



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE**

**MONDAY, SEPTEMBER 26, 2022
7:00 PM**

Individuals Requiring Special Accommodations Should Notify the City's ADA Coordinator at (719) 553-2295 by Noon on the Friday Preceding the Meeting.

A. CALL TO ORDER

President Heather Graham

B. INVOCATION

Pastor Danny Lucero, Praise Assembly

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation: "Scott A. Richards Day" - September 26, 2022; Meg Richards, wife of Scott Richards

E2 Proclamation: "Health Solutions 60 Year Anniversary" – September 1, 2022; Jason Chippeaux, President & CEO, Health Solutions

E3 Proclamation: "National Hispanic Heritage Observance – Pueblo Latino Veterans Profiles in Courage Day" - October 1, 2022; Pueblo Latino Veterans Profiles in Courage Committee members

E4 Proclamation: "Italian Heritage Month" - October 2022; Frankie Cirullo, last surviving member of the Christopher Columbus Lodge in Pueblo

F. PUBLIC FORUM

G. COUNCIL MEMBER AND MAYOR COMMENTARY

H. REVIEW OF AGENDA

I. APPROVAL OF AGENDA

Motion to Amend the Agenda or Motion to Approve the Agenda as distributed.

J. READING AND APPROVAL OF MINUTES

Motion to dispense with the reading and approve the Minutes of the Regular Meeting dated September 12, 2022, as distributed.

J1 City Council Minutes for September 12, 2022

K. CONSENT AGENDA

All items listed in this portion of the agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilperson so requests; in which event, the item will be removed from the Consent Agenda and considered under the Regular Agenda. Unless otherwise indicated, titles are self-explanatory.

L. COMMUNICATIONS

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$16,850 to Russ Grading & Excavating, LLC. for emergency storm sewer point repair near the intersection of Encino and Modesto and authorizing the purchasing agent to execute same
- M2 A Resolution ratifying an emergency construction contract in the amount of \$139,166.16 with Parker Excavating, Inc. for emergency sanitary sewer point repair at W 8th St & N Main St crossing, Project No. 20-059 (WWAN03) and approving the purchasing agent's execution of same
- M3 A Resolution authorizing the transfer of budgeted and appropriated funds in the amount of \$124,319.90 from Project No. SR2101 - Street Rehabilitation - Northern Avenue, Broadway Avenue, High Street, Grand Avenue, W. 24th Street, and Hudson Avenue to Project No. SR2003 - Street Rehabilitation Project - Fortino, Outlook, Greenwood, and Eagleridge and closing out Project No. SR2003
- M4 A Resolution authorizing an additional payment in the amount of \$3,110.42 from Project CI2113 - American Rescue Plan Act for the purchase of two Toro Groundsmaster mowers for the Department of Parks and Recreation, as authorized by Section 603(c)(1)(c) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6
- M5 A Resolution approving a Purchasing Agreement between the City of Pueblo, a Municipal Corporation, and Pattlen Enterprises, Inc. dba L.L. Johnson Distributing Company, Inc., for two Toro Groundsmaster mowers for the Pueblo Parks and Recreation Department and authorizing the Purchasing Agent to execute same
- M6 A Resolution authorizing the issuance of a Revocable Permit to the Pueblo Bulls Hockey Club for the use of the 100 Block of Grand Avenue Right-of-Way between City Center Drive and W. 2nd Street
- M7 A Resolution authorizing the issuance of a Revocable Permit to The Gravel Locos, LLC for the use of Main Street from C Street to D Street, and the portions of the City-owned lot on the north corners of Main and D Street and Oneida and D Street and their rights of way to host their Gravel Locos Pueblo Bicycle Race
- M8 A Resolution confirming the appointment by the Mayor of Laura Leyba to the ADA Advisory Committee

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance approving and authorizing the Mayor to sign a Grant Agreement between the City Of Pueblo, a Colorado Municipal Corporation and the Southeastern Colorado Heritage Center, Inc., d/b/a the Pueblo Heritage Museum, a Colorado Nonprofit Corporation, as authorized by Section 603 of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6 and authorizing the payment of ten thousand dollars (\$10,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof
- N2 An Ordinance approving and authorizing the Mayor to sign a Grant Agreement between

the City of Pueblo, a Colorado Municipal Corporation and the State Historic Society of Colorado d/b/a the El Pueblo History Museum, a Colorado Nonprofit Corporation, as authorized by Section 603 of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6 and authorizing the payment of five thousand dollars (\$5,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof

