



MEETING OF THE CITY COUNCIL

City Council Chambers
448 East 1st Street, Room 190
City of Salida, Colorado

Monday, December 11, 2017 6:00 p.m.

The City Council may take action on any of the following agenda items as presented or modified prior to or during the meeting, and items necessary or convenient to effectuate the agenda items.

- I. REGULAR MEETING CALLED TO ORDER**
- II. PLEDGE OF ALLEGIANCE** – Led by Mayor Wood
- III. ROLL CALL**

Council members: Critelli, Shore, Kasper, Granzella, Brown-Kovacic, Bowers, Mayor Wood, City Administrator Lorentzen and Deputy City Clerk Lynda Travis were all present for roll call.

1) Vandaveer Dry up

Wood announced council members had received a memo submitted by Jennifer DiLalla regarding what could be discussed in open session. The memo was entered into the public record.

Wood opened the floor for discussion and asked the council how they wanted to proceed with the matter.

Granzella requested a cost analysis, the water credits being lost per year, and if any credits will have to be repaid from past years since total dry up was claimed. Granzella would also like to see the costs of full dry up, what defines a full dry up and what benefits there might be with dry ups.

Kasper stated dry ups are a difficult situation that financially affects both parties involved. He stated moving forward with the lawsuit is a waste of money.

Shore stated the dry up would be substituting one problem for another.

Brown-Kovacic stated a dry up is unrealistic. She provided information about how a dry up might affect landowners and water rights. She then suggested withdrawing the motions that are pending at this time.

Bowers stated there may be several legal ramifications and suggested utilizing water attorneys. He thanked Mr. Stone for his research on the matter and encouraged him to forward his findings to the Water attorneys.

The order of agenda items listed above are approximate and intended as a guideline for the City Council. Individuals with disabilities needing auxiliary aid(s) may request assistance by contacting the City Clerk, 448 E. 1 Street, Ste. 112, Salida, CO 81201, 719-530-2630 at least 48 hours in advance.

Critelli stated it is time to cease from quarreling on the matter and thanked Mr. Stone for the information he provided.

Mayor asked if the council wants to withdraw the two motions, do a cost analysis on the matter, and ask Jennifer DiLalla if there is a different course of action for the City. Granzella added that he would like to at least see if a dry up is possible.

Brown-Kovacic moved that the City withdraw the two motions that are pending in the water court and that time be given to investigate alternative solutions outside of the court context. Kasper seconded the motion. With all in favor, THE MOTION CARRIED.

2) Interim Attorney Letter of Engagement

Mayor stated the Interim Letter of Engagement includes an updated scope of work that supersedes existing scope of work. He further states the scope of work is standard for municipal attorneys and will allow more time for a permanent city attorney search.

Brown-Kovacic stated it is important to have additional time to review the scope of work for City Attorneys.

Granzella asked if the current scope of work would require a vote to change. Wood provided clarification stating that a vote would not be necessary but that the previous scope of work would come back when a permanent attorney is hired.

Mayor provided background information regarding the firm chosen: Murray Dahl Kuechenmeister & Renaud LLP ("Law Firm") and Geoff Wilson. He stated Wilson was previously a CML attorney for almost 30 years.

Mayor confirmed the contract for services would commence 12.12.2017.

Brown-Kovacic moved to confirm the legal services agreement with Murray Dahl Kuechenmeister & Renaud as our interim attorney and suspend for the time being the previous scope of work for the attorney and use the scope of work in the legal services agreement. Shore seconded the motion.

Mayor restated the motion to accept the legal services agreement with Murray Dahl Kuechenmeister & Renaud and using their scope of work in said agreement. With all in favor, THE MOTION CARRIED.

IV. ADJOURN - 6:20 p.m.

A Special Meeting was called by Mayor Wood and all were in consensus, during the 12.05.2017 Regular City Council Meeting, in accordance with Section 2-2-70 (b) of the Salida Municipal Code.

[SEAL]



Lynda Inacio
City Clerk/Deputy City Clerk

[Signature]
Mayor

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