

The regular meeting of the City Council of the City of Trinidad, Colorado, was held on Tuesday, July 15, 2014, at 7:00 p.m. in City Council Chambers at City Hall.

There were present:	Mayor	Reorda, presiding
	Councilmembers	Bolton, Bonato, Fletcher, Mattie, Miles, Torres
Also present:	Acting City Manager	Garrett
	City Attorney	Downs
	Asst. City Clerk	Valencich

The pledge of allegiance was recited.

**PROCLAMATION – “MARY MARTINEZ DAY – July 16, 2014.”** Councilmember Torres, on behalf of the entire City Council, read and presented Mary Martinez with a proclamation recognizing her as a Centenarian of Trinidad and Las Animas County.

**APPROVAL OF THE MINUTES.** Special Meetings of June 26, 2014, June 30, 2014 and July 1, 2014 and Regular Meeting of July 1, 2014. A motion to approve the minutes as presented was made by Councilmember Bolton and seconded by Councilmember Miles. The motion carried unanimously, excepting the July 1<sup>st</sup> regular and special minutes whereby Councilmember Bonato abstained due to his absence from those meetings.

City Attorney Downs stated that he wanted to begin this evening by mentioning that all of the members of Council have been subjected to a tremendous amount of pressure and lobbying on a current pending marijuana license application, which is on their agenda this evening. It concerns the denial of a conditional use permit in the Planning and Zoning Commission hearing held on July 8, 2014. He told Council that they will set the appeal for hearing. He reminded and emphasized that this is a quasi-judicial matter and that they all must do everything they can to remain free of influence and pressure and lobbying. When Council comes for the hearing their job will be to make up their mind during the hearing and not before. City Attorney Downs elaborated that he hears things in his office and is already very afraid that one or more Council members may have to disqualify themselves. He asked and reminded them to remain free from lobbying. Everyone who comes before the Planning and Zoning Commission and before Council deserves a fair shake. This business is no different than any other kind of business, except not all have to come before Council for a license. Marijuana license applicants deserve a fair shake he said, and added that he is afraid they will not get it if Council or the Planning and Zoning Commission members allow themselves to be influenced. He reminded them of their obligation with respect to this. Mayor Reorda told those present that if they were present to speak against marijuana tonight those comments wouldn't be taken this evening. City Attorney Downs added that those people present wanting to speak on the Forever Green application refrain from addressing Council until the hearing. Tonight's agenda item is only to set the matter for hearing. The hearing is not tonight. He clarified that if they want to comment on marijuana they could, just not on this specific issue.

