



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

**TUESDAY, DECEMBER 27, 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 Steve Chavez, Praise Assembly of God

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation: "Wastewater Utility Appreciation Day" - December 27, 2022; Andra Ahrens, Director of Wastewater

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 December 12, 2022, as distributed.

J1 City Council Minutes for December 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

L1 Minutes of the Planning and Zoning Commission Regular Meeting November 9, 2022

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$99,875.67 to Merriman Land Works dba Flat & Fancy for Project No. 22-094, Peakview Concrete Repairs, setting forth \$15,000 for contingencies, and authorizing the Purchasing Agent to execute same
- M2 A Resolution awarding a construction contract in the amount of \$64,089 to Baha Construction, Inc., for Project No. 22-084, Fire Station #5 - Concrete Repairs and Improvements, setting forth \$20,000 for contingencies, and authorizing the Purchasing Agent to execute same
- M3 A Resolution awarding an agreement for professional service in the amount of \$13,200 to Allison Rea to complete work as the Community Garden Sustainability Program Coordinator to Allison Rea to complete work as the Community Garden Sustainability Program Coordinator
- M4 A Resolution awarding a professional service contract in the amount of \$50,050 to Northeast Bucks and Company, doing business as M&L Associates, Inc., a Pennsylvania Corporation, for Project No. 22-097, technical and professional services for the development and submittal of the HOME-ARP Allocation Plan to the U.S. Department of Housing and Urban Development, setting forth \$24,000 in contingencies, and authorizing the purchasing agent to execute same
- M5 A Resolution extending the term of the American Rescue Plan Act Pueblo Community Gardens Project from December 31, 2022 until December 31, 2024
- M6 A Resolution amending Resolution No. 14854 to amend the list of identified Governmental Service Projects and funding allocation between said projects
- M7 A Resolution to amend Resolution No. 14931 to correct the contract award amount for Project No. 22-055E Emergency Repair Project for 522 and 530 Skyway
- M8 A Resolution approving and accepting the canvass and abstract of votes cast at the Special Municipal Election held on November 8, 2022 as part of a coordinated election with Pueblo County
- M9 A Resolution ratifying PACOG's joint appointment of Royal Trivett to the Regional Building Commission's Electrical Board of Appeals
- M10 A Resolution confirming the appointment by the Mayor of Alan Ward to the Pueblo Energy Advisory Commission
- M11 A Resolution confirming the appointment by the Mayor of Robyn Maestas, Anthony Perko, and Jan Schraner to the Historic Preservation Commission
- M12 A Resolution confirming the appointment by the Mayor of Jimmy Duffner to the Community Commission on Housing and Homelessness
- M13 A Resolution confirming the appointment of Barbara Huber to the position of Deputy Mayor

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance approving and authorizing the Mayor to sign a Subrecipient Agreement between the City of Pueblo, a Colorado Municipal corporation and Pueblo County, a political subdivision of the State of Colorado, as fiscal agent of the Pueblo County House Bill 04-1451 Collaborative Management Program, 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 twenty-five thousand dollars (\$25,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof

- N2 An Ordinance establishing Project PL2201, Westside Trail (Wildhorse Trail) Project, and approving an Intergovernmental Agreement (IGA) between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado, acting by and through the Colorado Department of Transportation (CDOT), Project: MTF M086-098 (25192) in the amount of \$850,000, budgeting and appropriating funds in the amount of \$850,000 and authorizing the Mayor to execute same
- N3 An Ordinance establishing Project PL2202, Lake Avenue and Orman Avenue Roundabout Project, and approving an Intergovernmental Agreement (IGA) between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado, acting by and through the Colorado Department of Transportation (CDOT), Project: SHO M086-097 (25101) in the amount of \$1,350,000, transferring \$150,000 from CI2204 to PL2202, budgeting and appropriating funds in the amount of \$1,500,000 and authorizing the Mayor to execute same
- N4 An Ordinance approving an Intergovernmental Agreement between the City of Pueblo, a Municipal Corporation, and the Pueblo Department of Public Health and Environment, related to the establishment of Pueblo History and Art Walk and the installation of Community Wayfinding and Gateway Signs, and authorizing the Mayor to execute said agreement
- N5 An Ordinance approving an airport use and lease agreement between the City of Pueblo, a Municipal Corporation, and Southern Airways Express, LLC, and authorizing the Mayor to execute same
- N6 An Ordinance approving an airport community hangar lease agreement between the City of Pueblo, a Municipal Corporation, and Southern Airways Express, LLC, and authorizing the Mayor to execute same

O. APPROVAL OF CONSENT AGENDA

I move to receive and file the minutes of 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 January 9, 2022, and Order the Ordinances to be published BY TITLE.

