



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

**MONDAY, NOVEMBER 14, 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 Jim Urie, Praise Assembly of God

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation: "Renee F. Dominguez Day" - November 14, 2022; Laverne & Miguel Dominguez, mother and son of Renee

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 October 24, 2022, as distributed.

J1 City Council Minutes for October 24, 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

L1 Minutes of the Planning and Zoning Commission's Regular Meetings dated April 13, 2022, May 11, 2022, June 8, 2022, July 13, 2022, August 10, 2022 and September 14, 2022

M. RESOLUTIONS

- M1 A Resolution ratifying an emergency construction contract in the amount of \$23,272.55 with Parker Excavating, Inc. For Emergency Sanitary sewer point repair at 2410 East Evans Avenue, Project No. 20-059 (WWAN03) and approving the purchasing agent's execution of same
- M2 A Resolution awarding a construction contract in the amount of \$13,960 to Doug Vaughn, LLC., for Project No. 22-090, Curb and Gutter Improvements - Grand Avenue between 17th & 18th Streets, setting forth \$5,000 for contingencies, and authorizing the Purchasing Agent to execute same
- M3 A Resolution awarding an agreement for professional engineering services in the amount of \$123,014.74 to Short-Elliott-Hendrickson, Inc., a Colorado Corporation, for Project No. 22-041 RFQ Design and Engineering for Adams and Jackson Roundabout Project and authorizing the Purchasing Agent to execute same
- M4 A Resolution awarding an agreement for professional engineering services in the amount of \$70,865.50 to Mead & Hunt, Inc., a Colorado Corporation, for Project No. 22-073 Design and Engineering for Berkley Avenue and Mesa Avenue Roundabout Project and authorizing the Purchasing Agent to execute same
- M5 A Resolution awarding an agreement for professional engineering services in the amount of \$9,900 to Northstar Engineering and Surveying, Inc., for 22a-039 Engineering and Surveying Services for platting of Fire Station No. 8, and authorizing the Purchasing Agent to execute same
- M6 A Resolution awarding a construction contract in the amount of \$37,552.30 to Sasquatch Flooring, LLC., a Colorado Limited Liability Company for Project No. 22-074, Replace Flooring in the Municipal Court Area at Pueblo Municipal Justice Center (PMJC), setting forth \$3,755.23 for contingencies, and authorizing the Purchasing Agent to execute same
- M7 A Resolution awarding a construction contract in the amount of \$314,040 to CGRS, Inc., and setting forth \$31,404 for contingencies and additional work for Project No. 22-067 installation of duckbill check valves on storm sewer outfall pipes along Fountain Creek and authorizing the purchasing agent to execute same
- M8 A Resolution approving and accepting a Special Warranty Deed from inhabX, LLC., a Colorado limited liability company, for 0.039 acres of land
- M9 A Resolution approving and accepting a public access easement and right of way from inhabX, LLC., a Colorado Limited Liability Company, for 0.063 acres of land
- M10 A Resolution approving and accepting a sanitary sewer easement from inhabX, LLC., a Colorado Limited Liability Company, for 0.084 acres of land
- M11 A Resolution authorizing the issuance of a revocable permit to the Historic Arkansas Riverwalk of Pueblo Authority for use of Victoria Avenue, Greenwood Street and Elizabeth Street to conduct the annual Holiday Lighting Extravaganza
- M12 A Resolution authorizing the issuance of a revocable permit to Pueblo County Board of County Commissioners for the use of West 10th Street between North Main Street and Court Street and North Main Street and Court Street between West 10th Street and West 11th Street to host the courthouse lighting ceremony
- M13 A Resolution authorizing the issuance of a revocable permit to the YMCA of Pueblo for the use of Spaulding Avenue, Parker Boulevard, and West 31st Street to host the annual

Turkey Trot - 5K Run/Walk

M14 A Resolution extending the term of the American Rescue Plan Act Fire Fit Kids Project from December 31, 2022 until December 31, 2024

M15 A Resolution to amend Resolution No. 14986 funding source for Project No. 22-033 Ice Arena Cooling Tower Replacement

M16 A Resolution consenting to participation by the Board of Water Works of Pueblo, Colorado in the Colorado Intergovernmental Risk Sharing Agency

M17 A Resolution confirming the appointment by the Mayor of Nathaniel Dinsmore to the Pueblo Memorial Airport Advisory Committee

M18 A Resolution confirming the appointment by the Mayor of Joe Latino, Mike Ricottone, and Tony Montoya to the Pueblo Municipal Golf Course Enterprise Advisory Committee