**PUBLIC HEARING.** New Medical Marijuana Center, Optional Premise Cultivation Operation and Infused-Products Manufacturer application filed by T. P. Main Street, LLC at 821 E. Main Street. Mayor Reorda opened the hearing and called for comments for or against the application. Tim and Juanita Peters addressed Council and were sworn in. Mr. Peters said Juanita is the one who does the paperwork and that they run four corporations. He is the up-front person and she is the face behind the scenes. To City Attorney Downs' questions, Tim Peters, on behalf of the applicant, testified as follows: He is a principal in T. P. Main Street, LLC, the business form that is going to be the license holder if approved. The limited liability corporation is comprised of Tim Peters as a 90% manager and Juanita Peters as a 10% partner. The premise is located at 821 E. Main Street, Trinidad, currently a vacant lot. If the licenses are approved they will construct a building thereafter. The business name is Trinidad Leaf and they are applying for three licenses, a Medical Marijuana Center, Optional Premises Cultivation Operation and Infused-Products Manufacturer license. If approved, all three licenses will be held by T. P. Main Street, LLC. T. P. Main Street, LLC is a Colorado corporation in good standing. Mr. Peters further testified that he and Juanita Peters as principals in the corporation have submitted to criminal background checks and have been issued their badges and approvals from the State of Colorado today. The background criminal checks came back clear, indicating they are of good moral character. He stated that they do not know who their employees are at this point but understands they too are required to submit to background checks through the City and state and get badges from the State of Colorado. Mr. Peters testified that he has revealed all of their financial commitments and backing as part of the City and State application. The property where the premise is to be located was purchased in 2008 and held by Trinidad Pumping, Inc., a company he is the main owner of also and remains to be. Trinidad Pumping, Inc. has transferred ownership of the lot to T. P. Main Street, LLC, however Trinidad Pumping, Inc. is still responsible for any money owed on the property through the obligation of a loan on the lot. City Attorney Downs asked Mr. Peters if he anticipates any other financial obligations being undertaken to start the business or build the building. Mr. Peters stated that he is currently paying 8% interest on a vacant lot. He said they will refinance it and get a construction loan. He testified that he understands the problem with banking with a marijuana operation. They have no other profit-sharing arrangements or financial commitments to anyone. He stated that he understands his requirement to disclose any investors or financial backers in the future. He stated he understood as part of the application process he is representing that the answers given to the city and state are correct and has made no material misrepresentations. He said he hopes to start in a month or so on the building. He is currently working on a house in La Veta representing a prior commitment. The plans are drawn up but couldn't contract it without approvals. He will get it done as soon as possible and the required security contract will be done at a later date. They have the diagram and proposed schematic which was submitted with the application. Mr. Peters said he will be building the building himself. He testified that he knows the zone classification and regulations and understands the license types. They intend to cultivate from seed for their center and infused-products on the premises and if lawful will try to buy from outside sources as the business starts up. He said if they are able to buy from outside sources to get started and it is legal they will do that too. He testified that he has familiarized himself with the Trinidad ordinance, Department of Revenue regulations and state code on

medical marijuana. They intend to also be in the retail marijuana business, the same types of licenses, and intend to submit an application for the same as soon as they reasonably can. He also testified that they understand their commitment to everything in the city and State Department of Revenue officials, including ongoing compliance requirements with the City Clerk, Building Official, Chief of Police and Police Department, Fire Department and City Attorney's office and State Department of Revenue officials. They will have to use the MITS system and everyone associated with the business will have to have that training. Councilmember Miles stated that it is a requirement that all people involved in the limited liability corporation need to be disclosed. She pointed out that in their LLC meeting minutes of April 22, 2014, "A motion was made to bring in Adam Schrepfer as a new member of the corporation and at this point would have no stock or voting rights and that legal counsel should be consulted on the proper way to do this." Mr. Peters stated that it ultimately did not happen. He and Juanita are 50/50 partners in everything. His wife is not excited about this business so she gave him 40% because she didn't want to have to go to Denver to be fingerprinted, etc. She wanted to have less than 10% ownership interest. Adam Schrepfer is Juanita's son and his stepson and reiterated that it is just he and Juanita. Councilmember Mattie told Mr. Peters that the licenses are issued by the State of Colorado and the City of Trinidad and neither have any control over the Federal government wherein marijuana still lies as a controlled substance. And while at the moment it appears they may support the efforts of the States of Colorado and Washington, it is subject to the whims of the Federal government. He asked if he understood that, to which Mr. Peters responded affirmatively. City Attorney Downs submitted to Council that the application is complete and Tim and Juanita Peters have appeared and have sworn that everything is truthful. Mr. Peters stated that one material change that happened since the Planning, Zoning and Variance Commission meeting is that initially they were going to build a big metal building and bring in all of the lights, which he has come to realize makes no sense. Therefore they will be switching to a greenhouse setup in an effort to keep the cost of business down using the sun we have. They will augment power with solar. He added that he is taking advantage of very smart, experienced people. All components will be there, it will just be shifted around to fit on the lot. City Attorney Downs confirmed with Mr. Peters his requirement to submit plans to the City. Councilmember Bonato asked if the change is known to the Planning, Zoning and Variance Commission. Mr. Peters said it is not. It is still the same square footage but he won't be using 400,000 watt lights. He didn't have enough solar space to make it cost effective. City Attorney Downs told Mr. Peters he will want to let the Planning Department know first and if anything needs to be done through that process they will need to do it. Councilmember Miles moved to approve the three licenses and recited the following:

