



**REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS – CITY HALL  
#1 CITY HALL PLACE  
MONDAY, FEBRUARY 13, 2023 - 7:00 PM  
MINUTES**

**A. CALL TO ORDER**

President Graham called the meeting to order at 7:28 p.m.

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

**Council Members Present:** Larry Atencio, Dennis Flores, Heather Graham, Regina Maestri, Sarah Martinez, Vicente Martinez Ortega, Lori Winner.

**Council Members Present via Zoom:** None.

**Council Members Absent:** None.

**Administrative Staff Members Present:** Mayor Nicholas Gradisar, Chief of Staff Laura Solano, City Attorney Daniel Kogovsek, Deputy City Clerk Vincent Petkosek.

**E. SPECIAL RECOGNITIONS**

None

**F. PUBLIC FORUM**

- Frank Arteaga - Gun Exchange
- Deborah Espinosa - Columbus Statute
- David James - Columbus Statute
- Steve Villegos - Trash
- Ted Freeman - Change Form of Government
- Elvis Martienz - Variety

**G. COUNCIL MEMBER AND MAYOR COMMENTARY**

Council members expressed comments regarding community-related issues and events/functions they attended.

**H. REVIEW OF AGENDA**

The agenda was reviewed page by page.

**I. APPROVAL OF AGENDA**

Councilor Martinez Ortega, seconded by Councilor Maestri, moved to table Ordinance R1.

Roll Call - **Ayes:** President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** Councilor Flores, Councilor Atencio. Motion Passed 5-2.

Councilor Martinez, seconded by Councilor Martinez Ortega, moved to move item M8 to the beginning of the regular agenda and remove item N14 and to approve the agenda as amended.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

## **J. READING AND APPROVAL OF MINUTES**

### **J1 CITY COUNCIL MINUTES JANUARY 23, 2023**

Councilor Martinez Ortega, seconded by Councilor Maestri, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **January 23, 2023** as distributed.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

## **K. CONSENT AGENDA**

Deputy City Clerk Vincent Petkosek read the Consent Agenda into the record.

## **L. COMMUNICATIONS**

## **M. RESOLUTIONS**

### **M1 A RESOLUTION RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT IN THE AMOUNT OF \$48,774.20 TO PARKER EXCAVATING, INC., FOR PROJECT NO. 23-044, WEST 31ST STREET AT WILDHORSE CREEK - EMERGENCY REPAIR, SETTING FORTH \$20,000 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 15134.

### **M2 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$72,137 TO GREATLAND CONCRETE & LANDSCAPING, INC., FOR PROJECT NO. 23-001, CONCRETE IMPROVEMENTS - TROY AVENUE, SETTING FORTH \$20,000 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 15135.

### **M3 A RESOLUTION AUTHORIZING THE TRANSFER OF BUDGETED AND APPROPRIATED FUNDS IN THE AMOUNT OF \$332,311.26 FROM PROJECT NO. HU2102 - PORTLAND AVENUE ROADWAY & CONCRETE REPAIR TO PROJECT NO. HUAN03 - CROSS PAN/CURB AND GUTTER AND CLOSING OUT PROJECT NO. HU2102**

This Resolution was assigned as 15136.

**M4 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT TO LOWE-NORTH CONSTRUCTION, INC., FOR THE USE OF THE PUBLIC RIGHT-OF-WAY NEAR 3522 N. ELIZABETH STREET FOR THE PURPOSE OF INSTALLING WAYFINDING SIGNAGE**

This Resolution was assigned as 15137.

**M5 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT TO WENDY FETTY AND MIKE FETTY FOR THE PURPOSE OF INSTALLING LANDSCAPING IMPROVEMENTS IN THE RIGHT-OF-WAY NEAR 750 FORTINO BLVD**

This Resolution was assigned as 15138.

**M6 A RESOLUTION APPROVING REVISIONS TO THE STANDARD CONSTRUCTION SPECIFICATIONS AND STANDARD DETAILS FOR THE CITY OF PUEBLO**

This Resolution was assigned as 15139.

