



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

A. CALL TO ORDER

President Graham called the meeting to order at 7:22 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.

Council Members Present via Zoom: Lori Winner.

Council Members Absent: None.

Administrative Staff Members Present: Mayor Nicholas Gradisar, Chief of Staff Laura Solano, Deputy City Attorney Robert Jagger, City Clerk Marisa Stoller.

E. SPECIAL RECOGNITIONS

**E1 PROCLAMATION PRESENTATION: "DARYL PAYNE DAY - MARCH 13, 2023",
DARYL PAYNE, MUNICIPAL RECORDS AND TECHNOLOGY COORDINATOR**

F. PUBLIC FORUM

- Frank Arteaga - Gun Buy Back
- Becky Cash - Take it Down
- Jamie Valdez - Take it Down
- Elvis Martinez - Community
- Steve Villegas - Pueblo
- Anthony Nunez - Bessemer
- Eric Griego - Community
- Ted Freeman - Half cent sales & use tax

G. COUNCIL MEMBER AND MAYOR COMMENTARY

Mayor Gradisar mentioned the \$300,000 grant the City has received regarding the community

navigators from the FCC. The City has 30 days to accept it; it may come through as an emergency ordinance. The first month's sales tax report for 2023 are out and are strong. Sales tax collections up \$1.5M

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, seconded by Councilor Martinez Ortega, moved to move item M12 to the Regular Agenda and to move item R10 to the end of the agenda 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 FEBRUARY 27, 2023

Councilor Flores, seconded by Councilor Martinez Ortega, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **February 27, 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

City Clerk Marisa Stoller read the Consent Agenda into the record.

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

This Resolution was assigned as 15163.

M2 A RESOLUTION AWARDED 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

This Resolution was assigned as 15164.

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

This Resolution was assigned as 15165.

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

This Resolution was assigned as 15166.

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

This Resolution was assigned as 15167.

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

This Resolution was assigned as 15168.

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

This Resolution was assigned as 15169.

M8 A RESOLUTION RATIFYING PACOG'S JOINT APPOINTMENT OF ERIC DUNTON TO THE PUEBLO REGIONAL BUILDING'S MECHANICAL BOARD OF APPEALS AS A CONTRACTOR

This Resolution was assigned as 15170.

M9 A RESOLUTION RATIFYING PACOG'S JOINT APPOINTMENT OF ROBERT BARR TO THE FOUNTAIN CREEK WATERSHED FLOOD CONTROL & GREENWAY DISTRICT GOVERNING BOARD

This Resolution was assigned as 15171.

M10 A RESOLUTION RATIFYING PACOG'S JOINT APPOINTMENT OF RIYA SINGH TO THE PUEBLO HUMAN RELATIONS COMMISSION - YOUTH MEMBER

This Resolution was assigned as 15172.

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

This Resolution was assigned as 15173.

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, LIC, A DELAWARE LIMITED LIABILITY COMPANY FOR STORAGE SPACE LOCATED AT 317 NORTH MAIN STREET, PUEBLO, COLORADO 81003

O. APPROVAL OF CONSENT AGENDA

Councilor Atencio, seconded by Councilor Martinez Ortega, moved 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.

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

M12 A RESOLUTION CONFIRMING THE APPOINTMENT OF DANeya ESGAR TO THE POSITION OF JUST TRANSITION PROGRAM DIRECTOR

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

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 15174.

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

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

Councilor Flores, seconded by Councilor Martinez, 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 15175.

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

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

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 15176.

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

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

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 15177.

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

A staff report and detailed review of the Ordinance was given by Ben Valdez, Director of Transportation.

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 10404.

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

A staff report and detailed review of the Ordinance was given by Ben Valdez, Director of Transportation.

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 10405.

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

A staff report and detailed review of the Ordinance was given by Alexandria Romero, Director of Finance.

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 10406.

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

A staff report and detailed review of the Ordinance was given by Megan Moore, Pueblo Food Project Coordinator.

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 10407.

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

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 **10408.**

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

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

PUBLIC HEARING:

- Jean Latka appeared in person to speak in favor of this ordinance.
- Ted Freeman appeared in person to speak regarding this ordinance.

Seeing no one else 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 **10409.**

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

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

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 **10410.**

R8 AN ORDINANCE APPROVING THE STEEL CITY INDUSTRIAL PARK, A SPECIAL AREA PLAN

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development. Mr. Hobson requested that the Planning & Zoning documents for this item, Case #SAP-2202 dated December 14, 2022, be made part of the record for this hearing. So ordered by President Graham.

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 **10411.**

R9 AN ORDINANCE APPROVING THE STEEL CITY INDUSTRIAL PARK SUBDIVISION, A SPECIAL AREA PLAN

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development. Mr. Hobson requested that the Planning & Zoning documents for this item, Case #S22-08 dated December 14, 2022, be made part of the record for this hearing. So ordered by President Graham.

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 **10412.**

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

A staff report and detailed review of the Ordinance was given by Chris Noeller, Chief of Police.

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 10413.

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

A staff report and detailed review of the Ordinance was given by Robert Jagger, Deputy City Attorney.

PUBLIC HEARING:

- Mia Sanchez appeared in person to speak in favor of this ordinance
- Troy Rainer appeared in person to speak in favor of this ordinance
- Jeff Shaw appeared in person to speak in favor of this ordinance
- Joe O'Brien appeared in person to speak in favor of this ordinance
- Ted Freeman appeared in person to speak against this ordinance

Seeing no one else 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 10414.

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

A staff report and detailed review of the Ordinance was given by Marisa Stoller, City Clerk.

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 **10415.**

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

President Graham recused herself from this item due to a conflict of interest.

A staff report and detailed review of the Ordinance was given by Robert Jagger, Deputy City Attorney.

PUBLIC HEARING:

- Lisa Pate appeared in person to speak in favor of this ordinance
- BJ Aragon appeared in person to speak in favor of this ordinance

Seeing no one else wished to speak, Vice President Flores declared the Hearing closed.

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

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

This Ordinance was assigned as **10416.**

S. ADJOURN

Vice President Flores adjourned the meeting at 9:54 p.m.

Respectfully submitted,



Marisa Stoller
City Clerk