This matter came on for hearing on the application of T. P. Main Street, LLC at 821 E. Main Street in Trinidad, Colorado, for a Medical Marijuana Center License and a Medical Marijuana Optional Premise Cultivation Operation License, and Medical Marijuana Infused-Products Manufacturer before the City Council of the City of Trinidad, Colorado, acting in its capacity as the local licensing authority on July 15, 2014, in City Council Chambers in City Hall. The City Council having reviewed the application and supporting documents, reports of the City Clerk and other City staff, evidence at the hearing and testimony taken during the hearing, makes the following **FINDINGS**:

1. The application is complete and signed by the applicant, and the applicant has paid the appropriate application and license fee.
2. The application appears to be in substantial compliance with all the requirements of Article 11, of Chapter 14 of the Trinidad Municipal Code. The applicant has testified to their willingness to comply with any and all areas of said Article whereby compliance at this time cannot be fully attained or substantiated.
3. According to the testimony of the applicant, the application does not contain any material misrepresentations.
4. The proposed medical marijuana businesses comply with applicable zoning regulations. The City Council hereby finds that based upon the testimony of the applicant, the building in which the proposed medical marijuana businesses will be located will conform to the Trinidad City Codes, including the zoning code and all International Codes adopted by the City.
5. Mr. Tim Peters testified in favor of granting the license. No one testified in opposition.
6. The applicant through the facts and evidence adduced as a result of the City's investigation and testimony provided, made a prima facie showing the members of the limited liability corporation are of good moral character and any employees of their entity will likewise be of good moral character.
7. The City Clerk's report showed that there are currently two medical marijuana-licensed businesses within the City of Trinidad with one ownership, at one address.
8. Based on the evidence presented at the hearing and the investigative materials provided for the hearing, the City Council finds that the location of the business is appropriate, and that the applicant officers are of satisfactory moral character and there is a willingness by the applicants to fully cooperate with the officials of the City in the operation of this business.

THEREFORE, the City Council of the City of Trinidad, Colorado, as the local marijuana licensing authority, hereby approves and grants a Medical Marijuana Center License and a Medical Marijuana Optional Premise Cultivation Operation License and Medical Marijuana Infused-Products Manufacturer License to T. P. Main Street, LLC at 821 E. Main Street in Trinidad, Colorado. The issuance of said licenses shall be withheld until a certificate of occupancy is issued by the Chief Building Official and upon his absolute confirmation of compliance with all codes adopted by the City of Trinidad. The motion was seconded by Councilmember Torres and carried by a unanimous roll call vote, excepting Councilmember Bonato who cast a dissenting vote.

**PETITIONS OR COMMUNICATIONS, ORAL OR WRITTEN.** None.

**COUNCIL REPORTS.** Councilmember Mattie reported that he attended Conversations with Council hosted at the Visitor's Center and that it was well attended and they had a meaningful discussion. They talked about marijuana and the existing visitor's center and the decision to proceed with the rehabilitation of that facility. Secondly he reported that he had

occasion to be in contact with Sergeant Duran of the Trinidad Police Department who in light of the tours the Council is doing of City facilities and visit with City employees, has invited Council to participate in a ride along. He said it would be an interesting opportunity.

Councilmember Fletcher reported on the recent visit City Council made on July 7<sup>th</sup> to the City departments. There was a good exchange of information and felt the lines of communication were very much open. She echoed Councilmember Mattie's comment relative to Conversations with Council on July 8<sup>th</sup>. On July 9<sup>th</sup> she said she attended the Chamber of Commerce meeting as the liaison. Ms. Marshall presented a three-year plan they have completed. The areas to be addressed in that plan are 1) small business development; 2) communication; 3) network and events; 4) tourism and relocation; 5) agriculture and land owner support; and 6) public affairs. She said she was also pleased to hear that it is anticipated that the Chamber will be totally out of debt by September. On July 14<sup>th</sup> she told Council that she attended a combined Chamber and Economic Development meeting, as did Councilmember Miles. She said the meeting was very productive and a lot of ideas were shared. There is a foregone conclusion that there will be facilities that will be shared by both entities. Collaboration is much on the horizon for these two groups. The Chamber has good news on the horizon in the area of finances which will be disclosed as they develop. Mayor Reorda complimented Councilmember Fletcher on the notes she took and provided to Council from the visits at the City departments. He corrected a portion where it indicated that he said superintendents, etc. needed a raise. He corrected that he said he said we need to make all of them equal.