**M7 A RESOLUTION ADOPTING THE 2023 CITY OF PUEBLO THREE-MILE ANNEXATION PLAN FOR THE CITY OF PUEBLO FOR THE PURPOSES OF ANNEXATION AS REQUIRED BY THE MUNICIPAL ANNEXATION ACT OF 1965 AND RESCINDING ALL ANNEXATION MASTER PLANS PREVIOUSLY ADOPTED**

This Resolution was assigned as 15140.

**M9 A RESOLUTION OF THE GOLF COURSE ENTERPRISE ESTABLISHING GREEN FEES, CART FEES, AND OTHER FEES TO BE PAID FOR PLAY UPON ELMWOOD AND WALKING STICK MUNICIPAL GOLF COURSES AND RESCINDING ALL OTHER RESOLUTIONS RELATING TO SUCH FEES**

This Resolution was assigned as 15141.

**M10 A RESOLUTION URGING CONGRESS TO ENACT NATIONAL INFRASTRUCTURE BANK LEGISLATION (H.R 3339)**

This Resolution was assigned as 15142.

**M11 A RESOLUTION CONFIRMING THE APPOINTMENT OF LARRY ATENCIO TO THE PUEBLO DEPOT ACTIVITY DEVELOPMENT AUTHORITY BOARD OF DIRECTORS FOR THE YEAR 2023**

This Resolution was assigned as 15143.

**M12 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF RITA GONZALES TO THE ADA ADVISORY COMMITTEE**

This Resolution was assigned as 15144.

**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 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**

- N2 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**
- N3 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**
- N4 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**
- N5 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**
- N6 AN ORDINANCE DESIGNATING ST. PAUL FIRST AFRICAN METHODIST CHURCH, 613 WEST MESA AVENUE, AS A LOCAL HISTORIC LANDMARK**
- N7 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**
- N8 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**

**N9 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**

**N10 AN ORDINANCE APPROVING THE REGENCY PARK 5TH FILING, 1ST AMENDMENT SUBDIVISION**

**N11 AN ORDINANCE AMENDING THE THE FISCAL YEAR 2023 STAFFING ORDINANCE BY TEMPORARILY ADDING TWO (2) FIREFIGHTER POSITIONS WITHIN THE FIRE DEPARTMENT**

**N12 AN ORDINANCE APPROVING AN AMBULANCE SERVICE AGREEMENT BETWEEN THE CITY OF PUEBLO AND AMERICAN MEDICAL RESPONSE OF COLORADO, INC**

**N13 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**

**N14 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**

This item was removed from the agenda.

**N15 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**

**N16 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**

**N17 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**

**N18 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**

#### **O. APPROVAL OF CONSENT AGENDA**

Councilor Martinez Ortega, seconded by Councilor Maestri, moved to approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for February 27, 2023, and Order the Ordinances to be published BY TITLE.

Roll Call – **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

#### **P. REGULAR AGENDA**

#### **Q. RESOLUTIONS**

**M8 A RESOLUTION TABLING FINAL ACTION ON THE PETITION FOR THE ANNEXATION OF THE 10.74-ACRE AREA COMMONLY KNOWN AS THE DORCY COMMUNITY HOUSING ANNEXATION, GENERALLY LOCATED SOUTH OF RED CREEK SPRINGS ROAD, NORTH OF REGENCY PARK 10<sup>TH</sup> FILING, AND WEST OF THE MEADOWS SUBDIVISION, FILING 4 FOR AN ADDITIONAL PERIOD OF NOT MORE THAN 180 DAYS**

A staff report and detailed review of the Resolution was given by Scott Hobson, Acting Director of Planning & Community Development.

Councilor Martinez, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Martinez, Councilor Martinez Ortega. **Nays:** Councilor Maestri, Councilor Winner. Motion Passed 5-2.

This Resolution was assigned as 15145.

