be willing to take that information and deal with it at some point. From the feedback you can have a conversation with the employees and find a consensus and identify things you have to work on. Then you could set up committees of employees to work on those issues. City Attorney Downs commented that there was a good deal of background information provided to Council this morning. In anticipation of concerns or questions, he said he wanted to give Mr. Schneider a chance to explain the manner in which he left his last job. In the October 3, 2012, New Port Richey Patch newspaper it reports that when he decided to leave he didn't show up to work for a month. It says he and Council decided to part ways but Mr. Schneider basically just stopped coming to work. Mr. Schneider said he took a leave and Council was fully aware of it. He added that he had an Acting City Manager. City Attorney Downs noted that he was gone in September and simply done as City Manager for New Port Richey. He reiterated that he is trying to give him a chance to explain because it doesn't seem to be a positive reflection on how the job ended for him. Mr. Schneider said again that he took a leave. Initially there was medical leave. Then he said he took a small amount of leave to decide if he wanted to go back or not. That's pretty much it. He reminded that he previously explained the atmosphere with Council who has gone

into a mode of not hiring anyone and appointing the librarian as Acting City Manager. They really don't want a City Manager; they want someone that will do what they want. Now they've decided they will not fill the City Manager position until October. City Attorney Downs commented that he didn't mean to end things on a negative note, it was questions people would ask if they read the news stories.

Mr. Tom Acre, Denver, CO. Mayor Baca Gonzalez asked Mr. Acre now that he has served as Acting City Manager what his impression is of the organization and where he sees opportunities for efficiency. Mr. Acre said he has gotten to know most of the employees. Overall he said his impression of staff is good. He said there are things that can be improved on and he has been trying to work with department heads. Everyone in the organization as a whole works well together but needs improvements. He said he has some ideas about tweaks to make things more efficient. He wants to talk with staff first and then bring it to Council. He said what he can bring with his management style is to take people to that next level. They are good but can be great. Mayor Baca Gonzalez asked if Trinidad currently takes advantage of municipal support networks such as DOLA and CML and others. Mr. Acre said to some degree they do. A lot of the departments work well with DOLA and the City Manager and City Attorney's offices have used CML. We can use them more. He said he plans on using them as well as other regional partners and other city managers. Some staff may not know what is out there. Councilmember Mattie asked having the unique opportunity to be Interim City Manager, how his priorities will change. Mr. Acre said he didn't know if they will change that much. He explained that he tried to go in as a City Manager, not as a temporary. He said an area that could change is once he has a chance to sit with Council and they align priorities. Mr. Acre said he is still in the process of gathering information. Councilmember Mattie asked what he sees as future collaboration between the City and County to combine resources. Mr. Acre said he thinks it could be endless on what they can work together on. He said he is trying to meet with the County Administrator every other week and has thus far met with her twice. They are still developing that list. They already have the City and County Public Works staff talking. One thought he has is how we have more joint meetings and meetings with other cities within our county to share resources or ideas. Councilmember Miles recalling his first interview said he had some familiarity with Trinidad but it is obviously very different from Commerce City. She asked what he was not impressed with and what he was impressed with. What pleasantly surprised him and what is a challenge? Mr. Acre said it surprised him how much the community works together. He said he heard about the challenges of the past 1 ½ years but still doesn't sense that. The sense of the community is hard to put into words. He said he was very impressed with how many boards and commissions the city has and how involved the citizens are. Everyone he has met gave him a welcoming feeling and wanted to have a sense of moving forward. It was somewhat surprising as he was expecting the worst. As he goes to more meetings it has been reinvested that people want to move things forward. Regarding challenges he said the budget and how we can do more within the budget represents a challenge. They need to take a look at those priorities and do the right things. Councilmember Miles asked what things. Mr. Acre said to make sure we are using resources effectively. He said he has heard people want new things and salary increases but may not be using resources they have most effectively. If they allow this to happen there will be less money to do other things. Councilmember Miles asked now that he's been here, what would be his goals for the first 90 days. Mr. Acre said he has a couple of goals. One is to sit down with City Council and get their priorities and sit down with department heads and work with them on that plan for the next two years. See how they mesh. Then start the budget process earlier. He said he needs to get staff to have an understanding that we may be asking them to track what they are doing so we make sure it aligns with the budget and City Council and the residents' needs. Also he said he wants to look at the employee policies and processes in the departments thoughtfully and work into it. Councilmember Velasquez asked Mr. Acre to describe Trinidad's financial condition. Mr. Acre said it is solid. He said he doesn't think Trinidad is flush with resources but is not in dire straits of furloughs, layoffs or cutting services. We need to pay attention to it. We are steady to last year and holding on but are not seeing an upwards trend. We need to be cautious the next two years and find out if there are hidden resources. Maybe we need to take a look at utility reimbursement based on services they are being provided. Councilmember Velasquez asked what he sees as Trinidad's greatest economic development opportunities. Mr. Acre said Trinidad needs to capitalize on tourism but it's not the only economic development opportunity. We need to take advantage of the industrial park and advertise it to the best of our ability. We need to be proactive with economic development and go out and identify strengths and match them with prospects and capitalize. Bring them into Trinidad. He added that he thinks Economic Development is starting to think that way. We need to look at not relying on natural resources. Take advantage when it is here and put away revenues for when it is not here and look at large companies to locate to Trinidad. Councilmember Bonato commented that since Mr. Acre has been here he has been open and honest with him and City Council. If he is offered the position of City Manager he asked how long his tenure would be. Mr. Acre answered that it would be as long as Council would like to have him. It is a relationship that needs to work for both parties. At a minimum he would like to be here at least two years. That is a requirement with ICMA. It takes a while to get plans in place and more time to implement those plans – five or more years. It will depend on the relationship with each other. He said he is not one that jumps around a lot. Mr. Acre said his wife has noticed that he's happy going home, but is also happy to come back to Trinidad. He said he wants to set roots and he hopes to have a long tenure. Councilmember Bonato asked if he has had an opportunity to evaluate utility rates. Mr. Acre answered that he has not yet fully. He said he still needs to look at the gas rates to see if they can be reduced. The City is going in the right direction with electric rates. Water rates are okay and sewer rates are a concern but he hasn't looked at them in detail. Councilmember Bolton asked if he feels there is adequate transparency with operational plans and financial transparency. Mr. Acre said that some areas are very good and others can increase transparency. For example, not a lot of cities publish the bills and payroll like Trinidad does. The packets are on the website now. He said he thinks there is more we can do as staff as far as making sure we are accountable and using resources more effectively. Councilmember Bolton asked if offered the permanent City Manager position what his salary and contract requests or expectations would be. Mr. Acre said he thought both sides would be fair in negotiations and he is still developing those in his mind. He said he recognizes that it will be less than what he made in Commerce City. It is premature, but he wants to be fair. Councilmember Shew said he is sure Mr. Acre has seen some of the capital improvement projects and infrastructure. He asked if he feels the City's infrastructure, water, gas, sewer problems are priorities or capital improvements. Mr. Acre answered that given the budget concerns, the City should focus on taking care of what we have. Too many times we defer maintenance. That was evidenced in a couple of areas recently, such as with the asphalt plant that sorely needs to be taken care of. He said they need to look at coming up with a plan to maintain what we have. Sometimes it can be done quickly with little expense. However, we still need the flexibility to take advantage of opportunities that may come up through grants, etc. But there needs to be a plan in place to address long-term maintenance. Councilmember Shew asked what he thinks Council can do better. Mr. Acre said working together is very important, not that we can't or shouldn't have discussion or disagree. Also he said giving him more input and ideas would be helpful and those from the public and letting him know if he is not communicating. Embracing the change and giving him and staff the