Councilmember Bolton said she wouldn't repeat what was already covered by other Council member that she also attended, but reported that she, Councilmember Miles and the Mayor were invited to join Amtrak dignitaries for a special breakfast in La Junta to thank the City for our efforts in retaining the Southwest Chief. Everyone is very optimistic about being able to retain that line. After leaving Trinidad they continued their travel to Raton headed to Springer to visit the Philmont Boy Scout Ranch. Each of the communities was presented with special signage that depicts them as a community who supports Amtrak. The Mayor was presented with two signs and she understands two more will be forthcoming to place in appropriate areas throughout town. It was a very nice breakfast and trip.

Councilmember Miles added to Councilmember Bolton's comments about the Amtrak trip. She said that included in the dignitaries was the CEO of Amtrak, which signifies the commitment to the Southwest Chief. Mayor Reorda said that he came on his own train and that it was a great day.

Councilmember Torres reported that the Hispanic Chamber of Commerce held their annual fundraiser over the weekend and it was a huge success. She thanked Council and community members for their support and reminded that the funds are used for scholarships for area students.

Councilmember Bonato stated that he participated in the meeting at the Welcome Center as well. He said the understanding he got from the volunteers was that the City would lose the grant for the building they occupy if the money wasn't put into that building. He asked Ms. Marshall to explain what will happen with the grant and building. Tara Marshall said she thinks there are two issues. The question addressed last Tuesday relates to the 2012 grant for the \$350,000 project, of which \$281,000 is from National Scenic Byways program to renovate the current Welcome Center at 309 Nevada Avenue. Council gave the go ahead for that project last Tuesday by authorizing the contact and it was received by CDOT. The City is waiting on a letter of award to proceed and the renovation will begin thereafter. Separately, conversations will continue with Jay Cimino, Karl Gabrielson and Chuck Murphy regarding the potential eventual relocation of the Colorado Welcome Center. Relocation of the Welcome Center is anticipated several years down the line since finance sources haven't been identified as of yet. There are two projects and both have good merit. We should proceed with the renovation and also proceed with the discussions for potential relocation. Councilmember Bonato asked if this has been discussed with the volunteers because they seemed confused. Ms. Marshall answered that they were confused. She thanked Council for coming to the Welcome Center and straightening them out. She said she felt he was able to solve their confusion and answer their questions. Councilmember Bonato commented that they are important to the City.

Councilmember Fletcher passed out the three-year plan from the Chamber of Commerce for Council to look at.

Councilmember Miles reported that in addition to the train ride, the Economic Development and Chamber meetings, Conversations with Council and the City facility tour and visit, she and Councilmember Bolton attended the CLG task force meeting. She explained that CLG (Certified Local Government) is a state-wide program which works in conjunction with federal grant money. It is being expanded in Colorado. It provides tax incentives for building renovations that preserve historic local character. Prior to this program's availability the only buildings eligible for these sorts of tax credits were those registered with the National Historic Register. This program opens Trinidad up for more tax incentives. That along with House Bill 1311 effective January, 2015, provides tax credits that will be expanded on the state level, \$35 million worth over the next four years. There is a Colorado state tax credit of 20% for projects up to \$2 million and 25% for projects in excess of \$2 million; a 30% tax credit is available to disaster relief situations. There is 20% at the federal level additionally. They think this could have the potential to spur investments which are marginal. Tara Marshall, Tim Stroh and Lee Merkel hosted the meeting and about 15 or 16 people attended. There are a number of things that need to be resolved. She asked that it be included on a work session agenda. There are pros and cons and is something Council needs to seriously address. Councilmember Miles continued that she spent the afternoon with a group called the Geothermal Research Group. Under the coal bed methane strata here there is a very, very significant geothermal resource that has worldwide interest. It is perhaps the most significant geothermal resource given the fact that it is shallow and that it has a steep temperature gradient, which allows us to achieve commercially reasonable temperatures to power perhaps power plants or district heating at much lower depths than other geothermal resources in the continental United States. She said she was absolutely impressed with the group that assembled today. There were representatives from Colorado School of Mines, Altarock Energy, Inc., a well-respected early-stage geothermal developer, Sandia Labs, TSJC, a professor who is the Chair of the Geology Department from the University of Oakland, New Zealand, University of Oklahoma, New Mexico Bureau of Geology, Pioneer Natural Resources, people from all over the world. New Zealand is perhaps in the world the most recognized geothermal resource. In the long term the goal is to develop perhaps a geothermal power plant which could provide in the hundreds of megawatts of installed capacity. This is very early stage. The tie with the college is they are setting up an open experimental field laboratory which they want to model for the country. Thermal resource is so interesting that they think it could be a magnet

