

**PUEBLO CITY-COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES  
MINUTES FOR THE SPECIAL MEETING ON  
SALE OF SURPLUS LIBRARY-OWNED PROPERTY**

**January 17, 2014**

**I. CALL TO ORDER AND ROLL CALL**

The special meeting of the Pueblo City-County Library District Board of Trustees was called to order at the Rawlings Library at 2:03 p.m. by President Marlene Bregar.

Board Members Present: Marlene Bregar, President; Fredrick Quintana, Vice President; Lyndell Gairaud; Philip Mancha; Roy Miltner; Jim Stuart

Board Member Absent: Donna Pickman (attempted to participate by phone but call was disconnected due to poor service)

Attorney Present: Nicholas Gradisar

Staff Present: Jon Walker, Executive Director; others not recorded

**II. ACTION/DISCUSSION ITEM**

**A. Sale of Property**

Ms. Bregar said the Board of Trustees have considered sale of surplus library-owned land on the St. Charles Mesa.

Mr. Walker distributed copies of the contract and invited Mr. Gradisar to describe the changes made since it was discussed at the Work Session. Mr. Gradisar said he spoke with Mr. Giodone after the Work Session, and the easement language that Mr. Giodone requested has been inserted. Mr. Gradisar also referred to the paragraph that deals with the issue of naming rights which provides that the library will allow the buyers to recommend a name unless the library identifies a donor willing to commit \$150,000 for the naming rights by July 1, 2014. Mr. Giodone understands that the library is still trying to sell naming rights and was agreeable to that provision.

Mr. Gradisar appreciated the Board's willingness to meet on short notice which was necessary for the planned January 24 closing date that has now been pushed back to January 31. The buyers needed three days to get the funds transferred but did not want to proceed without formal Board action. Mr. Gradisar explained the reason for the delay was the library is agreeing to sell Lot 2, but Lot 2 must first be created, approved and recorded prior to the closing. Ms. Bregar pointed out that is an issue for the county offices rather than the library.

Mr. Stuart asked about any closing costs involved and who would pay those, Mr. Gradisar estimated with taxes and title insurance, the costs should not exceed \$1,000, although a portion of the costs would be split with the buyer. The title commitment has not been finalized, and the library will be signing the deed over to the Giodones, and they will sign a Deed of Trust. Since it has only been a short time since the library acquired the property, title companies sometimes will often offer a better price.

Mr. Stuart asked if the library would be bound to the name if the buyer defaulted or if the library decided to expand in the future and had a different donor. Mr. Stuart questioned whether having the naming rights in the contract would bind the library to the name in perpetuity. Mr. Gradisar responded that the promissory note will have language that if the buyers default they will lose naming rights. Mr. Gradisar said that once the transaction closes, the contract is completed, and the promissory note and the Deed of Trust will contain the provisions.

Mr. Quintana expressed reservations about tying the sale to the naming right, although he appreciated the extension granted by the buyers to accept other donors. After some brief discussion, Mr. Quintana indicated he was willing to support the sale, in spite of reservations

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about the naming option. Ms. Gairaud, Mr. Miltner and Dr. Mancha each spoke in support of the sale.

Dr. Mancha made a Motion, seconded by Ms. Gairaud, that the Trustees approve sale of Lot 2 of the St. Charles Mesa Library Subdivision as specified in the contract with Tom L. and Anna Marie Giodone dated January 15, 2014, with proceeds to be applied to the new libraries' capital project.

There being no further discussion, Mr. Quintana requested a roll call vote, and the Board President directed that roll call vote held. The roll call vote resulted in Ms. Bregar, Ms. Gairaud, Dr. Mancha, Mr. Miltner Mr. Quintana (noting reservations), and Mr. Stuart voting in favor of the Motion. MOTION PASSED UNANIMOUSLY 6-0.

**IV. ADJOURNMENT** There being no further business, the meeting was adjourned at 2:17 p.m. Following the adjournment there was brief informal discussion in which Mr. Walker explained reasons for the delay in closing, adding that the Giodones would like to complete the sale as soon as possible.

Respectfully submitted,

Jane Carlsen  
Secretary