



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

**MONDAY, FEBRUARY 27, 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 Tony Amaya, Pueblo Christian Center

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation Presentation: "Kristen Castor Day – February 27, 2023", Kristen Castor, Retired Secretary of the Pueblo ADA Committee

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 February 13, 2023, as distributed.

J1 City Council Minutes February 13, 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 1/11/2023

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$754,349.15 to Tony J Beltramo & Sons, Inc., for Project No. 23-026, Asphalt Improvements - Troy Avenue, setting forth \$113,152.37 for contingencies, and authorizing the Purchasing Agent to execute same
- M2 A Resolution awarding an agreement for professional engineering services in the amount of \$46,000 to EV Studio, Inc., a Professional Engineering Firm, for Project No. 23-002 Engineering Design of Mineral Palace Greenhouse and authorizing the Purchasing Agent to execute same
- M3 A Resolution awarding an agreement for professional architectural services in the amount of \$44,514 to Hurtig, Gardner, Froelich Architects, Inc., a Professional Architectural Firm, for Project No. 22-095 Architectural Consultant for the Design of City Park Tennis Court Restrooms Project and authorizing the Purchasing Agent to execute same
- M4 A Resolution awarding an agreement for professional services in the amount of \$28,800 to NorthStar Engineering and Surveying, Inc., a Professional Engineering Firm, for Project No. 23a-002 Predesign Survey Update and Redesign of Siena Drive to Bandera Boulevard on State Hwy 78 and authorizing the Purchasing Agent to execute same
- M5 A Resolution approving and authorizing the Mayor to make, execute and deliver in the name of the City of Pueblo, Federal Fiscal Year 2023 Certifications and Assurances for Federal Transit Administration Assistance Programs and bind the City of Pueblo's compliance therewith
- M6 A Resolution preliminarily determining that the petition for the annexation of the 69.90-acre area commonly known as the Pueblo County Detention Center Annexation, is valid under the provisions of Colorado revised statutes sections 31-12-104(1)(a) and 31-12-107(1), tabling final action on the petition for a period of not more than 180 days, and referring the petition to the Planning and Zoning Commission for review and recommendation
- M7 A Resolution approving and authorizing an agreement for professional Financial Empowerment Consulting Services between the City of Pueblo, a Municipal Corporation, and United Way of Pueblo County, Colorado, Inc., a Colorado nonprofit corporation
- M8 A Resolution approving an amendment to a lease agreement between the Pueblo Development Foundation, a Colorado nonprofit corporation and Westwind Wood Specialties, inc., a Kansas corporation, relating to lot 58, Pueblo Memorial Airport Industrial Park subdivision, also known as 33654 United Avenue, Pueblo, Colorado 81001
- M9 A Resolution confirming the appointments by the Mayor of Dustin Taylor and Nicole Dale to the Community Commission on Housing and Homelessness (CCHH)

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance approving and authorizing the execution of the remaining apportionment of FY 2021 Operating Grant, Agreement FTA G-30, January 12, 2023, relating Award No. CO-2023-004-00, between The City of Pueblo, and the United States of America, Department of Transportation, Federal Transit Administration, in the amount of \$545,006
- N2 An Ordinance approving and accepting an Ozone Season Transit Grant, Award No. OSTG052022, and applicable conditions pertaining thereto, between The City of Pueblo and the Colorado Association of Trancity Agencies, Establishing Project No. PT2205, budgeting and appropriating funds not to exceed \$98,995.96, and authorizing the Mayor to execute same