for scientists from around the country and perhaps around the world. TSJC is very interested in teaming up in making Colorado a geothermal center. There are long-term applications and some near-term as far as becoming an academic center here in Trinidad. Mt. Carmel expressed interest in developing spa resources. Finally, Councilmember Miles reported on the community meeting provided by the General Manager of ARPA (Arkansas River Power Association). She said they heard an update on what the impact to rate payers would be with the closing of the facility and various other aspects of moving forward with the mediated settlement. Also ARPA received a small upgrade from a weak triple D with a negative outlook to a weak triple D with a stable outlook. The previous rating restricts access to the capital markets (creditors). The fact that ARPA now has a stable outlook will open its access to the capital markets which can only improve the situation.

Mayor Reorda told Council that he attend an ethics, liability and best practices meeting. The meeting was attended by about 50 other elected people. He said he learned a lot and that Council needs a refresher course.

**REPORTS BY CITY ATTORNEY.** City Attorney Downs had nothing to report this evening.

**REPORTS BY CITY MANAGER.** Action 22. Acting City Manager Garrett stated that Council had pointed out that with the departure of the former City Manager there were some board vacancies created from seats he filled. Among them is the seat on the Action 22 board. She asked if a member of Council would like to sit on that board in his place. Mayor Reorda volunteered to serve on the board and Council concurred.

Special work session. Acting City Manager Garrett asked Council's availability for a special work session at 9:00 a.m. on Thursday, July 24, 2014, to hear a presentation from Lee Merkel of the Department of Local Affairs regarding Priority Based Budgeting. The majority of Council expressed availability. Councilmember Miles said she would see if her schedule could be changed.

Purgatoire Watershed Partnership. Councilmember Bonato stated that he is on the Purgatoire Watershed Partnership board and former City Manager Acre was as well, again resulting in a vacancy. He said several board members asked that Gilbert Ramirez from the City's Water Treatment Plant be asked to serve in his place. Acting City Clerk Garrett said he was aware of it and would confirm with him his willingness to serve on that board.

Economic Development Board of Directors. Councilmember Miles told Council that former City Manager Tom Acre resigned today from the Trinidad-Las Animas County Economic Development Board and asked Acting City Manager Garrett if she would be willing to serve in his place. She answered that she would and will submit a letter of interest to the Board.

**UNFINISHED BUSINESS.** None.

**MISCELLANEOUS BUSINESS.** Special Events Permit (malt, vinous and spirituous) request by Trinidad Community Foundation at 206 N. Animas Street for September 13, 2014 – ArtoCade Cardango. Phil Rico was present on behalf of the applicant. A motion to approve the permit was made by Councilmember Bolton. The motion was seconded by Councilmember Fletcher and carried unanimously upon roll call vote.

Retail liquor store license renewal request by Opera House Wine & Spirits, LLC d/b/a Tire Shop Wine & Spirits at 601 W. Main Street. Michelle Miles was present on behalf of the applicant. A motion to approve the license renewal was made by Councilmember Mattie and seconded by Councilmember Fletcher. Upon roll call vote the motion carried unanimously, excepting Councilmember Miles who abstained from the vote.

