



AMENDED

**CITY OF TRINIDAD
TRINIDAD, COLORADO**

The Regular Meeting of the City Council of the City of Trinidad, Colorado, will be held on Tuesday, September 16, 2014 at 7:00 P.M. in City Council Chambers at City Hall

The following items are on file for consideration of Council:

- 1) **ROLL CALL**
- 2) **APPROVAL OF MINUTES**, Regular Meeting of September 2, 2014 and Special Meeting of September 3, 2014 and September 9, 2014
- 3) **PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN**
- 4) **COUNCIL REPORTS**
- 5) **REPORTS BY CITY MANAGER AND CITY ATTORNEY**
- 6) **UNFINISHED BUSINESS**
- 7) **MISCELLANEOUS BUSINESS**
 - a) Hotel and Restaurant liquor license renewal request by Wonderful House Trinidad, Inc. d/b/a Wonderful House Trinidad at 415 University
 - b) New Medical Marijuana Optional Premises Cultivation Operation license application filed by Trinidad's Higher Calling U, LLC at 1000 Independence Road
 - c) Consideration of transfer of property to Las Animas County abutting the Perry Stokes Airport land
 - d) Approval of Property/Casualty and Workers' Compensation insurance coverage renewal through CIRSA (Colorado Intergovernmental Risk Sharing Agency) for 2015
 - e) Approval of the City of Trinidad Safety Manual
 - f) Resolution concerning amendments to the Operating Principles for the Trinidad Dam and Reservoir Project
 - g) Resolution in support of H. R. 3997 and H. R. 4964 concerning the retention of local Social Security Administration Offices and the Senior Access to Social Security Act
 - h) Consideration of Mutual Aid and Assistance Agreement for Electric Utilities between Arkansas River Power Authority and the Colorado municipalities of Holly, La Junta, Lamar, Las Animas, Springfield and Trinidad
 - i) Resolution setting a hearing date for the annexation petition for the Southside Annexation
 - j) Letter and resolution supporting the placement of the John Wilbar sculpture at the CDOT roundabout location
- 8) **BILLS**
- 9) **PAYROLL**, August 30, 2014 through September 12, 2014 and September 13, 2014 through September 26, 2014
- 10) **EXECUTIVE SESSION**
 - a) For a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – Conditional Use Permit Appeal



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10) **EXECUTIVE SESSION (Cont.)**

- b) 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) – Colarelli Construction, Inc. regarding Cougar Canyon

11) **ADJOURNMENT**

Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting Audra Garrett, City Clerk, 135 N. Animas Street, Phone (719) 846-9843, or FAX (719) 846-4140. At least a 48 hour advance notice prior to the scheduled meeting would be appreciated so that arrangements can be made to locate the requested auxiliary aid(s).



**CITY OF TRINIDAD, COLORADO
RESOLUTION NO.**

**A RESOLUTION CONCERNING AMENDMENTS TO THE
OPERATING PRINCIPLES FOR THE TRINIDAD DAM AND
RESERVOIR PROJECT**

WHEREAS, in 2011, the City of Trinidad (“the City”) proposed two amendments to the Operating Principles of the Trinidad Dam and Reservoir Project (“the Operating Principles”) to the signatories of the Operating Principles; and

WHEREAS, the first amendment to the Operating Principles, attached hereto as Exhibit A, would allow the City to increase the amount of water that may be stored in the City’s account in the joint use capacity and to increase the number of historically irrigated acres under the Johns Flood Ditch that the City can dry-up to make water available for municipal use; and

WHEREAS, the second amendment to the Operating Principles, attached hereto as Exhibit B, would allow the City to use consumptive use water stored in the City’s account in the joint use capacity on lands within the Purgatoire River Basin and above Trinidad Reservoir and outside of boundaries of the Purgatoire River Water Conservancy District (“the District”); and

WHEREAS, all of the signatories of the Operating Principles have either formally or informally approved the first amendment; and

WHEREAS, the second amendment cannot be approved by all of the signatories of the Operating Principles without completing additional tasks; and

WHEREAS, the City desires to separate the proposed amendments to the Operating Principles so that the City can complete the first amendment as soon as possible while continuing to work towards completing the tasks necessary to obtain approval of the second amendment.

NOW, THEREFORE, be it resolved by the City Council of the City of Trinidad, Colorado that:

1. The City hereby separates the proposed amendments to the Operating Principles.
2. The City directs its staff and legal counsel to complete the first amendment attached hereto as Exhibit A as soon as possible.
3. The City directs its staff and legal counsel to continue to work towards completing the tasks necessary to obtain approval of the second amendment attached hereto as Exhibit B.

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INTRODUCED, READ AND ADOPTED this 16th day of September, 2014.

CITY OF TRINIDAD, COLORADO

Joseph A. Reorda, Mayor

ATTEST:

Dona Valencich, Acting City Clerk

- (1) Only water attributable to the historic consumptive use on acreage **removed from irrigation**, limited to 948-1171.7 acres under the Johns Flood Ditch system and 373.7 acres under the Model Land and Irrigation Company system, may be made available for M&I storage or **permanent fishery pool** storage. Water deliveries shall be limited to the following volumes, which shall not include the volumes retained in storage for later release to maintain historic delayed return flow patterns to the Purgatoire River:

	Maximum Monthly Water Deliveries (acre-feet)
Apr	<u>220 257</u>
May	<u>345 403</u>
Jun	<u>565 661</u>
Jul	<u>685 801</u>
Aug	<u>620 725</u>
Sep	<u>345 403</u>
Oct	<u>160 187</u>
Nov - Mar	0
Annual Total	<u>2,802 3276</u>

New Proposed Article IV.B.4.a.(5)

(5) Notwithstanding any other provision herein, any fully consumable water stored in the City of Trinidad's account in the **Joint Use Capacity**, as authorized in the Agreement between the City and the **District** dated April 20, 1966, pursuant to water rights acquired or owned by the City may be used within the Purgatoire River basin at or above Trinidad Reservoir. Water stored in the City of Trinidad's account may also be used within the District.