



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

**MONDAY, MAY 8, 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 Josh Richardson, Pueblo Christian Center
- C. PLEDGE OF ALLEGIANCE**
- D. ROLL CALL**
- E. SPECIAL RECOGNITIONS**

- E1 Proclamation Presentation: "Apraxia Awareness Day: May 14, 2023" - Crystal Terrell and Brantley George Terrell
- E2 Proclamation Presentation: "Mental Wellness Awareness Day: May 13, 2023" - Michelle Hill, Executive Director of Friendly Harbor and Courtney Sledge, President of NAMI Southeast Colorado

- F. PUBLIC FORUM**
- G. COUNCIL MEMBER AND MAYOR COMMENTARY**
- H. REVIEW AND APPROVAL OF AGENDA**
- I. READING AND APPROVAL OF MINUTES**

Motion to dispense with the reading and approve the Minutes of the Regular Meeting dated April 24, 2023, as distributed.

- I1 City Council Minutes April 24, 2023

- J. PUBLIC HEARINGS**

- J1 Public Hearing for the purpose of receiving public testimony as it pertains to the Pueblo County Detention Center Annexation to the City of Pueblo described as 69.90 acres of land located west of the intersection of West 24th Street and Pueblo Boulevard

REQUIRED COUNCIL ACTION: *Open the Hearing, Receive Public Testimony, and Close the Hearing. Reference Item R6*

- K. COUNCIL POLICY MATTERS**

- K1 Public Forum Policy

L. 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.

M. RESOLUTIONS

- M1 A Resolution transferring funds in the amount of \$650,000 from HU2201, Street Rehabilitation - Prairie Avenue to CI2108, Prairie Avenue Improvements Project, transferring funds in the amount of \$309,547.27 from CI2204, Street Rehabilitation to CI2108, Prairie Avenue Improvements Project, awarding a construction contract in the amount of \$2,511,960.75 to Arrow Electric Service, Inc., for Project No. 23-058, Concrete Improvements Prairie Avenue, setting forth \$251,196.08 for contingencies, and authorizing the Purchasing Agent to execute same
- M2 A Resolution awarding a construction contract in the amount of \$1,558,088.25 to Russ Grading and Excavating LLC and setting forth \$311,618.00 for contingencies, for Project No. 23-055 (WWAN01) 2023 Small Main Remove and Replace Project and authorizing the purchasing agent to execute the same
- M3 A Resolution awarding a construction contract in the amount of \$882,538 to Standard Concrete, Inc., for Project No. 23-025, Prairie Avenue to Minnequa Lake Trail, setting forth \$429,004 for contingencies, and authorizing the Purchasing Agent to execute same
- M4 A Resolution awarding a construction contract in the amount of \$793,604.99 to Martin Marietta Materials, Inc., for Project No. 23-012, Street Improvements - Baltimore Avenue, setting forth \$119,040.75 for contingencies, and authorizing the Purchasing Agent to execute same
- M5 A Resolution awarding a construction contract in the amount of \$711,124.15 to Martin Marietta Materials, Inc., for Project No. 23-063, Asphalt Improvements - Joplin Avenue, setting forth \$71,112.42 for contingencies, and authorizing the Purchasing Agent to execute same
- M6 A Resolution awarding a construction contract in the amount of \$602,574 to JARCCO Construction LLC., for Project No. 23-054, Arkansas River Trail Project Phase 4 - Rebid, setting forth \$234,677.89 for contingencies, and authorizing the Purchasing Agent to execute same
- M7 A Resolution awarding a construction contract in the amount of \$355,895.40 to Tony J Beltramo & Sons, Inc., for Project No. 23-062, Street Improvements - 6th Avenue, setting forth \$53,384.60 for contingencies, and authorizing the Purchasing Agent to execute same
- M8 A Resolution awarding a construction contract in the amount of \$196,667 to Cedar Ridge Landscape, Inc., for Project No. 23-059, ADA Curb Ramps - Phase 1 (CDBG), setting forth \$29,500.05 for contingencies, and authorizing the Purchasing Agent to execute same
- M9 A Resolution authorizing payment in the amount of \$93,000 from Project CI2113 - American Rescue Plan Act for the purchase of a Skid Steer and Trailer for the Pueblo Police Department Code Enforcement Unit, as authorized by Section 603(c)(1)(c) of the American Rescue Pan Act and the U.S. Treasury Final Rule 31 CFR 35.6
- M10 A Resolution transferring \$43,605.40 from project no. CD2116 and \$994.40 from project no. CD2113, all together totaling \$44,599.80, into project no. CD2011 for the purpose of ADA curb ramps and infrastructure improvements on Egan Avenue