Modification of premises request by Image Hospitality, LLC d/b/a Quality Inn at 3125 Toupal Drive. Due to the lack of representation, Councilmember Bolton moved to table the modification of premises request to the next meeting and the motion was seconded by Councilmember Torres. Roll call was taken on the motion and it carried unanimously.

Consideration of Contract Amendment to the Nomination and Construction Documents of Fish Hatchery and Zoo at Monument Lake Park. A motion to approve the contract amendment was made by Councilmember Bolton and Councilmember Fletcher seconded the motion. Upon roll call vote the motion carried unanimously.

Appointment of Acting City Manager. Councilmember Mattie moved to continue the filling of the Acting City Manager vacancy with Audra Garrett. Councilmember Bonato seconded the motion. Councilmember Bolton commented that she thought Council was overlooking a very qualified person who is currently attending the Best and Brightest program to be a City Manager. She said she's not recommending a joint Acting City Manager position but was recommending Council consider appointing Tara Marshall as Acting Deputy City Manager. Councilmember Fletcher echoed the idea. Mayor Reorda asked what the Charter says. City Attorney Downs told Council that an Acting Deputy City Manager is not provided for in the Charter and thought this would be creating a new position. Councilmember Fletcher asked if there needed to be. City Attorney Downs said he didn't know and would need to research it. Mayor Reorda said a job description would need to be written up. He added that in the meeting with staff they started with three and they agreed they would rather have Audra Garrett as Acting City Manager alone. Councilmember Bolton clarified that she wasn't suggesting they combine the two. She said she's suggesting Ms. Garrett be named the Acting City Manager and they use Tara Marshall in some position to assist the Acting City Manager. Councilmember Miles said right now Ms. Marshall is an intern and has been utilized to a much greater extent than an intern and should be recognized as such. She echoed some of the comments made by Councilmember Bolton and Fletcher made. She questioned if there needed to be a Charter provision for an Acting Deputy City Manager. City Attorney Downs said the Charter discusses the role of the City Manager. He added that he didn't know if the people who are strict constructionists of the Charter would think it was tacitly modifying the Charter. Councilmember Miles said they could create a position called Deputy City Manager and questioned why they couldn't create one called Acting Deputy City Manager. Acting City Manager Garrett said not to discount Ms. Marshall at all, but she asked Council to keep in mind that we have a number of department heads with a lot of years of experience and she does not want any animosity to be created out of this. Some of the department heads work very strongly together and she doesn't want to create more of a problem than it needs to be. Councilmember Bonato asked if Ms. Garrett were to be gone who would be in

