

***Murray Dahl Beery & Renaud LLP***

Attorneys at Law  
710 Kipling Street, Suite 300  
Lakewood, CO 80215

Ph:303-493-6670

Fax:

December 5, 2018

City of Salida  
The Toubert Building  
448 E First Street, Suite 112  
Salida, CO 81201

**Attention:** P. T. Wood, Mayor

Matter #: 17-269

Inv #: 14910

**RE:** General Counsel

DATE	DESCRIPTION	ATTY	RATE	HOURS	AMOUNT
Nov-01-18	Discuss CORA request w LT;Discuss sewer IGA w DL;review Poncha sewer IGAs;review packet materials and election matter implementation ordinance	GTW	\$200.00	2.00	400.00
	SNRCDC: at the request of Nina Williams, print copies of resolutions, indemnities, letters and divestitures and organize same.	WFC	\$68.00	0.25	17.00
Nov-02-18	Consult with D.Nelson re audit and personnel matters	GTW	\$200.00	1.00	200.00
	Confer with G. Wilson re: employment matter and begin researching same.	JMR	\$150.00	0.25	37.50
Nov-04-18	Draft letter re personnel matter; consult w D. Nelson re personnel matters	GTW	\$200.00	2.00	400.00
Nov-05-18	Consult with Dan S,Cheryl B, D. Nelson on audit and personnel matters; attend work session	GTW	\$200.00	3.00	600.00
	Review materials and documentation re NRCDC formation, organization and divesture in preparation of transfer	NPW	\$170.00	3.00	510.00
Nov-06-18	discuss short term rentals w LT/Sonia; consult w/ Drew N. and Rusty G re personnel matters and audit status; prepare for and attend Council meeting	GTW	\$200.00	4.00	800.00
	T/c w G. Wilson re personnel issues and in preparation for the night's city council meeting; draft memo for special election	NPW	\$170.00	2.25	382.50

	confirming ordinance; correspondence w C. Brown-Kovacik re solar panel company and history and outstanding issues re same; conf w attorney for solar panel company and attorney for new owners at USFS property to resolve outstanding issues; conf w D. Nelson re same; correspondence w L. Travis; review ACH agreement; advise D. Nelson re same; correspondence w attorney for NRCDC in preparation of transfer				
	SNRCDC: at the request of Nina Williams, make additonal copies of select documents received from the City; compile and organize by date.	WFC	\$68.00	0.25	17.00
Nov-07-18	Correspondence w attorney for solar panel company concerning disputes and disparities; review council member's account and correspondence concerning same	NPW	\$170.00	0.75	127.50
Nov-08-18	discuss personnel matter w Drew N; brief Joe R; arrange meeting for Joe and Drew;respond to D Shore inquiry	GTW	\$200.00	1.00	200.00
	Employment Matter: confer with City Manager re: employment matter and begin researching same.	JMR	\$150.00	1.00	150.00
	Review and analyze Many Minis edits and recommended changes to conditional license concerning use of Palmer Street ROW; conf w G. Van Nimwegen and D. Nelson re same; conf w G. Wilson re same	NPW	\$170.00	0.50	85.00
Nov-12-18	draft OLT ordinance; respond to D Shore inquiry; forward inquiry to Joe R; confer w Drew N	GTW	\$200.00	2.00	400.00
	Confer with City Manager re: employment matter.	JMR	\$150.00	0.25	37.50
	Draft memo to D. Nelson and L. Travis advising re parking ticket fine changes and 2019 fee schedule; advise and recommend waiving municipal court clerk bond requirement; research for same; draft memo re same; conf w Judge re same; draft city policy concerning use of city logo for election purposes; conf w D. Nelson and L. Travis re same; draft, edit and finalize	NPW	\$170.00	2.75	467.50

	memo concerning use of city logo during election campaign and summarizing research re same from constitutional law, fair campaign practices act and common law trademark law; conf w G. Wilson re same				
Nov-13-18	Edit and finalize memo concerning use of election logo during election campaign; conf w G. Wilson re same; conf w PT Wood and city staff re same; conf call w L Travis re short term rental enforcement; analyze code for same and advise L. Travis re same; draft, edit and finalize scope of work for City Attorney and City Administrator positions; conf w D. Nelson re same; correspondence w attorney for solar panel company; conf w C. Brown-Kovacik; conf w G. Wilson re same	NPW	\$170.00	3.75	637.50
Nov-14-18	Research and analyze various parking fees in lieu funds and purposes for the funds for draft downtown overlay district ordinance; research amount of payment requested in various Colorado municipalities for same; advise G. VanNimwegen re same; advise L. Travis re resolution concerning municipal court clerk bond requirement waiver; begin draft of resolution for same; conf w municipal court judge re same; advise S. Walker on response to short term rental non-compliance; research and analyze current code for same; draft response for same; meeting w G. Wilson re same and outstanding legal issues	NPW	\$170.00	4.25	722.50
Nov-15-18	Correspondence w C. Brown-Kovacik, D. Nelson and PT Wood re solar panel company overcharges, solar panels at USFS building and recent communication from solar panel's attorney; advise re same; conf w attorney for solar panel company re reducing rates pursuant to previous agreements; conf w G. Wilson re same; conf w G. Wilson re resolution to notify council of settlement and council handbook; analyze same to create	NPW	\$170.00	1.25	212.50