- M11 A Resolution approving Amendment No. 3 to the Agreement for Professional Design Consulting Services by and between the City of Pueblo and Bohannon Huston, Inc., in the amount of \$35,675 for Project No. 19-062, Union Avenue and Main Street Streetscape Project, and authorizing the Purchasing Agent to execute same
- M12 A Resolution transferring \$24,039.17 from project no. CD2217 into project no. CD2009 for the purposes of ADA Curb Ramps and miscellaneous infrastructure improvements at the intersection of East 5th Street and Fountain Avenue.
- M13 A Resolution amending Resolution 14441 appointing Corrine Koehler, Ron Serna, and Paul Willumstad to the Pueblo Conservancy District to be in accordance with CRS 37-3-101
- M14 A Resolution authorizing the issuance of a revocable permit (Rev-23-11) to The P.L.A.C.E. (Pueblo's Legacy and Community Experience) Project for the use of the public right-of-way along East 7th Street between Monument Avenue and La Crosse Avenue for the purpose of facilitating a community block party event
- M15 A Resolution authorizing the issuance of a revocable permit (REV-23-17) to La Gente Youth Sports, Inc., for the use of the public right-of-way along Juan Madrid Avenue between East 12th Street and East 13th Street for the purpose of facilitating a softball tournament
- M16 A Resolution preliminarily determining that the petition for the annexation of the area commonly known as the Wagner Equipment Co. Annexation described as 4.51 acres, lots 4 and 5, Bico Industrial Park Subdivision is valid under the provisions of Colorado Revised Statutes section 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
- M17 A Resolution approving and adopting findings and determinations concerning the proposed annexation of the area commonly known as the Pueblo County Detention Center annexation described as 69.9 acres west of the intersection of West 24th Street and Pueblo Boulevard

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance approving and accepting a 2023 Colorado Department of Public Safety, Division of Criminal Justice Opioid Grant in the amount of \$164,145 for synthetic opiate poisoning investigation and distribution interdiction, authorizing the Mayor to execute the grant award letter and related documents, establishing project number PS2304, and budgeting and appropriating the grant funds of \$164,145 to said project
- N2 An Ordinance establishing project number PST2306, authorizing the transfer of funds from project number PST2004 to project number PST2306 in the amount of \$150,000, designating a new purpose, that being technology upgrades, and thereby appropriating the use therefore
- N3 An Ordinance establishing project number PST2305, authorizing the transfer of funds from project number PST2004 to project number PST2305 in the amount of \$100,000, designating a new purpose, that being recruitment and retention, and thereby appropriating the use therefore
- N4 An Ordinance approving and accepting a Congressionally Directed Spending (CDS) program award in the amount of \$86,000.00 for a 3D FARO scanner and associated training, establishing project number PS2305, and budgeting and appropriating grant funds of \$86,000.00 to said project

- N5 An Ordinance extending the term of the current collective bargaining agreement between the City of Pueblo and the International Brotherhood of Police Officers (IBPO) Local 537 for a one (1) year period commencing January 1, 2024, through December 31, 2024. - *Introduced April 24, 2023 by Vicente Martinez Ortega*
- N6 An Ordinance amending the Fiscal Year 2023 Staffing Ordinance by adding one (1) full-time position to the authorized staffing in the Police Department entitled Abandoned Vehicle Coordinator
- N7 An Ordinance amending Section 6-5-16 of Chapter 5, of Title VI of the Pueblo Municipal Code relating to the FY2023 Classification and Pay Plan by establishing the pay scale for Abandoned Vehicle Coordinator
- N8 An Ordinance amending the Fiscal Year 2023 Staffing Ordinance by converting a vacant position within the Wastewater Department
- N9 An Ordinance amending Section 6-5-16 of Chapter 5, of Title VI of the Pueblo Municipal Code relating to the FY 2023 Classification and Pay Plan by establishing the pay scale for Civil Engineer Wastewater
- N10 An Ordinance approving and authorizing the Mayor to execute an assignment, assumption and amendment to the Nurse Navigation Agreement between Pueblo, a Colorado Municipal Corporation, Access2Care, LLC, and Innovative Practices, LLC, and same
- N11 An Ordinance approving a Professional Services Agreement between the City of Pueblo, a Colorado Municipal Corporation, and Ballard King & Associates Limited, a Colorado Corporation, for services with respect to a Softball Facility Study and related ancillary services, and authorizing the Mayor to execute the same
- N12 An Ordinance approving an Amendment to a Lease and Management Agreement between the City of Pueblo, a Colorado Municipal Corporation, and the Pueblo Bulls Hockey Club, Inc., a Colorado Corporation, to allow the serving of liquor at the Pueblo Ice Arena, and authorizing the Mayor to execute said Amendment
- N13 An Ordinance amending Chapter 2 of Title IV of the Pueblo Municipal Code relating to building regulations and adopting the 2021 International Building Code, the 2021 International Energy Conservation Code, and the 2021 International Existing Building Code, all published by the International Code Council, Inc., and providing penalties and remedies for the violation thereof
- N14 An Ordinance amending Chapter 5 of Title IV of the Pueblo Municipal Code relating to mechanical regulations and adopting the 2021 International Mechanical Code and the 2021 International Fuel Gas Code, both published by the International Code Council, Inc., and providing penalties and remedies for the violation thereof
- N15 An Ordinance amending Chapter 6 of Title IV of the Pueblo Municipal Code relating to building regulations and adopting the 2021 International Residential Code relating to building regulations for one- and two-family dwellings published by the International Code Council, Inc., and providing penalties and remedies for the violation thereof