N. ORDINANCES – FIRST PRESENTATION

N1 An Ordinance levying and certifying the City of Pueblo property tax mill levy made in 2022 for the 2023 budget year

N2 An Ordinance levying and certifying the Bandera Boulevard Special Improvement Maintenance District property tax mill levy made in 2022 for the 2023 budget year

N3 An Ordinance levying and certifying the Southpointe Special Improvement Maintenance District property tax mill levy made in 2022 for the 2023 budget year

N4 An Ordinance awarding an agreement for MEP Engineering Services in the amount of \$21,664 to Bridgers & Paxton Consulting Engineers, Inc., for 22-013 Project No.1, Mineral Palace Atrium HVAC Renovation, and authorizing the Purchasing Agent to execute same

N5 An Ordinance approving a license agreement between the City of Pueblo, a Municipal Corporation, and Vero Broadband, LLC., a Colorado Limited Liability Company - *Introduced October 24, 2022 by Dennis Flores*

N6 An Ordinance approving a license agreement between the City of Pueblo, a Municipal Corporation and Vero Fiber Networks, LLC., a Colorado Limited Liability Company - *Introduced October 24, 2022 by Dennis Flores*

N7 An ordinance approving The Landlord Consent Agreement between the City of Pueblo, a Municipal Corporation, and Freeman Holdings of Colorado, LLC, a limited liability corporation, ("Freeman") and Centennial Bank, for Freeman to use its leasehold interest to secure a business loan, and authorizing the Mayor to execute same

N8 An Ordinance approving a joint funding agreement between the City of Pueblo, a Colorado Municipal Corporation, and the U.S. Geological Survey, United States Department of the Interior, to continue the collection of hydrologic data along Fountain Creek and the Arkansas River and authorizing the Mayor to execute said agreement

N9 An Ordinance approving the second amendment to the Restated Annexation Agreement for the area commonly known as the North Vista Annexation described as land north of Vision Hills Parkway and west of Troy Avenue

N10 An Ordinance approving a cooperation agreement with Pueblo Triple Aim Corporation and authorizing the Mayor to execute same, establishing Project No. PS2214, and accepting, budgeting and appropriating funds in the amount of \$71,184.48 to said project

- N11 An Ordinance amending the Fiscal Year 2022 Staffing Ordinance by adding one (1) full-time position to the authorized staffing of the Fire Department entitled Community Risk Reduction Coordinator in support of the Directing Others to Services (DOTS) Program
- N12 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 Community Risk Reduction Coordinator
- N13 An Ordinance amending the Fiscal Year 2022 Staffing Ordinance by adding one (1) full-time position entitled Director/Just Transitions Program to the authorized staffing of the Mayor's Office
- N14 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 Director/Just Transitions Program
- N15 An Ordinance amending the Fiscal Year 2022 Staffing Ordinance by adding a position for training purposes within the Fleet Maintenance Division
- N16 An Ordinance amending the Fiscal Year 2022 Staffing Ordinance by adding a position for training purposes within the department of the City Clerk
- N17 An Ordinance amending Section 2-1-1 of Title II of Chapter 1 of the Pueblo Municipal Code relating to the monthly compensation of elected members of the Civil Service Commission
- N18 An Ordinance approving an amendment to the collective bargaining agreement between the City of Pueblo and the International Association of Fire Fighters Local 3 relating to work schedules for firefighters assigned to work focus response vehicles
- N19 An Ordinance approving and accepting a grant award to the City of Pueblo and Pueblo Police Department from the Patrick Leahy Bulletproof Vest Partnership administered by the U.S. Department of Justice, accepting \$5,537.87 for year 2022, establishing project number PS2212, and budgeting and appropriating funds not to exceed \$5,537.87 to project number PS2212
- N20 An Ordinance approving and authorizing a memorandum of understanding between the City of Pueblo, a Municipal Corporation, and the Pueblo County Sheriff's Office, regarding the use of a FARO 3D CSI camera system, and ratifying the mayor's signature thereof
- N21 An Ordinance approving an agreement between Pueblo School District 60, dba Pueblo City Schools, and the City of Pueblo for the School Resource Officer Program during the period of January 1 through December 31, 2023, and authorizing the mayor to execute same
- N22 An Ordinance making appropriation for the general fund, special revenue funds, enterprise funds, internal service funds, debt service funds, and capital project funds for the fiscal year 2023 and adopting the budget for the year 2023
- N23 An Ordinance suspending the payment of the monthly street repair utility service charges for twelve consecutive months beginning with each utility customer's January, 2023 utility bill

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 November 28, 2022, and Order the Ordinances to be published BY TITLE.