**Q1 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2023 GENERAL FUND BUDGET TO THE BOYS AND GIRLS CLUB OF PUEBLO COUNTY, A COLORADO NONPROFIT CORPORATION, IN THE AMOUNT OF \$1,600 TO SPONSOR A V.I.P. TABLE FOR THE ANNUAL CHAMPIONS OF YOUTH DINNER ON THURSDAY, MARCH 9 AT 5:30 PM IN THE PUEBLO CONVENTION CENTER**

A staff report and detailed review of the Resolution was given by Councilor Martinez.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None.  
Motion Passed 7-0.

This Resolution was assigned as 15146.

**Q2 A RESOLUTION AUTHORIZING TRANSFER OF FUNDS FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2023 GENERAL FUND BUDGET TO THE PUEBLO POLICE DEPARTMENT IN THE AMOUNT OF \$650 TO SPONSOR A TABLE FOR THE ANNUAL AWARDS CEREMONY ON FRIDAY, JUNE 9 AT 5:30 PM IN THE PUEBLO CONVENTION CENTER**

A staff report and detailed review of the Resolution was given by President Heather Graham.

Councilor Martinez Ortega, seconded by Councilor Maestri, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None.  
Motion Passed 7-0.

This Resolution was assigned as 15147.

**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 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**

This item was tabled.

**R2 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**

A staff report and detailed review of the Ordinance was given by Steven Meier, Director of Parks & Recreation.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10376.

**R3 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**

A staff report and detailed review of the Ordinance was given by Eva Cosyleon, MPO Manager.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10377.

**R4 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**

A staff report and detailed review of the Ordinance was given by Eva Cosyleon, MPO Manager.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10378.**

**R5 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**

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10379.**

**R6 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**

A staff report and detailed review of the Ordinance was given by Lori Pinz, Director Information Technology.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10380.**

**R7 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**

A staff report and detailed review of the Ordinance was given by City Attorney Daniel Kogovsek.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Flores, seconded by Councilor Martinez Ortega, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10381.**

**R8 AN ORDINANCE AMENDING CHAPTER 4 OF TITLE XI OF THE PUEBLO MUNICIPAL CODE, UPDATING THE PROVISIONS FOR DANGEROUS ANIMALS AND POTENTIALLY DANGEROUS ANIMALS**

A staff report and detailed review of the Ordinance was given by Assistant City Attorney Jason Bachlet.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10382.**

**R9 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**

A staff report and detailed review of the Ordinance was given by Assistant City Attorney Jason Bachlet.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10383**.

**R10 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**

A staff report and detailed review of the Ordinance was given by Pueblo City Attorney Daniel Kogovsek.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Flores, President Graham, Councilor Martinez Ortega. **Nays:** Councilor Atencio, Councilor Maestri, Councilor Martinez, Councilor Winner. Motion Failed 3-4.

**S. EMERGENCY ORDINANCE**

**S1 AN EMERGENCY ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO SIGN 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 FIFTY THOUSAND DOLLARS (\$50,000) FROM PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF**

A staff report and detailed review of the Ordinance was given by Mayor Gradisar.

**PUBLIC HEARING:**

Seeing no one wished to speak, President Graham declared the hearing closed.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega. **Nays:** Councilor Winner. Motion Passed 6-1.

This Ordinance was assigned as **10384**.

**T. COUNCIL MEMBER CONFLICT OF INTEREST**

**T1 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$397,339.80 TO BAHAM CONSTRUCTION, INC., FOR PROJECT NO. 22-052, CONCRETE IMPROVEMENTS - DILLON DRIVE, SETTING FORTH \$52,660.20 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

Councilor Maesti was recused from this item and left the room.

A staff report and detailed review of the Resolution was given by Andrew Hayes, Director of Public Works.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, President Graham, Councilor Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** None. Motion Passed 6-0.

This Resolution was assigned as 15148.

**U. ADJOURN**

Respectfully submitted,



Vince Petkosek  
Deputy City Clerk