



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

**MONDAY, JANUARY 23, 2023
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 Jerry Mance, Mercy and Peace Gospel
Mission Church in Jesus Name

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

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 January 9, 2023, as distributed.

J1 City Council Minutes for January 9, 2023

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 for 12/14/2022

M. RESOLUTIONS

- M1 A Resolution approving and accepting a donation of funds from the Garone Nicksich Foundation to the City of Pueblo on behalf of the Pueblo Food Project for the Entrepreneur Development Program in the amount of \$20,000 and transferring said funds to Project No. CO2102
- M2 A Resolution approving agreements between the City of Pueblo, a Municipal Corporation, and Bohannon-Huston, Inc., and Wilson Company, Inc., for Project No. 22-069 Pueblo regional on-call transportation technical assistance consulting services for PACOG/MPO and the City of Pueblo, and authorizing the purchasing agent to execute same
- M3 A Resolution confirming the appointment of council members to various boards and commissions for the year 2023
- M4 A Resolution confirming the appointment by the Mayor of Melissa Nereson and Jon Walker to the Pueblo Urban Renewal Authority

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 the Southern Colorado Harm Reduction Association, 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 nine hundred seventy-five thousand dollars (\$975,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof
- N2 An Ordinance approving and authorizing the Mayor to sign a Subrecipient Agreement between the City of Pueblo, a Colorado municipal corporation and United Way of Pueblo County, Inc., 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 nine hundred seventy-five thousand dollars (\$975,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof
- N3 An Ordinance approving and accepting a grant agreement for the City of Pueblo from the State of Colorado Department of Public Safety, Division of Criminal Justice for the better LED spaces grant, authorizing the Mayor to execute same, establishing project number CI2314, and budgeting and appropriating funds in the amount of \$744,000 to project number CI2314
- N4 An Ordinance approving and accepting a PACOG multimodal transportation and mitigation options fund, coronavirus state and local fiscal recovery (MMOF-ARPA-SLFRF) funds grant, relating to transportation planning services, establishing Project number TP2241, budgeting and appropriating funds not to exceed \$200,000 and authorizing the Mayor to execute same
- N5 An Ordinance approving an amendment to the 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
- N6 An Ordinance approving a lease between the City of Pueblo, a Colorado Municipal Corporation and Black Hills Colorado Electric, LLC, a Delaware limited liability for the use of city-owned parcel no. 536100025 and authorizing the Mayor to execute same
- N7 An Ordinance approving an exchange agreement between the City of Pueblo and BIF IV Intrepid OpCo, LLC, allowing for the use of a city-owned conduit for the installation of Intrepid's fiber optic pathway in exchange for twelve (12) fiber strands for the city's exclusive use, and authorizing the Mayor to execute same
- N8 An Ordinance approving an animal services contract between the City of Pueblo, a

Colorado municipal corporation and Pueblo County, a political subdivision of the State of Colorado and the Humane Society of The Pikes Peak Region, a Colorado non-profit corporation relating to the operation of the Pueblo Animal Shelter and the enforcement of local animal control ordinances and authorizing the Mayor to execute said contract

N9 An Ordinance amending Chapter 1 of Title XI of the Pueblo Municipal Code, updating the provisions for dangerous animals and potentially dangerous animals

N10 An Ordinance amending Chapter 1 of Title XI of the Pueblo Municipal Code to update the harassment provisions in accordance with recent supreme court rulings

N11 An Ordinance amending Article VI of Chapter 3 of Title XI of the Pueblo Municipal Code, updating alcohol beverage tasting provisions due to changes in state law

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 February 13, 2023, and Order the Ordinances to be published BY TITLE.

P. REGULAR AGENDA

Q. HEARINGS

Q1 Hearing on the Appeal of Mr. Henry Borunda regarding the decision of the Historic Preservation Commission on the Applications for Certificate of Appropriateness for the proposed installation of a steel facade at 322-326 South Union Ave

Required Council Action: Receive Testimony in Regard to the Historic Preservation Commission's Denial for Facade Improvements to 322-326 S. Union Ave, Pueblo, Colorado. Uphold the decision made by the Historic Preservation Commission or Remand Back to the Historic Preservation Commission for further review.

Q2 Hearing on the Appeal of Mr. Henry Borunda regarding the decision of the Historic Preservation Commission on the Applications for Certificate of Appropriateness for the proposed installation of the "Core" mural on 326 South Union Ave

Required Council Action: Receive Testimony in Regard to the Historic Preservation Commission's Denial for installtion of "Core" mural on 326 S. Union Ave, Pueblo, Colorado. Uphold the decision made by the Historic Preservation Commission or Remand Back to the Historic Preservation Commission for further review.

R. RESOLUTIONS

R1 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to the Pueblo Community College Foundation in the amount of \$1,000 to sponsor the Pueblo Hall of Fame event on Saturday, February 18, 2023 at the PCC Fortino Ballroom

R2 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to the Steelworks Center of the West, DBA Bessemer Historical Society, in the amount of \$1,000 to sponsor the Faces of CF&I Dinner on Saturday, February 4, 2023 at the Pueblo Union Depot

R3 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to Catholic Charities of Diocese of Pueblo in the amount of \$1,500 to sponsor the Espiritu Dinner on Friday, February 10, 2023 at the Pueblo Convention Center

S. ORDINANCES – FINAL PRESENTATION

- S1 An Ordinance establishing Project PL2203 for Colorado Smelter Revitalization Project Support, and budgeting and appropriating funds in the amount of \$22,000 to said project account - *Introduced January 9, 2023 by Vicente Martinez Ortega*
- S2 An Ordinance establishing Project PL2101 for Safe Routes to School for Haaff Elementary School, approving an intergovernmental agreement between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado, acting by and through the Colorado Department of Transportation, Project: SAR M086-094 (24468), budgeting and appropriating funds in the amount of \$279,180 and authorizing the Mayor to execute same - *Introduced January 9, 2023 by Vicente Martinez Ortega*
- S3 An Ordinance approving the fourth amendment to the Annexation Agreement for the area commonly known and described as north of Red Creek Springs Road and east of the Goodnight Arroyo, as approved by Ordinance No. 7241 - *Introduced January 9, 2023 by Vicente Martinez Ortega*

T. ADJOURN