



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

**MONDAY, NOVEMBER 28, 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 Phil Lucero, Praise Assembly of God

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation: "Human Rights Day" - December 10, 2022; Jean Flynn Ray, Pueblo Human Relations Commission Chair

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 November 14, 2022, as distributed.

J1 City Council Minutes for November 14, 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 Regular Meeting dated October 12, 2022

M. RESOLUTIONS

- M1 A Resolution ratifying an emergency construction contract in the amount of \$68,766.35 with Parker Excavating, Inc. For Emergency Sanitary sewer point repair at 508 Minnequa Ave, Project No. 20-059 (WWAN03) and approving the purchasing agent's execution of same
- M2 A Resolution ratifying an emergency construction contract in the amount of \$5,857.22 with Parker Excavating, Inc. for Emergency Sanitary sewer point repair at 2232 Spruce St, Project No. 20-059 (WWAN03) and approving the purchasing agent's execution of same
- M3 A Resolution ratifying an emergency construction contract in the amount of \$197,590.55 with Parker Excavating, Inc. for emergency sanitary sewer point repair at 2024 Spruce St, Project No. 20-059 (WWAN03) and approving the purchasing agent's execution of same
- M4 A Resolution awarding a construction contract in the amount of \$136,582 to Doug Vaughn, LLC., a Limited Liability Company, for Project No. 22-091, Concrete Improvements - Joplin, setting forth \$23,418 for contingencies, and authorizing the Purchasing Agent to execute same
- M5 A Resolution awarding an agreement for Architectural Consulting Services in the amount of \$90,800 to EV Studio, LLC., a Limited Liability Company, for 22-057 El Centro Del Quinto Sol Recreation Center Renovation, and authorizing the Purchasing Agent to execute same
- M6 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 Avenue and Jackson Street Roundabout Project and authorizing the Purchasing Agent to execute same
- M7 A Resolution approving Amendment No. 3 to the Agreement for professional engineering services between the City of Pueblo, a Municipal Corporation, and Short-Elliott-Hendrickson, Inc., in the amount of \$63,841.35 for 20-024, Northern Avenue Trail Phase III, and authorizing the Purchasing Agent to execute same
- M8 A Resolution approving a Sponsorship Agreement between the City of Pueblo, a Municipal Corporation, and Cactus Communications, Inc., a Colorado Corporation, on behalf of its client, the Colorado Lottery
- M9 A Resolution tabling final action on the petition for the annexation of the area commonly known as the Jackson Ranch Annexation 1, generally located southeast of State Highway 78 and southwest of El Camino subdivision, 17th filing for an additional period of not more than 180 days
- M10 A Resolution tabling final action on the petition for the annexation of the area commonly known as the Jackson Ranch Annexation 2, generally located southeast of State Highway 78 and southwest of El Camino subdivision, 17th filing and south of Jackson Ranch Annexation 1, for an additional period of not more than 180 days
- M11 A Resolution tabling final action on the petition for the annexation of the area commonly known as the Jackson Ranch Annexation 3, generally located southeast of State Highway 78 and southwest of El Camino subdivision, 17th filing and south of Jackson Ranch Annexations 1 and 2, for an additional period of not more than 180 days
- M12 A Resolution authorizing participation by the City of Pueblo, a Colorado Municipal Corporation, in the State Of Colorado's Rural Jump-Start Program

M13 A Resolution in support of further investigation and planning concerning the feasibility of constructing an automated transit network in the City of Pueblo

M14 A Resolution confirming the appointment by the Mayor of Kennedy Pugh, Orlando Rodriguez II, and Benjamin Caldera to the Pueblo Human Relations Commission

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance budgeting and appropriating insurance proceeds in the amount of \$148,338.77 into Project SWAN01 Equipment Purchases Stormwater
- N2 An Ordinance approving a deposit agreement between the City of Pueblo, a Municipal Corporation, and Sky Creek Homes, LTD, LLC., a Colorado Limited Liability Company, related to the installation and construction of required public improvements within Settlers Village Filing Six Subdivision and authorizing the Mayor to execute said agreement
- N3 An Ordinance establishing PS-2216, approving a cooperation agreement with Pueblo Triple Aim Corporation, and accepting, budgeting and appropriating funds in the amount of \$8700 to said project
- N4 An Ordinance amending Sections 7-1-3, 7-3-5, 7-3-42, and 7-4-4 of Title VII of Chapters 1, 3 and 4 of the Pueblo Municipal Code relating to liens for nuisances, litter, junk vehicles, weeds, and vacant property registration, and expanding the remedies to collect such liens to include foreclosure and assignment
- N5 An Ordinance requiring abortion providers in Pueblo to comply with Federal law

O. APPROVAL OF CONSENT AGENDA

I move to receive and file the minutes from the Planning and Zoning Commission, approve all Resolutions Set Forth in the Consent Agenda; Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for December 12, 2022, and Order the Ordinances to be published BY TITLE.