Nov-16-18	solution for issue; review and analyze past correspondence and bill for same				
	review record in personnel matter; index, organize and prioritize materials for Jor R.	GTW	\$200.00	1.00	200.00
	Employment Matter: confer with supervisory staff re: employment matter.	JMR	\$150.00	0.50	75.00
	Analyze and review NRCDC documents, resolutions, deeds, memos and correspondence, plan transfer of NRCDC entity, property and assets to City; draft the detailed resolution for NRCDC transfer; conf w attorney for NRCDC re legal descriptions, logistics for transfer and conservation protection area, draft resolution for transfer, as well as IRS designation; conf w G. Wilson re same; telephone call w Councilman Bowers re same; conf w D. Nelson and PT Wood re same and advising of next steps for 12/18 transfer at City Council meeting; advise staff re logistics for same	NPW	\$170.00	5.25	892.50
Nov-18-18	Employment Matter: complete review of employee's case file re: possible disciplinary action.	JMR	\$150.00	3.50	525.00
Nov-19-18	Review, analyze, respond to inquiry from L Travis re liquor licensing fee amendments.	CNB	\$200.00	0.75	150.00
	review Joe R. product	GTW	\$200.00	0.50	100.00
	Confer with G. Wilson, Drew Nelson re: employment matter; share written opinion re: same.	JMR	\$150.00	1.25	187.50
	Conf call w C. Brown-Kovacik re NRCDC and solar panel agreement and USFS property; advise on same; conf call w attorney for NRCDC resolving outstanding items for 12/18 NRCDC transfer; conf call w G. Wilson re NRCDC transfer and solar panel company issue and in preparation of 11/20 City Council meeting; edit and draft resolution for NRCDC transfer for 12/18 City Council meeting; conf w staff re logistics for NRCDC transfer and legal necessities; e-mail attorney for NRCDC with next steps for transfer and	NPW	\$170.00	3.50	595.00

Nov-20-18	<p>outstanding assignments; e-mail w C. Brown-Kovacik re outstanding legal and financial issues with solar panel company; advise D. Nelson re various solar panel companies; review correspondence from D. Nelson re same; conf w attorney for solar panel company in preparation for upcoming meeting</p>	GTW	\$200.00	3.50	700.00
	<p>discuss CORA issue w LT; discuss personnel, council procedure and audit situation with Drew; same with PT; attend Council meeting</p>				
	<p>Correspondence w NRCDC attorney concerning property transfer, conf w G. Wilson re same; advise staff and council member concerning solar company agreements and upcoming meeting to discuss rates and potential contractual disputes; correspondence w G. VanNimwegen re many minis conditional license agreement; conf w attorney for many minis; memo to D. Nelson and PT Wood re NRCDC transfer and language in resolution concerning open space and other confidential points of negotiation; negation same w NRCDC attorney concerning transfer and resolution language; correspondence w L. Travis re publication notice for NRCDC transfer; correspondence w solar panel company concerning upcoming meeting, specifics of same and subject matter of same; review and analyze McClurken termination letter; conf w J. Rivera re same; edit and recommend changes to termination letter; advise D. Nelson re termination letter and process for same; conf w G. Wilson re same; analyze and review draft ordinance for Central Business Economic overlay district; draft and recommend changes to same; review code for same; advise G. VanNimwegen re same for Planning Commission meeting next week; correspondence w C. Brown-Kovacik re solar panel billing issues and upcoming</p>	NPW	\$170.00	7.50	1,275.00

	meeting; meeting w G. Wilson to discuss all outstanding items				
Nov-21-18	Analyze, edit, draft and finalize resolution for NRCDC transfer of property, organization, assets, etc; draft and finalize ordinance authorizing conveyance of property from NRCDC to City; draft and finalize special warranty deed transferring property from NRCDC to City; review each of same and edit same; review and analyze property documents and past municipal actions to draft same; conf w G. Wilson re same; review and analyze McClurkin employment termination letter; advise D. Nelson w recommended changes; conf w G. Wilson re same; coordinate meeting w solar company; advise staff and council member re same; request documents in preparation for same; plan and strategies for same; Review employment law overtime issue between police and fire departments; conf w J. Rivera re same; research FLSA, regulations and secondary sources to address issue and determine answer and advise; draft memo to D. Nelson advising on issue and results of research	NPW	\$170.00	10.50	1,785.00
Nov-23-18	Draft ordinance amending municipal court provisions and parking provisions in City Code and procedures re enforcement of same; research City Code for same; review and analyze and research other municipalities' ordinances for same	NPW	\$170.00	2.75	467.50
Nov-25-18	research two council questions; draft and send memo in response	GTW	\$200.00	1.00	200.00
Nov-26-18	Meeting w G. Wilson re personnel issue, NRCDC transfer and negotiations concerning same and occupational lodging tax ordinance concerning short term rentals; review G. Wilson research and conclusion for ordinance re occupational lodging tax for short term rentals; correspondence w NRCDC attorney with final drafts of Resolution, ordinance and special warranty deed for 12/18 NRCDC transfer and updated list of requests for transfer; review	NPW	\$170.00	2.25	382.50