P. REGULAR AGENDA

Q. RESOLUTIONS

- Q1 A Resolution awarding a construction contract in the amount of \$818,080 to K. R. Swerdfeger Construction, Inc., and setting forth \$163,616 for contingencies, for Project No. 22-061 (WW1901) 2022 North Elizabeth upsizing rehabilitation project and authorizing the Purchasing Agent to execute same
- Q2 A Resolution establishing project number PST2202, and authorizing the transfer of \$1,078,000 from the Public Safety Sales Tax account into project number PST2202 for the purpose of purchasing new marked police vehicles
- Q3 A Resolution authorizing payment from the council contingencies account in the 2022 general fund budget to the Latino Chamber Development Foundation in the amount of \$1,025 to support the 11th Annual "Festival of Trees" event on Thursday, December 8, 2022, at 5 pm at the Pueblo Union Depot
- Q4 A Resolution authorizing payment from the council contingencies account in the 2022 general fund budget to the Pueblo Community Soup Kitchen in the amount of \$10,000 to purchase and update kitchen equipment
- Q5 A Resolution authorizing payment from the council contingencies account in the 2022 general fund budget to PEDCO in the amount of \$2,500 to sponsor the Pueblo Economic Outlook Forum on Friday, November 18 at 7 am in the Fortino Ballroom of Pueblo Community College
- Q6 A Resolution authorizing payment from the council contingencies account in the 2022 general fund budget to Roselawn Foundation in the amount of \$3,000 to sponsor the "Wreaths Across America" event on Saturday, December 17 at 12 pm at Roselawn Cemetery
- Q7 A Resolution authorizing payment from the council contingencies account in the 2022 general fund budget in the amount of \$1,000 to assist in funding the Bessemer Neighborhood Holiday Lighting

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance amending Section 14-4-76 of the Pueblo Municipal Code relating to sales and use tax and exempting from sales tax all sales of period products, incontinence products and diapers purchased on and after January 1, 2023 - *Introduced October 24, 2022 by Dennis Flores*
- R2 An Ordinance budgeting and appropriating an additional \$391,593 in PACOG FY-2022-2023 consolidated planning grant funds for transportation planning services related to the City of Pueblo and Pueblo Area Council of Governments 2023 delegation agreement for Transportation Planning Services - *Introduced October 24, 2022 by Dennis Flores*
- R3 An Ordinance approving a delegation agreement between the City of Pueblo, a Municipal Corporation, and the Pueblo Area Council of Governments for 2023 transportation planning services and authorizing the Mayor to execute same - *Introduced October 24, 2022 by Dennis Flores*
- R4 An Ordinance amending zoning restrictions to rezone a portion of lots 15, 16, 17, and all of 18 to 21, block 2, Delavan Place Subdivision from B-4, Central Business District to R-5, Multiple Residential and Office District - *Introduced October 24, 2022 by Dennis Flores*

- R5 An Ordinance vacating a portion of Sumner Avenue, Pearl Street and Burdette Avenue generally located at Sumner Avenue and Pearl Street - *Introduced October 24, 2022 by Dennis Flores*
- R6 An Ordinance approving a hangar lease agreement for 530 Skyway Street at Pueblo Memorial Airport between the City of Pueblo, a Municipal Corporation, and James Spitzer, and authorizing the Mayor to execute same - *Introduced October 24, 2022 by Dennis Flores*
- R7 An Ordinance creating a new Section 14 of Chapter 1 of Title XV of the Pueblo Municipal Code relating to pedestrian safety and access to sidewalks and public rights of way in the Downtown Business Area of the City - *Introduced October 24, 2022 by Dennis Flores*
- R8 An Ordinance amending Chapter 4 of Title XI of the Pueblo Municipal Code to allow animal shelter personnel to administer animal vaccinations - *Introduced October 24, 2022 by Dennis Flores*
- R9 An Ordinance amending Chapter 3 of Title XI of the Pueblo Municipal Code to allow the City Clerk to administratively approve certain liquor license matters designated by the Liquor Board when allowed by State Law - *Introduced October 24, 2022 by Dennis Flores*

S. EMERGENCY ORDINANCE

- S1 An Emergency Ordinance amending Ordinance No. 10058 to enlarge the time frame within which the Mayor may declare temporary housing and shelter emergencies from December 1st to November 1st of each year

T. ADJOURN