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support in the community and also letting us know when we are doing something that's not sitting right with the community. Mr. Ron Miller asked if Trinidad has a viable risk-management program in place. Mr. Acre said it needs to be beefed up a little. There is a safety committee but they are not as active as they could be. There is a safety manual that they all need to pay attention to. Staff is doing a good job. In smaller communities there are many people wearing many hats. He said he'd like to look at a dedicated person to pay attention to that. We need to spend that money elsewhere so have to be creative. Mr. Miller asked how he would describe the City's availability of parks and amenities. Mr. Acre said he started working in the parks department and in Trinidad overall for the size and budget he is impressed with the parks and trail system. We need to continue to enhance existing parks and continue working on the trail system. They are unique to Trinidad. He said he noticed some areas have no parks that are easily accessed. The City needs to update its Parks and Recreation document to say where we are inadequately and adequately served and work with the school district as well. Having good parks and trails and open space is helpful in bringing people into the community. We also need good schools and good health care and government. City Attorney Downs said part of the packet they received contains information about a lawsuit. He noted that it had a favorable outcome in terms of Mr. Acre. He asked Mr. Acre to provide a little of his version of the case from his perspective. Mr. Acre explained that he was involved in a Federal lawsuit last year along with Commerce City's former City Manager, Mayor and Human Resource Director. It stemmed from an employee he had to fire in 2008. They spent two weeks in Federal court and it is still not completed because that party is appealing the decision. The employee was the economic development director and had been there for some time. She was not working well with the City Manager who asked him to take her under his wing. He worked with her for a couple of months and he and other administration as well as legal counsel decided to let her go. She was just not a good fit with staff. A lot of what it stemmed from was when things didn't go her way she would go around that person and would not keep the City Manager informed under the guys that it was confidential. The City Manager should know what is going on. He stressed the importance of documentation. Another thing it stemmed from was them trying to help her and giving her the reasons why they would let her go. There were a lot of lessons learned and he said he thinks they did the right thing for the organization. It was the right decision made by the jury, but it is not done. City Attorney Downs clarified that Mr. Acre and the other defendants involved won the case. Councilmember Bolton asked if Mr. Acre had questions of Council. Mr. Acre said he thinks he knows Council wants a decision quickly. He said he is very happy to be here and he came in with the goal to come in and leave it a better place than when he found it. He said he has come to love the community and has briefly looked at houses. Mr. Acre concluded that he wants to be here and hopes they have a long continued relationship.

There being no further business, Councilmember Bolton moved to adjourn the special meeting and Councilmember Shew seconded the motion. The motion carried unanimously upon roll call vote and the meeting adjourned.

ATTEST:

BERNADETTE BACA GONZALEZ,
Mayor

AUDRA GARRETT, City Clerk