



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

**MONDAY, MARCH 13, 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 Ken Wood, The Avenue Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation Presentation: "Daryl Payne Day - March 13, 2023", Daryl Payne, Municipal Records and Technology Coordinator

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 27, 2023, as distributed.

J1 City Council Minutes February 27, 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

M. RESOLUTIONS

- M1 A Resolution ratifying an emergency construction contract in the amount of \$52,573.99 with Parker Excavating, Inc. For Emergency Sanitary sewer point repair at 800 N Santa Fe 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 \$215,087.50 to Martin Marietta Materials, Inc., for Project No. 23-021, Asphalt Improvements - City Park Pool Parking Lot, setting forth \$21,508.75 for contingencies, and authorizing the Purchasing Agent to execute same
- M3 A Resolution ratifying an emergency construction contract in the amount of \$79,440 to Russ Grading & Excavating, Inc., for Project No. 23-027, Emergency Bid for City Park Zoo Canal Pipeline Replacement, setting forth \$7,944 for contingencies, and authorizing the Purchasing Agent to execute same
- M4 A Resolution awarding a construction contract in the amount of \$55,200 to Automatic Access, Inc., for Project No. 23-007 to Replace Automatic Doors at the Pueblo Transit Center, setting forth \$11,040 for contingencies, and authorizing the Purchasing Agent to execute same
- M5 A Resolution authorizing an additional payment in the amount of \$11,477.66 from Project CI2113 - American Rescue Plan Act for the purchase of two Toro Groundsmaster mowers for the Department of Parks and Recreation, as authorized by Section 603(C)(1)(C) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6
- M6 A Resolution authorizing payment of funds in the amount of six hundred thousand dollars (\$600,000) from Project No. CI2113 - American Rescue Plan Act, for purposes of constructing broadband 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
- M7 A Resolution concerning the assessment of costs for the demolition and abatement of dangerous structures upon the properties located at 1608 Wabash Avenue and 1103 East 8th Street within the City of Pueblo and setting a date for Council hearings thereon
- M8 A Resolution ratifying PACOG's Joint Appointment of Eric Dunton to the Pueblo Regional Building's Mechanical Board of Appeals as a Contractor
- M9 A Resolution ratifying PACOG's Joint Appointment of Robert Barr to the Fountain Creek Watershed Flood Control & Greenway District Governing Board
- M10 A Resolution ratifying PACOG's Joint Appointment of Riya Singh to the Pueblo Human Relations Commission - Youth Member
- M11 A Resolution confirming the appointment by the Mayor of Justin Skerjanec to complete a four-year term expiring August 1, 2025 on the Honor Farm Enterprise Citizens Advisory Board
- M12 A Resolution confirming the appointment of Daneya Esgar to the position of Just Transition Program Director

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 City-County Health Department, a division of the State of Colorado, and authorizing the payment of fifty five thousand dollars (\$55,000) from Fund No. 226 - Opioid Abatement Settlement, for purposes thereof

- N2 An Ordinance approving and authorizing the Mayor to sign an Amendment to a Subrecipient Agreement between the City of Pueblo, a Colorado municipal corporation and Posada, 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 an additional fifty thousand dollars (\$50,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof
- N3 An Ordinance approving and adopting a Substantial Amendment to the City of Pueblo's FY2021 Action Plan incorporating the Home Investment Partnership American Rescue Plan (HOME-ARP) Act funds allocated to the Pueblo Consortium, and authorizing the Mayor to execute and submit the Substantial Amendment together with all required and necessary certifications, assurances and documentation to the U.S. Department of Housing and Urban Development
- N4 An Ordinance approving Amendment No. 1 Fixed Base Operator Ground Lease and Operating Agreement by and between the City of Pueblo, a Municipal Corporation, TravelAire Services, Inc. and Freeman Holdings of Colorado, LLC, D/B/A Freeman Jet Center – Pueblo, relating to the Assignment of Fuel Tank Rights, and authorizing the Mayor to execute same
- N5 An Ordinance to assess the cost of demolition and removal of dangerous buildings upon land located at 1608 Wabash Avenue
- N6 An Ordinance to assess the cost of demolition and removal of dangerous buildings upon land located at 1103 E. 8th Street
- N7 An Ordinance amending Ordinance No. 10373 to update the assigned project number from PL2203 to PL2301
- N8 An Ordinance approving a Public Art Donation Agreement between Reid Miller and the City of Pueblo, a Municipal Corporation, relating to the donation of artwork for public enjoyment as part of the Pueblo History and Artwalk Project and authorizing execution thereof by the Mayor
- N9 An Ordinance approving a Deferred Improvements Agreement between Mark Ditkoff and the City of Pueblo, a Municipal Corporation, relating to the construction of public improvements incidental to a rearrangement of property boundaries and authorizing execution thereof by the Mayor
- N10 An Ordinance approving an agreement to accept property and release of claims between City of Pueblo and Pueblo West Fire Department relating to one 2006 Freightliner hazmat apparatus
- N11 An Ordinance approving and authorizing the Mayor to sign a lease between the City of Pueblo, a Colorado Municipal Corporation and Professional Bull Riders, LLC, a Delaware Limited Liability Company for storage space located at 317 North Main Street, Pueblo, Colorado 81003

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 March 27, 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 Mad Fresh Productions in the amount of \$1,500 to sponsor the Inaugural Hip Hop Festival on Saturday, July 22, 2023 at Mineral Palace Park

- Q2 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to Historic Arkansas Riverwalk of Pueblo Authority dba HARP Authority in the amount of \$9,000 to sponsor the annual Rollin' on the Riverwalk Fireworks Celebration on Tuesday, July 4, 2023
- Q3 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to Southern Colorado Press Club in the amount of \$1,000 to sponsor the Sheep Dip Awards Dinner on Thursday, April 6, 2023 at the Old Time Carriage House

R. ORDINANCES – FINAL PRESENTATION

- R1 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 - *Introduced February 27, 2023 by Dennis Flores*
- R2 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 - *Introduced February 27, 2023 by Dennis Flores*
- R3 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 - *Introduced February 27, 2023 by Dennis Flores*
- R4 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 - *Introduced February 27, 2023 by Dennis Flores*
- R5 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 - *Introduced February 27, 2023 by Dennis Flores*
- R6 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 same - *Introduced February 27, 2023 by Dennis Flores*
- R7 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 - *Introduced February 27, 2023 by Dennis Flores*
- R8 An Ordinance approving the Steel City Industrial Park, A Special Area Plan - *Introduced February 27, 2023 by Dennis Flores*

- R9 An Ordinance approving the Steel City Industrial Park Subdivision, a Special Area Plan - *Introduced February 27, 2023 by Dennis Flores*
- R10 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 - *Introduced February 27, 2023 by Dennis Flores*
- R11 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 - *Introduced February 27, 2023 by Dennis Flores*
- R12 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 - *Introduced February 27, 2023 by Dennis Flores*
- R13 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 - *Introduced February 27, 2023 by Dennis Flores*

S. ADJOURN