

The City Council of the City of Trinidad, Colorado met in Special Session on Tuesday, July 1, 2014, at 5:30 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, July 1, 2014, at 5:30 p.m. in the Council Chambers at City Hall

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

- 1) Executive session – For a conference with the City’s Attorneys for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – ARPA litigation update
- 2) Executive session – For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – Quarterly City Manager Evaluation
- 3) Consideration of Removal of the City Manager
  - a) Offer to provide written statement to the City Manager of the reasons alleged for his removal and the right to be heard publicly thereon at a meeting of the Council prior to the final vote on the question of his removal

The meeting was called to order at 5:38 p.m.

Roll call was taken.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Fletcher, Mattie, Miles, Torres
Also present:	City Manager	Acre
	City Attorney	Downs
	City Clerk	Garrett
Absent:	Councilmember	Bonato

Executive session - For a conference with the City’s Attorneys for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – ARPA litigation update; and Executive session – For discussion of a personnel matter under C.R.S. Section 24-6-402(2)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees – Quarterly City Manager Evaluation. A motion to enter into executive session for the stated executive session purposes was made by Councilmember Bolton. Councilmember Torres seconded the motion. Upon roll call vote the motion carried unanimously. The executive session ensued at 5:39 p.m. That portion of the executive session not constituting legal advice was electronically recorded as required by the Open Meetings Law. Upon conclusion of executive session at 6:25p.m., Councilmember Mattie moved to resume the special meeting. Councilmember Bolton seconded the motion and upon a unanimous roll call vote, 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 1st day of July, 2014, was permissible under CRS Section 24-6-402 (4)(b).*

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

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Les S. Downs  
City Attorney

Consideration of Removal of the City Manager. Councilmember Bolton made a motion to remove the City Manager. The motion was seconded by Councilmember Mattie. The motion carried by a unanimous vote of Council members present.

Offer to provide written statement to the City Manager of the reasons alleged for his removal and the right to be heard publicly thereon at a meeting of the Council prior to the final vote on the question of his removal. Tom Acre decline the offer.

Discussion was held concerning an interim City Manager. Councilmember Bolton pointed out that Council has a letter from Tom Acre where he appointed Louis Fineberg and Audra Garrett to be Acting City Manager in his absence. City Attorney Downs agreed and said that Council is bound at this point to hold to his appointment temporarily until it is posted and have it identified on the next regular meeting agenda. Therefore that appointment is effective until the next regular meeting when Council can decide. He further clarified that because it was not on this agenda the alternative suggested is the appropriate course of action. Mayor Reorda commented that he wanted to put City Attorney Downs on notice that after yesterday's session with Councilmember Bonato that he was embarrassed Council was in that position. Someone didn't know rules and regulations. The City Attorney needs to spend more time to get the Charter down pact. City Attorney Downs said he didn't know all members had to consent. City Attorney Downs said he would have like advanced notice and he will not forget the experience.

There being no further business, the meeting was adjourned. Council wished Mr. Acre well and thanked him for his time and service.

ATTEST:

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JOSEPH A. REORDA, Mayor

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AUDRA GARRETT, City Clerk