- N3 An Ordinance establishing Fund No. 226 - Opioid Abatement Settlement and budgeting and appropriating all funds accepted and distributed to the City of Pueblo from the National Opioid Settlement Fund, to include the two hundred thousand three hundred thirty-seven and 63/100 dollars (\$200,337.63) received by the City of Pueblo in December, 2022, and all future payments received from the National Opioid Settlement Fund into said Fund no. 226
- N4 An Ordinance approving and accepting a grant agreement in the amount of \$150,000 from the Colorado Department of Local Affairs for Community Development Block Grant - Corona Virus Funds for the Pueblo Food Project, authorizing the Mayor to sign the grant agreement, creating Project No. CI2218, and budgeting and appropriating the \$150,000 to Project No. CI2218
- N5 An Ordinance establishing Project Account No. CI2316 - Abriendo Parkway Tree Maintenance and budgeting and appropriating funds in the amount of \$75,000 from the unappropriated General Fund balance to said Project Account
- N6 An Ordinance Approving a Professional Services Agreement between the City of Pueblo, a Colorado Municipal Corporation, and Trees Please, Inc., a Colorado Nonprofit Corporation, for services with respect to Project No. CI2316 - Abriendo Parkway Tree Maintenance, and authorizing the Mayor to execute the same
- N7 An Ordinance approving a reimbursement agreement between Union Pacific Railroad Company, a Delaware Corporation, and the City of Pueblo, a Municipal Corporation, relating to preliminary engineering work with respect to the existing overpass over the Union Pacific Railroad track and property at Mel Harmon Drive/Dillon Drive and authorizing execution thereof by the Mayor
- N8 An Ordinance approving the Steel City Industrial Park, A Special Area Plan
- N9 An Ordinance approving the Steel City Industrial Park Subdivision, a Special Area Plan
- N10 An Ordinance extending the term of the current Collective Bargaining Agreement between the City of Pueblo and Pueblo Association of Government Employees for a one-year period commencing January 1, 2024, through December 31, 2024
- N11 An Ordinance approving and accepting a 2022 Colorado Justice Assistance grant (2022 JAG) in the amount of \$10,000 for 3D FARO scanner training, authorizing the Mayor to execute the grant award letter and related documents, establishing Project No. PS2303, and budgeting and appropriating the grant funds of \$10,000 to said project
- N12 An Ordinance approving a Second Amendment to an employment agreement between the City of Pueblo, a Colorado municipal corporation and Walter's Beer, LLC, a Colorado limited liability company relating to a job creating capital improvement project and authorizing the Mayor to execute said Second Amendment
- N13 An Ordinance approving and authorizing the Mayor to sign settlement participation and general release agreements with (1) Teva Pharmaceutical Industries, LTD (2) Allergan Finance, LLC / Allergan Limited (3) Walmart, inc. (4) CVS health corporation / CVS pharmacy, inc. and (5) Walgreen co., to receive settlement funds by the City of Pueblo, a Colorado Municipal Corporation, as a result of the opioid crisis

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

P. REGULAR AGENDA

Q. RESOLUTIONS

- Q1 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to the Southern Colorado Equality Alliance in the amount of \$280 to sponsor the Spring Fling Banquet on Friday, March 10, 2023 at Colorado State University Pueblo
- Q2 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to Pueblo Friends of the Arkansas River in the amount of \$300 to sponsor the Trout on the Route Fundraiser
- Q3 A Resolution authorizing transfer from the council contingencies account in the 2023 general fund budget to the Pueblo Food Project in the amount of \$2,000 to sponsor the Sun, Soil, Water Ag Summit on March 17 - 18, 2023
- Q4 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to the Boys and Girls Club of Pueblo County in the amount of \$1,000 to sponsor the PLACE Community Block Party event on Tuesday, May 9, 2023

