

The City Council of the City of Trinidad, Colorado met in Special Session on Tuesday, May 28, 2013, immediately following Work Session at 1:30 p.m. in City Council Chambers at City Hall pursuant to the following call:

CITY OF TRINIDAD
TRINIDAD, COLORADO

SPECIAL MEETING

There will be a Special Meeting of the City Council of the City of Trinidad, Colorado, on Tuesday, May 28, 2013, immediately following Work Session at 1:30 p.m. in the Council Chambers at City Hall

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

- 1) Approval of Donation Agreement by and between Mendes Colorado, LLC, Empco Real Estate, LLC, and the City of Trinidad for donation of real property known as 219 West Main Street
- 2) Resolution endorsing efforts to maintain Amtrak's Southwest Chief Passenger Rail Service through the City of Trinidad, Colorado
- 3) 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); and/or for a conference with the City's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – Discussion regarding status of ARPA litigation

The meeting was called to order at 3:39 p.m.

Roll call was taken.

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

The pledge of allegiance was recited.

Approval of Donation Agreement by and between Mendes Colorado, LLC, Empco Real Estate, LLC, and the City of Trinidad for donation of real property known as 219 West Main Street. Mayor Baca Gonzalez stated that this item was discussed at the work session today and she believed the consensus was to take action to table this agenda item for six to eight weeks. Councilmember Shew moved to table the item for six to eight weeks and the motion was seconded by Councilmember Velasquez. Upon roll call vote the motion carried unanimously.

Resolution endorsing efforts to maintain Amtrak's Southwest Chief Passenger Rail Service through the City of Trinidad, Colorado. City Manager Acre told Council that the Southwest Chief working group, primarily led by the City Manager of Garden City, Kansas, and Rick Klein, La Junta City Manager, have been discussing with the lobbyist pursuit of a TIGER grant. In 2011 the same group went after a TIGER grant through the Federal Highway Administration for funding. This grant application will be in the amount of \$15 million for track maintenance. For rural communities there is no match, whereas typically there is a 20% match required. This group is looking for some match to sweeten the pot, however he said they are not asking the City for financial support, just an updated resolution from that provided in 2011. He continued that on June 3rd the grant application will be submitted and reiterated that they are asking for continued support. City Manager Acre said that on another similar note, he and Rick Klein will be attending a meeting in Pueblo about high speed rail in Colorado. He said they are trying to put together discussion points to suggest that before they start funding high speed rail someplace else, they should share some of that wealth with southeastern Colorado – trying to put some pressure. They have also been trying to get meetings with CDOT staff as well. Councilmember Miles is making calls to other elected officials to try to get our state representatives and federal legislators to get their attention. He recommended approval of the resolution to be sent to the group applying for the TIGER grant along with a letter stating we support their pursuit of funding. Councilmember Bolton moved for adoption of the resolution endorsing efforts to maintain Amtrak's Southwest Chief Passenger Rail Service through the City of Trinidad, Colorado. The motion was seconded by Councilmember Bonato and carried unanimously upon roll call vote.

RESOLUTION NO. 1412

A RESOLUTION OF THE CITY OF TRINIDAD, COLORADO, ENDORSING EFFORTS
TO MAINTAIN AMTRAK'S SOUTHWEST CHIEF PASSENGER RAIL SERVICE
THROUGH THE CITY OF TRINIDAD, COLORADO

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); and/or for a conference with the City's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – Discussion regarding status of ARPA litigation. A motion to enter into executive session for the stated purpose(s) was made by Councilmember Mattie. Councilmember Bolton seconded the motion which carried by a unanimous roll call vote. The executive session ensued at 3:45 p.m. and was recorded electronically in accordance with Colorado law. Upon conclusion of executive session at 4:46 p.m., the special meeting resumed.

I, Les S. Downs, City Attorney for the City of Trinidad, do hereby attest that the executive session held on this 28th day of May, 2013, was permissible under CRS Section 24-6-402 (4)(b).

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



Les S. Downs
City Attorney

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

ATTEST:

BERNADETTE BACA GONZALEZ,
Mayor

AUDRA GARRETT, City Clerk