Nov-27-18	documents for same; advise D. Nelson re issues concerning McClurkin termination letter and process for same				
	EEOC research;litigation hold letter production;residency law research	GTW	\$200.00	1.00	200.00
Nov-28-18	Conf w NRCDC attorney concerning documents needed for upcoming City Council meeting agenda and associated documents and legal descriptions; advise L. Travis re City Council agenda and packet and ordinance for same; conf w D. Nelson re NRCDC and upcoming solar panel meeting and negotiations and strategy for same; draft "litigation hold" letter concerning McClurkin anticipated employment litigation and EEOC claims; conf w J Rivera and G. Wilson re same; conf w and advise D. Nelson re same; conf w D. Nelson re residency requirement issue; research code and state statues for same; conf w G. Wilson re same	NPW	\$170.00	3.50	595.00
	Meeting w G. Wilson concerning strategy for NRCDC negotiations and NRCDC requests for 12/18 transfer; conf call w NRCDC attorney concerning 12/18 transfer, organization's requests for same within resolution, insurance requirements and negotiation of same; e-mail correspondence and negotiation w NRCDC attorney re same; research on legal requirements for acceptance of property transfer and title; conf w G. Dahl re same; amend Resolution for NRCDC transfer; conf w L. Travis and D. Nelson re 12/4 city council agenda; correspondence w City staff concerning strategy, documents and details for 11/30 meeting with solar panel company; review of NRCDC special warranty deed for transfer; review of legal descriptions for same; coordination of in person meeting w NRCDC board and attorney for 12/5; correspondence w PT Wood re same and strategy for same; correspondence w solar panel company concerning upcoming negotiations and meeting; correspondence w D. Nelson re CORA requests; correspondence w D.	NPW	\$170.00	5.25	892.50

	Nelson re personnel issues and litigation hold;				
Nov-29-18	Prepare for meeting with solar panel company; analyze documents, contracts and correspondence for same; review all documents from C. Kovacik-Brown re same; review all bills and analysis in preparation for same; conf w D. Nelson concerning strategy for meeting with solar panel company and meeting w him after re NRCDC transfer; correspondence w D. Nelson re xcel and solar company invoices from City; correspondence w attorney for NRCDC concerning 12/5 meeting with board and logistics of transfer; conf w G. Wilson re meeting w solar company, contract dispute and strategy re same	NPW	\$170.00	4.25	722.50
Nov-30-18	Meeting w Greg Bohan from solar panel company and D. Nelson in Boulder concerning misunderstanding w billing structure and contract dispute concerning Site 12; conf call w attorney from solar panel company re same; meeting w D. Nelson re same and strategy re same and legal analysis re same and concerning history of same; meeting w D. Nelson re NRCDC transfer, logistics re same, history re same, strategy for same and discussion of outstanding issues for same and outstanding personnel issues and EEOC complaint; advise D. Nelson re same; conf call w G. Wilson re meetings and outstanding assignments from same; correspondence w D. Nelson in preparation for NRCDC transfer and 12/5 meeting w NRCDC board; t/c w C. Brown-Kovacik re history an strategy for solar panel meeting and history of school district's contract and payment terms w solar panel company; follow up correspondence w solar panel company and D. Nelson; review G. VanNimwegen's changes to Many Minis comments to draft conditional license re Palmer Street; review Tailwind sewer extension agreement; correspondence w D. Lady re same	NPW	\$170.00	5.75	977.50



Totals

99.00 \$17,326.50**DISBURSEMENTS**

Nov-01-18	Westlaw Research - October	29.99
Nov-05-18	10/2/18 Roundtrip Mileage from Morrison to Salida 248 @ 0.545	135.16
Nov-30-18	November Prints/Copies 398 @ 0.10	39.80
	November Prints/Copies (Color) 8 @ 0.50	4.00
Dec-03-18	11/20/18 Round-trip mileage to Salida from Morrison	135.16

Totals

\$344.11**Total Fee & Disbursements**\$17,670.61

Previous Balance

12,286.27

**Balance Now Due**\$29,956.88

TAX ID Number 20-1943771

**TIMEKEEPER LIST**

CNB	Carmen N. Beery	Senior Partner
GTW	Geoffrey T. Wilson	Associate
JMR	Joseph M. Rivera	Associate
NPW	Nina P. Williams	Associate
WFC	Winona Correa	Paralegal