- N3 An Ordinance approving and authorizing the Mayor to sign a Grant Agreement between the City of Pueblo, a Colorado Municipal Corporation and the Colorado Archaeological Society, Inc. d/b/a the Pueblo Archeological and Historical Society, a Colorado Nonprofit Corporation, as authorized by Section 603 of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6 and authorizing the payment of five thousand dollars (\$5,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof
- N4 An Ordinance approving and accepting a subgrant in the amount of \$44,000 from One Colorado Education Fund for the Pueblo Food Project, authorizing the Mayor to sign the grant agreement, creating Project No. CI2213, and budgeting and appropriating \$44,000 to Project No. CI2213
- N5 An Ordinance approving and accepting a grant in the amount of \$20,000 from the Colorado Housing and Finance Authority for the Pueblo Food Project, authorizing the Mayor to sign the award letter, creating Project No. CI2214, and budgeting and appropriating \$20,000 to Project No. CI2214
- N6 An Ordinance approving and accepting a grant in the amount of \$400,000 from the Colorado Health Foundation for the Pueblo Food Project, authorizing the Mayor to sign the grant agreement, establishing Project No. CI2216, and budgeting and appropriating \$400,000 to Project No. CI2216
- N7 An Ordinance approving and accepting a grant agreement and applicable conditions pertaining thereto with the Colorado Department of Transportation (CDOT) for the “A Step Towards Reducing Traffic Fatalities” grant, in the amount of \$75,000, from October 1st, 2022 through September 30th, 2023, establishing project number PS2209, budgeting and appropriating funds into project PS2209, and authorizing the Mayor to execute same
- N8 An Ordinance approving Amendment No. 1 to the Lease and Management Agreement between the City of Pueblo, a Municipal Corporation, and Bregar Golf, LLC, relating to the Elmwood Golf Course Restaurant, and authorizing the Mayor to execute same
- N9 An Ordinance approving an agreement between Pueblo Corporate College, a division of Pueblo Community College, (“PCC”) and the City of Pueblo, a Municipal Corporation, for use of a parking lot at the Pueblo Memorial Airport, and authorizing the Mayor to execute same
- N10 An Ordinance electing to certify Abatement Assessment Roll No. 2022-1 to the County Treasurer and to have the County Treasurer collect in the same manner as other taxes

O. APPROVAL OF CONSENT AGENDA

I move to approve all Resolutions Set Forth in the Consent Agenda; Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for October 11, 2022, and Order the Ordinances to be published BY TITLE.

P. REGULAR AGENDA

Q. RESOLUTIONS

- Q1 A Resolution naming the City Council Chambers Broadcast Room as the “Scott A. Richards Broadcast Room”

- Q2 A Resolution authorizing payment from the Council Contingencies account in the 2022 General Fund budget to Pueblo Community College Foundation in the amount of \$2,000 to support the Scott Richards Scholarship
- Q3 A Resolution authorizing payment from the Council Contingencies account in the 2022 General Fund budget to Historic Pueblo, Inc. in the amount of \$1,000 to support the Damon Days Fundraiser on Friday, October 28, 2022, at 5:30 pm
- Q4 A Resolution authorizing payment from the Council Contingencies account in the 2022 General Fund budget to NAACP Pueblo branch in the amount of \$700 to support the Freedom Fund Banquet Celebration on Saturday, October 15, 2022, at 6 pm
- Q5 A Resolution authorizing payment from the Council Contingencies account in the 2022 General Fund budget to Pueblo Downtown Association in the amount of \$1,000 to support the Parade of Lights on November 26, 2022, at 5:30 pm
- Q6 A Resolution authorizing payment from the Council Contingencies account in the 2022 General Fund budget to Pueblo Downtown Association in the amount of \$2,832.88 to support the decorating of light poles from Union Avenue Bridge to Main Street at Headwaters Park
- Q7 A Resolution confirming the appointment of Alexandria A. Romero to the position of Finance Director

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance approving and authorizing the Mayor to sign a grant agreement between the City of Pueblo, a Colorado Municipal Corporation and Rosemount Museum, a Colorado Nonprofit Corporation, as authorized by Section 603 of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6 and authorizing the payment of ten thousand dollars (\$10,000) from Project no. CI2113 - American Rescue Plan Act, for purposes thereof - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R2 An Ordinance approving and authorizing the Mayor to sign a grant agreement between the City of Pueblo, a Colorado Municipal Corporation and the Bessemer Historical Society dba the Steelworks Center of the West, a Colorado Nonprofit Corporation, as authorized by section 603 of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6 and authorizing the payment of ten thousand dollars (\$10,000) from Project no. CI2113 - American Rescue Plan Act, for purposes thereof - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R3 An Ordinance approving and authorizing the Mayor to sign a subrecipient agreement between the City of Pueblo, a Colorado Municipal Corporation and So Col Racing dba Southern Colorado Youth Development a Colorado Nonprofit Corporation, as authorized by Section 603 of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6 and authorizing the payment of forty thousand two hundred dollars (\$40,200) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R4 An Ordinance approving and authorizing the Mayor to sign a grant agreement between the City of Pueblo, a Colorado Municipal Corporation and Fuel and Iron Commercial, LLC, a Colorado Limited Liability Company, as authorized by Section 603 of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CRF 35.6 and authorizing the payment of two hundred ninety-four thousand one hundred twenty-one and 51/100 dollars (\$294,121.51) from Project no. CI-2113 - American Rescue Plan Act, for purposes thereof - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*