P. REGULAR AGENDA

Q. RESOLUTIONS

- Q1 A Resolution authorizing payment of additional funds in the amount of One Million Dollars (\$1,000,000) from Project No. CI2113 - American Rescue Plan Act, for purposes of constructing sewer infrastructure, as authorized by Section 603(c)(1)(d) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6
- Q2 A Resolution accepting a donation of \$10,000 from the Colorado Health Foundation, to support the wellbeing of Pueblo Food Project staff members, into contribution Project No. CO2204
- Q3 A Resolution authorizing payment from the council contingencies account in the 2022 general fund budget to Colorado Arts & Artists Association in the amount of \$7,500 to sponsor the "No One Hears Unless You Scream" suicide prevention project
- Q4 A Resolution authorizing payment from the council contingencies account in the 2022 general fund budget to Crazy Faith Street Ministry in the amount of \$2,400 to sponsor the warming shelter for November 11-13, 2022
- Q5 A Resolution authorizing payment from the council contingencies account in the 2022 general fund budget to CIBC Westend Academy in the amount of \$1,000 to sponsor the "3rd Annual Hair Loss Awareness Fashion Show" at 5 pm on Saturday, December 10, 2022

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance levying and certifying the City of Pueblo property tax mill levy made in 2022 for the 2023 budget year - *Introduced November 14, 2022 by Larry Atencio*
- R2 An Ordinance levying and certifying the Bandera Boulevard Special Improvement Maintenance District property tax mill levy made in 2022 for the 2023 budget year - *Introduced November 14, 2022 by Larry Atencio*
- R3 An Ordinance levying and certifying the Southpointe Special Improvement Maintenance District property tax mill levy made in 2022 for the 2023 budget year - *Introduced November 14, 2022 by Larry Atencio*
- R4 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 - *Introduced November 14, 2022 by Larry Atencio*
- R5 An Ordinance approving a license agreement between the City of Pueblo, a Municipal Corporation, and Vero Broadband, LLC., a Colorado Limited Liability Company - *Introduced November 14, 2022 by Larry Atencio*
- R6 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 November 14, 2022 by Larry Atencio*
- R7 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 - *Introduced November 14, 2022 by Larry Atencio*
- R8 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 - *Introduced November 14, 2022 by Larry Atencio*
- R9 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 - *Introduced November 14, 2022 by Larry Atencio*
- R10 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 - *Introduced November 14, 2022 by Larry Atencio*
- R11 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 - *Introduced November 14, 2022 by Larry Atencio*
- R12 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 - *Introduced November 14, 2022 by Larry Atencio*

- R13 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 - *Introduced November 14, 2022 by Larry Atencio*
- R14 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 - *Introduced November 14, 2022 by Larry Atencio*
- R15 An Ordinance amending the Fiscal Year 2022 Staffing Ordinance by adding a position for training purposes within the Fleet Maintenance Division - *Introduced November 14, 2022 by Larry Atencio*
- R16 An Ordinance amending the Fiscal Year 2022 Staffing Ordinance by adding a position for training purposes within the department of the City Clerk - *Introduced November 14, 2022 by Larry Atencio*
- R17 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 - *Introduced November 14, 2022 by Larry Atencio*
- R18 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 - *Introduced November 14, 2022 by Larry Atencio*
- R19 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 - *Introduced November 14, 2022 by Larry Atencio*
- R20 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 - *Introduced November 14, 2022 by Larry Atencio*
- R21 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 - *Introduced November 14, 2022 by Larry Atencio*
- R22 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 - *Introduced November 14, 2022 by Larry Atencio*

S. COUNCIL MEMBER CONFLICT OF INTEREST

Councilor Sarah Martinez may ask to be excused from the meeting due to a potential conflict of interest with agenda item number S-1.

- S1 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 - *Introduced November 14, 2022 by Larry Atencio*

T. ADJOURN