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 May 22, 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 Caring for Colorado Centennial Fund dba CO Centennial in the amount of \$1,000 to sponsor the Pueblo Youth Action Council
- Q2 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to Pueblo Memorial Hall in the amount of \$5,189 to sponsor the Pueblo Has Talent events at 3 pm on Sunday, May 7 and May 21, 2023 at Pueblo Memorial Hall

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance approving and authorizing the execution of the Operating Grant Agreement, FTA G-30, dated April 5, 2023, relating to Award No. CO-2023-006-00, between the City of Pueblo, and the United States of America, Department of Transportation, Federal Transit Administration, in the amount of \$2,804,939 - *Introduced April 24, 2023 by Vicente Martinez Ortega*
- R2 An Ordinance approving and authorizing the Mayor to sign a Subrecipient Agreement between the City of Pueblo, a Colorado Municipal Corporation and Pueblo Crime Stoppers, 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 amount not to exceed two hundred thousand dollars (\$200,000) from project no. CI2113 - American Rescue Plan Act, for purposes of matching the payment of an amount not to exceed two hundred thousand dollars (\$200,000) grant of Black Hills Energy, a Delaware corporation, to the "Lights On For Safety" Project for local small businesses - *Introduced April 24, 2023 by Vicente Martinez Ortega*
- R3 An Ordinance approving an agreement between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado Department of Local Affairs in the amount of \$195,000, establishing project number CI2319, and budgeting and appropriating funds in the amount of \$195,000 relating to the Pueblo Land Use Code Project, and authorizing the Mayor to execute same - *Introduced April 24, 2023 by Vicente Martinez Ortega*
- R4 An Ordinance approving a Facility Use Agreement between Pueblo, a Colorado Municipal Corporation, and Greyhound Lines, Inc., and authorizing the Mayor to execute same - *Introduced April 24, 2023 by Vicente Martinez Ortega*
- R5 An Ordinance amending the Fiscal Year 2023 Staffing Ordinance by converting a vacant position within the Human Resources Department - *Introduced April 24, 2023 by Vicente Martinez Ortega*
- R6 An Ordinance annexing unincorporated land commonly known as the Pueblo County Detention Center Annexation to the City of Pueblo described as 69.90 acres of land located west of the intersection of West 24th Street and Pueblo Boulevard - *Introduced April 24, 2023 by Vicente Martinez Ortega*
- R7 An Ordinance approving an engagement letter with Recht Kornfeld PC with respect to representing the City Clerk and authorizing the Mayor to execute same - *Introduced April 24, 2023 by Vicente Martinez Ortega*
- R8 An Ordinance calling a Special Municipal Election to be held on August 8, 2023 and directing that the Special Municipal Election be conducted as a Mail Ballot Election in accordance with the provisions of Section 5-3-2 of the Pueblo Municipal Code - *Introduced April 24, 2023 by Vicente Martinez Ortega*
- R9 An Ordinance submitting to the eligible Electors of the City of Pueblo, Colorado at the special municipal election to be held on August 8, 2023 a proposed amendment to the

charter of the City of Pueblo and fixing the ballot title therefore - *Introduced April 24, 2023*
by *Vicente Martinez Ortega*

S. COUNCIL MEMBER CONFLICT OF INTEREST

- S1 A Resolution awarding a construction contract in the amount of \$157,181.50 to Baha Construction, Inc., for Project No. 23-010, Concrete Improvements - Northern Avenue (Prairie Ave to I-25) CDBG, setting forth \$42,817.50 for contingencies, and authorizing the Purchasing Agent to execute same

T. ADJOURN