P. REGULAR AGENDA

Q. RESOLUTIONS

- Q1 A Resolution approving the Pueblo Urban Renewal Authority Vendor Fee Budget for the Pueblo Convention Center and the Memorial Hall Capital Projects and Maintenance fund, for the calendar year 2023, commencing January 1, 2023 and ending the last day of December 2023

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance approving an amendment to the professional engineering services agreement between the City of Pueblo, a Municipal Corporation, and Dibble and Associates Consulting Engineers, Inc., for the rehabilitation of runway 8R/26L (Phase 1 - Design) at the Pueblo Memorial Airport, budgeting and appropriating \$49,807 to Project No. AP2205 – Rehab Runway 8R/26L Design and Construction, and authorizing the Mayor to execute same - *Introduced December 12, 2022 by Vicente Martinez Ortega*
- R2 An Ordinance approving the transfer of funds from Public Works Department operating funds to Project No. CIAN20 - City Building Repairs in the amount of \$300,000 - *Introduced December 12, 2022 by Vicente Martinez Ortega*
- R3 An Ordinance approving an agreement with Colorado Department of Transportation and

Continuum of Colorado for the transfer of three paratransit buses to be used in public transit operations - *Introduced December 12, 2022 by Vicente Martinez Ortega*

- R4 An Ordinance authorizing Amendment No. 18 to the agreement for community services planning, administration, and accountability services between the City of Pueblo, a Municipal Corporation, and the Board of County Commissioners of the County of Pueblo - *Introduced December 12, 2022 by Vicente Martinez Ortega*
- R5 An Ordinance establishing the BearCat Project NO. CI2220, transferring \$300,000 from the Police Department Account 101-20502-51030 and budgeting and appropriating \$300,000 for said Project - *Introduced December 12, 2022 by Vicente Martinez Ortega*
- R6 An Ordinance approving an internship between the City of Pueblo, a Municipal Corporation, Western Illinois University School of Law Enforcement and Justice Administration, and Katheryn Black and authorizing the Mayor to execute same - *Introduced December 12, 2022 by Vicente Martinez Ortega*
- R7 An Ordinance approving and accepting an addendum to the Department of Defense Law Enforcement Support Office ("LESO") program State Plan of Operation ("SPO") and applicable conditions pertaining thereto between the State of Colorado and the City of Pueblo on behalf of the Pueblo Police Department relating to Department of Defense excess property conditionally transferred to the City - *Introduced December 12, 2022 by Vicente Martinez Ortega*
- R8 An Ordinance amending Chapter 10 of Title IX of the Pueblo Municipal Code, updating business licensing provisions related to employment agencies - *Introduced December 12, 2022 by Vicente Martinez Ortega*
- R9 An Ordinance amending Chapter 3 of Title VII of the Pueblo Municipal Code by the addition of a new Article IV relating to the carryout bag fees imposed pursuant to the Plastic Pollution Reduction Act, Section 25-17-501 et seq., C.R.S., and providing for the enforcement, collection, remittance, and distribution of said fees - *Introduced December 12, 2022 by Vicente Martinez Ortega*
- R10 An Ordinance amending Section 14-4-21 of Title XIV of Chapter 4 of the Pueblo Municipal Code relating to the City's Sales and Use Tax Code and excluding the state carryout bag fee from the definition of purchase price - *Introduced December 12, 2022 by Vicente Martinez Ortega*
- R11 An Ordinance providing for the City of Pueblo departmental authorized personnel positions for the Fiscal Year 2023 - *Introduced December 12, 2022 by Vicente Martinez Ortega*

S. EMERGENCY ORDINANCE

- S1 An Emergency Ordinance approving and authorizing the Mayor to sign an Amendment No. 2 to the Subrecipient Agreement between the City of Pueblo, a Colorado Municipal Corporation and the Crazy Faith Street Ministry, 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 an additional fifty thousand four hundred dollars (\$50,400) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof

T. COUNCIL MEMBER CONFLICT OF INTEREST

Councilors Heather Graham, Vicente Martinez Ortega and Sarah Martinez may ask to be excused from the meeting due to a potential conflict of interest with agenda item number T-1.

- T1 An Ordinance amending Sections 6-5-16 and 6-5-18 of Chapter 5, of Title VI of the Pueblo Municipal Code relating to the classification and pay plan for Fiscal Year 2023 - *Introduced*

December 12, 2022 by Vicente Martinez Ortega

U. ADJOURN