charge. City Attorney Downs advised that the Charter requires the City Manager to appoint someone once they become the City Manager. He exemplified how former City Manager Acre designated Audra Garrett and Louis Fineberg, previously. Councilmember Mattie reminded Council of his suggestion of a triad work effort between Ms. Garrett, Ms. Marshall and Mr. Downs and that wasn't able to work. He commented that it seems logical to take advantage of Ms. Marshall's expertise and talent. He asked if her present capacity as intern it could be expanded to be more helpful and a more meaningful role. He asked if that would avoid the complications of a new position. City Attorney Downs said it avoids the short term question. He added that it would be hard for Ms. Marshall to become more helpful. There are a number of ways this could be done without the creation of a new position. Councilmember Fletcher urged Council to consider giving Ms. Marshall a title; she does a lot of traveling and contacts in Denver and having a title would behoove the City in her representation of Trinidad. Mayor Reorda asked what is in a title. Councilmember Miles said it helps with credibility. Councilmember Bonato agreed that the other department heads need to be considered. He said Mike Valentine is very qualified and would be very good, not saying Ms. Marshall wouldn't be. He oversees eight departments already. Councilmember Miles responded that Ms. Marshall is unique in that she has an outreach role with the Colorado Municipal League, in outside functions that Trinidad really didn't avail itself to for years. She thought it wouldn't be something Mr. Valentine would be interested in given his myriad of responsibilities, such as going to Denver for a two-day conference and networking. She added that she didn't think there was any intention of whoever is appointed as Deputy City Manager going over the heads of existing department heads. She said she thought it to be a role that Ms. Marshall uniquely would have skills in, such as the outreach, bringing Lee Merkel to town, getting the Certified Local Government going, Creative District, Main Street Program. Council Fletcher said they are also asking her to free up time. Ms. Marshall pointed to Trinidad Municipal Code, Chapter 2, Administration, Article 4, City Manager, Section 2-23, which calls for an Assistant City Manager which is appointed with specific duties. Mayor Reorda asked who makes that appointment. Ms. Marshall answered that it doesn't say but it calls for it in the ordinance. Mayor Reorda said that the City Manager appoints, or hires and fires. He suggested staff discuss it and bring it back to Council. Ms. Marshall said that she and Ms. Garrett did speak about it previously. Acting City Manager Garrett agreed that the subject was discussed and she told Ms. Marshall that she was willing to work with whoever was willing to work hard. After her conversation with Ms. Marshall she said she had concerns because she has the department heads who are willing to work hard as well. She added that she has reservations about actually naming someone with a title. She said she's not sure if the intent is just to share the outreach responsibilities but reiterated her concern about the other department heads' feelings on the matter and she doesn't want to discount their feeling in the whole scheme of things either. Councilmember Miles said her intent was that it focus on outreach. City Attorney Downs said there are a number of unanswered questions, for instance if the position would continue beyond the Best and Brightest program. Councilmember Bolton questioned if this is something Council wants to carry over to the next work session. Council agreed. Councilmember Mattie made a motion to appoint Audra Garrett as Acting City Manager. Councilmember Bolton seconded the motion. City Attorney Downs, upon inquiry said that salary discussion needs to be done publicly and could be done at a later date. Upon roll call vote the motion carried unanimously.

**Appointment of Director of Emergency Management pursuant to Section 12.4 of the Home Rule Charter.** Acting City Manager Garrett reminded Council of her request that they appoint Police Chief Charles Glorioso as the City's Director of Emergency Management and of his interest in updating the local emergency plan. Councilmember Bolton moved for the appointment of Chief Glorioso as recommended and Councilmember Fletcher seconded the motion. The motion carried unanimously upon roll call vote.

**Letter of Support for a CNG Fueling Station in Trinidad.** Councilmember Fletcher made a motion to approve the letter of support and Councilmember Bolton seconded the motion. Roll call was taken and the motion carried unanimously.

**Appeal of a decision of the Planning, Zoning and Variance Commission filed by Forever Green, LLC, Application #2014-MMC-16 and 2014-OPCO-16, Request for Conditional Use Permit to establish a Medical Marijuana Center and a Medical Marijuana Optional Premise Cultivation Operation at 3019 Toupal Drive.** Mayor Reorda expressed his interest in expediting the hearing and asked about the possibility of a special meeting. City Attorney Downs advised that he has heard opposition to the calling of a special meeting for this purpose. He reminded that if any Council member objects to the purpose of a special meeting that item cannot be heard. Councilmember Bolton moved to set the appeal of the decision of the Planning, Zoning and Variance Commission filed by Forever Green, LLC, Application #2014-MMC-16 and 2014-OPCO-16, Request for Conditional Use Permit to establish a Medical Marijuana Center and a Medical Marijuana Optional Premise Cultivation Operation at 3019 Toupal Drive for public hearing at 7:00 p.m. on August 5, 2014. The motion was seconded by Councilmember Bonato and carried unanimously upon roll call vote. City Attorney Downs told Council that he may be asking for an executive session at the beginning or end of next week's work session on this matter. Councilmember Miles stated she would welcome legal advice.

**BILLS.** Councilmember Bolton moved to approve the bills and Councilmember Torres seconded the motion. The motion carried unanimously upon roll call vote.

**PAYROLL, July 5, 2014 through July 18, 2014.** A motion to approve the payroll was made by Councilmember Fletcher and seconded by Councilmember Bonato. Roll call was taken and the motion carried unanimously.

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

ATTEST:

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JOSEPH A. REORDA, Mayor

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DONA VALENCICH, Asst. City Clerk