- R5 An Ordinance approving an agreement in an amount not to exceed \$150,000 between the City of Pueblo and Brown and Caldwell, Inc., for regulatory assistance and general engineering services and authorizing the Mayor to execute same - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R6 An Ordinance approving and accepting a grant in the amount of \$20,000 from the Trailhead Institute for the Pueblo Food Project, authorizing the Mayor to sign the grant agreement, creating Project No. CI2215, and budgeting and appropriating \$20,000 to Project No. CI2215 - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R7 An Ordinance rezoning 14.1-acres generally located south of Oakshire Lane, north of 13th street, and west of Beaumont Avenue from R-2, Single Family Residential Zone District and S-1, Governmental Use Zone District to R-4, Mixed Residential Zone District - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
The Planning and Zoning Commission at their August 10, 2022 Regular Meeting voted 7-0 to recommend approval.
- R8 An Ordinance rezoning 215 East Orman Avenue from S-1, Governmental Use Zone District to CCN, Commercial Charter Neighborhood and RCN, Residential Charter Neighborhood Zone Districts - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
The Planning and Zoning Commission at their August 10, 2022 Regular Meeting voted 7-0 to recommend approval.
- R9 An Ordinance rezoning 1.52-acres of land along State Highway 96 and west of Victory Lane from B-3, Highway Arterial Business Zone District to S-1, Government Use Zone District - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
The Planning and Zoning Commission at their August 10, 2022 Regular Meeting voted 7-0 to recommend approval.
- R10 An Ordinance vacating a 20-foot public utility easement between Parcel B, rearrangement of boundary lines and Lot 4, Block 3, Trinity Subdivision - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
The Planning and Zoning Commission at their August 10, 2022 Regular Meeting voted 7-0 to recommend approval.
- R11 An Ordinance approving the North Vista Highlands, Filing No. 5 Subdivision - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
The Planning and Zoning Commission at their August 10, 2022 Regular Meeting voted 7-0 to recommend approval.
- R12 An Ordinance amending the fiscal year 2022 staffing ordinance by adding one (1) full-time Stormwater Engineering Manager position to the authorized staffing of the Stormwater Department as part of a reorganization - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R13 An Ordinance amending Section 6-5-16 of Chapter 5 of Title VI of the Pueblo Municipal Code relating to the FY 2022 classification and pay plan by establishing the pay scale for Stormwater Engineering Manager - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R14 An Ordinance declining employer participation in the Paid Family and Medical Leave Insurance (FAMLI) Program and Act created and codified at Part 5, Article 13.3, Title 8 of the Colorado Revised Statutes - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*

- R15 An Ordinance approving a license agreement Between the City of Pueblo, a Municipal Corporation and Clarity Telecom, LLC dba Bluepeak Fiber, a Delaware Limited Liability Company - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R16 An Ordinance approving and accepting a Department of Homeland Security Grant Award No. EMW-2021-FG-07073 and applicable conditions pertaining thereto, establishing project No. PS2210 for the purchase of one air compressor and budgeting and appropriating grant funds in the amount of \$45,599 which includes a ten percent cost match of \$4,145.37 for the Purposes Authorized by the Grant Agreement - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R17 An Ordinance approving a non-disclosure agreement between Pueblo, a Municipal Corporation, and Colorado Springs Utilities, an enterprise of the City of Colorado Springs, and authorizing the Mayor to execute same - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R18 An Ordinance approving and authorizing the Mayor to execute a memorandum of understanding between the City of Pueblo, a Colorado Municipal Corporation and InhabX, LLC, a Colorado Limited Liability Company, relating to trailhead access to the City of Pueblo's trail to the Arkansas River - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R19 An Ordinance approving and authorizing the Mayor to sign an Amendment No. 3 to an employment agreement between the City of Pueblo, a Colorado Municipal Corporation and New CF&I Inc., a Delaware Corporation - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R20 An Ordinance approving and authorizing the Mayor to execute Amendment No. 2 to a hangar lease between the City of Pueblo, a Colorado Municipal Corporation and Lockheed Martin Corporation, a Maryland corporation, relating to land and a hangar building at the Pueblo Memorial Airport - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*
- R21 An Ordinance approving and authorizing the Mayor to sign a construction management agreement between the City of Pueblo, a Colorado Municipal Corporation and the Pueblo Development Foundation, a Colorado nonprofit corporation, relating to a construction project at 32501 Walt Basset Avenue, Pueblo, CO 81001 - *Introduced September 12, 2022 by Councilor Vicente Martinez Ortega*

S. EMERGENCY ORDINANCES

- S1 An Emergency Ordinance approving and accepting the Colorado Firefighter Safety and Disease Prevention Grant, and budgeting and appropriating funds in the amount of \$17,111.52 into Project No. PS2211 for the purposes authorized by the grant agreement

T. ADJOURN