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance approving and authorizing the Mayor to sign a subrecipient agreement between the City of Pueblo, a Colorado Municipal Corporation and the Pueblo Zoological Society, d/b/a the Pueblo Zoo, 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 one hundred two thousand one hundred sixty-nine dollars (\$102,169) from Project no. CI2113 - American Rescue Plan Act, for purposes thereof - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R2 An Ordinance approving a Memorandum of Understanding between the City of Pueblo and the National League of Cities Institution ("NLCI"), approving and accepting a Cities Addressing Fines and Fees Equitably ("CAFFE") grant, establishing Project No. PS2302, and budgeting and appropriating funds of \$10,000 to be used consistent with the MOU - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R3 An Ordinance authorizing funds in the amount of \$50,507.64 from the Black Hills Energy Underground Utility Fund to be expended for the Arkansas River Trail, Phase 4 Project, PL1606 - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R4 An Ordinance approving a grant agreement with the Cities for Financial Empowerment Fund, Inc. for the financial empowerment center (FEC) implementation grant program, authorizing the Mayor to sign the grant agreement, accepting the grant award in the amount of \$150,000, creating Project No. CI2315, and budgeting and appropriating the grant funds of \$150,000 and matching funds of \$50,000 into Project No. CI2315 - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R5 An Ordinance approving an agreement between the City of Pueblo, a Colorado Municipal Corporation, and the U.S Department of the Interior, by and through the U.S. Geological Survey, relating to the installation and maintenance of a gaging station at the 8th street bridge - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R6 An Ordinance designating St. Paul First African Methodist Church, 613 West Mesa Avenue, as a local historic landmark - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R7 An Ordinance amending zoning restrictions to rezone 612 East 2nd Street, lots 8 and 9

block 20, Mattices Subdivision, East Pueblo Heights, from R-2, Single Family Residential to RCN, Residential Charter Neighborhood - *Introduced February 13, 2023 by Vicente Martinez Ortega*

- R8 An Ordinance amending zoning restrictions to rezone 618 East 2nd Street, lots 6 and 7 block 20, Mattices Subdivision, East Pueblo Heights, from R-2, Single Family Residential to RCN, Residential Charter Neighborhood - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R9 An Ordinance vacating the entire Summo Court right-of-way, select sidewalk, public access, utility, and drainage easements in Lots 1-12, Block 2, Pinion Ridge Commercial Center Subdivision - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R10 An Ordinance approving the Regency Park 5th Filing, 1st Amendment Subdivision - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R11 An Ordinance amending the the Fiscal Year 2023 Staffing Ordinance by temporarily adding two (2) Firefighter positions within the Fire Department - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R12 An Ordinance approving an ambulance service agreement between the City of Pueblo and American Medical Response of Colorado, Inc - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R13 An Ordinance approving a cooperative agreement between the U.S. Department of Justice Drug Enforcement Administration (DEA) and the City of Pueblo relating to the assignment of Pueblo Police Officers to a regional task force to assist in the investigation and the disruption of drug trafficking crimes, and authorizing the Mayor to execute same - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R14 An Ordinance approving and authorizing the Mayor to execute an Amendment No. 1 to the Agreement For Professional Services between the City of Pueblo, a Colorado Municipal Corporation and Tatiana Bailey, Ph.D. d/b/a Peak Analytics Consulting relating to the Pueblo monthly economic dashboard reports - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R15 An Ordinance amending Section 7-3-6 of Article I of Chapter 3 of Title VII of the Pueblo Municipal Code relating to illegal dumping and providing for a mandatory fine of one thousand dollars (\$1,000) for violations thereof - *Introduced February 13, 2023 by Vicente Martinez Ortega*
- R16 An Ordinance amending Sections 12-6-4 and 12-6-5 of Chapter 6 of Title XII of the Pueblo Municipal Code relating to excavation permits and conditions and limitations applicable thereto - *Introduced February 13, 2023 by Vicente Martinez Ortega*

S. EMERGENCY ORDINANCES

- S1 An Emergency Ordinance approving and authorizing the Mayor to execute a Consulting Services Agreement between the City of Pueblo, a Colorado municipal corporation and Gilbert E. Romero d/b/a Capitol Success Group for lobbying services during the 2023 legislative session of the Colorado General Assembly
- S2 An Emergency Ordinance approving and authorizing the Mayor to sign Amendment No. 3 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

Councilor Atencio may ask to be excused from the meeting due to a potential conflict of interest with agenda item number T-1 and T-2.

- T1 A Resolution confirming the appointment by the Mayor of Marisa Lopez to the Pueblo Conservancy District
- T2 An Ordinance approving and authorizing the Mayor to sign a Subrecipient Agreement between the City of Pueblo, a Colorado municipal corporation and the Sangre de Cristo Arts and Conference Center, 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 fifty thousand dollars (\$50,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof

U. ADJOURN