

Robert Brakenridge Lyons, Colorado - Open Discussion

July 22 at 10:37 AM ·

After two board of trustees executive sessions supposedly to (in part) consider legal remedies if a development company breaches their agreement, this is what we've ended up:

- 1) More billable hours for the attorney,
- 2) Lots of paid staff and board member time invested, and
- 3) An amended development agreement that basically amounts to: Town: "We will waive your park fees", in return for: Development company: "And in return, we will give you a dead cat"

Nicholas Angelo

These comments are my own and do not reflect any official position of the Town of Lyons. To use words like "supposedly" to imply anything other than the best of intentions by the Board of Trustees is offensive, and I'm being polite. Affordable housing is one of the foremost issues facing all municipalities today. We gave up much less than most. Is it perfect, of course not, are there challenges, absolutely. In similar situations when a community contributed the land and had additional financial assistance for 27 units, there were over 200 applications. If that isn't flashing red lights and sirens regarding the problem, I don't know what would be. We can disagree, I prefer to disagree, but do not impugn or even imply a less than sincere attempt for the Board of Trustees to do what they feel is in the best interest of the Town of Lyons. If so, expect me to respond, always in defense of our actions

Robert Brakenridge

I stand by my words, friend, and mayor, Nick Angelo. I wrote: "After two board of trustees executive sessions supposedly to (in part) consider legal remedies." And you take offense at this?

Clearly, what was discussed at these meetings included how the town might adjust its taxes and fees to comply with the developer's request to modify the development agreement. But this is not a fit subject for executive session, but only for public meetings. It is not protected by the language about "negotiations" in Colorado law, which refer, mainly, to matters such as negotiating contracts with a teacher's union, etc.

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Robert Brakenridge

Listen to me, please: If I were a board member, as soon as the executive session discussion veered from "what legal remedies can the town pursue" (protected by executive session law), such as regarding this developer's threat of breach of contract, to: "how might we negotiate with the developer and offer some changes to respond to their demands", I would have immediately asked for all to come out of executive session. If that did not occur I would have left the room.