



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

**MONDAY, MAY 22, 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 Recognition Presentation: "2023 Pueblo Civics Bee Champions" - Jack Centner, Addison Scott, Morris Casarez

E2 Proclamation Presentation: "Mental Health Awareness Month - Health Solutions: May 2023" - Jason Chippeaux, CEO

E3 Proclamation Presentation: "Foster Care Awareness Month: May 2023" - Josette Jaramillo, Foster Care Supervisor & Tammy Torres, Director of Pueblo County Department of Human Services

E4 Recognition Presentation: "2022-23 Colorado State Fair Fiesta Queen and Court" - Lexi Williams, Marisa Diaz Bonacquisti, Dulce Soledad Garcia, Kaydence Sandoval

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 May 08, 2023, as distributed.

J1 City Council Minutes May 08, 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 4/12/2023

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$1,090,745.30 to Martin Marietta Materials, Inc., for Project No. 23-067, Asphalt Improvements - Prairie Avenue (Pueblo Boulevard to Mesa Avenue), setting forth \$163,611.70 for contingencies, and authorizing the Purchasing Agent to execute same
- M2 A Resolution awarding a construction contract in the amount of \$311,823.05 to A-1 Chipseal Co., for Project No. 23-065, Asphalt Improvements - Cleveland Street & Goodnight Avenue, setting forth \$46,733.95 for contingencies, and authorizing the Purchasing Agent to execute same
- M3 A Resolution awarding Contract Amendment No. 1 in the amount of \$274,425.05 to A-1 Chipseal Co., for Project No. 23-056, Asphalt Improvements - Regency Crest, setting forth \$27,442.95 for contingencies, and authorizing the Purchasing Agent to execute same
- M4 A Resolution awarding a construction contract in the amount of \$272,852.80 to Tony J Beltramo & Sons, Inc., for Project No. 23-066, Asphalt Improvements - Starlite Drive, setting forth \$40,928.20 for contingencies, and authorizing the Purchasing Agent to execute same
- M5 A Resolution awarding a construction contract in the amount of \$232,828.46 to Castle Rock Construction Company of Colorado, LLC., a Limited Liability Company, for Project No. 23-061, Concrete Improvements - Cleveland Street & Goodnight Avenue, setting forth \$34,924.54 for contingencies, and authorizing the Purchasing Agent to execute same
- M6 A Resolution awarding a construction contract in the amount of \$115,972.41 to Sunland Asphalt & Construction, LLC., a Limited Liability Company, for Project No. 23-064, Miscellaneous Concrete Improvements (CDBG), setting forth \$11,597.59 for contingencies, and authorizing the Purchasing Agent to execute same
- M7 A Resolution authorizing payment in the amount of \$150,000 from Project CI2113 - American Rescue Plan Act for the Streetscape Project Northern - Orman to Elm as authorized by Section 603(C)(1) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6
- M8 A Resolution awarding a construction contract in the amount of \$61,095 to Garcia Concrete, LLC., a Limited Liability Company, for Project No. 23-079, Concrete Improvements - Crane Ridge Drive, setting forth \$9,164 for contingencies, and authorizing the Purchasing Agent to execute same
- M9 A Resolution authorizing the issuance of a revocable permit (REV-23-16) to the Colorado State Fair for the use of the public right-of-way along Small Avenue to Scranton Avenue to Euclid Avenue for the purpose of the annual Colorado State Fair parade.
- M10 A Resolution tabling final action on the petition for the annexation of the area commonly known as the Jackson Ranch Annexation 1, generally located southeast of State Highway 78 and southwest of El Camino subdivision, 17th filing for an additional period of not more

than 180 days through November 23, 2023

- M11 A Resolution tabling final action on the petition for the annexation of the area commonly known as the Jackson Ranch Annexation 2, generally located southeast of State Highway 78 and southwest of El Camino subdivision, 17th filing and south of Jackson Ranch Annexation 1, for an additional period of not more than 180 days through November 23, 2023
- M12 A Resolution tabling final action on the petition for the annexation of the area commonly known as the Jackson Ranch Annexation 3, generally located southeast of State Highway 78 and southwest of El Camino subdivision, 17th filing and south of Jackson Ranch Annexations 1 and 2, for an additional period of not more than 180 days through November 23, 2023
- M13 A Resolution recognizing Police Comfort K-9 Ami is unable to perform as a comfort animal, allowing the City of Pueblo to donate K-9 Ami via an Acknowledgement, Assumption of Risk, Waiver, Release, Covenant Not To Sue, Indemnification, and Agreement between the City of Pueblo and Monica Lemmon relating to K-9 Ami, and allowing the Police Department to transfer ownership and liability of K-9 Ami to his current handler
- M14 A Resolution confirming the appointment by the Mayor of Elizabeth Harmes to complete a four-year term expiring August 30, 2026 on the ADA Advisory Committee
- M15 A Resolution confirming the appointment by the Mayor of Heather Norton to complete a four-year term expiring January 1, 2027 on the Historic Preservation Commission

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance transferring \$1,200,000.00 from the Unappropriated Fund Balance of the General Fund to Project No. CIAN23 - Demolition of Unsafe Structures, and budgeting and appropriating \$1,200,000.00 to said project
- N2 An Ordinance approving and authorizing the Mayor to sign a Subrecipient Agreement between the City of Pueblo, a Colorado Municipal Corporation and Pueblo School District No. 60, a public school district and political subdivision of the State of Colorado, and authorizing the payment of amounts from Fund No. 226 - Opioid Abatement Settlement, for purposes thereof
- N3 An Ordinance approving and authorizing the Mayor to sign a Subrecipient Agreement and related Facility Use Agreement between the City of Pueblo, a Colorado Municipal Corporation, and the Boys and Girls Club of Pueblo County, 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 and fifty-three thousand one hundred seventy eight dollars (\$153,178) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof
- N4 An Ordinance approving an agreement between the City of Pueblo, a Colorado Municipal Corporation, and the Board of Governors of the Colorado State University System, acting by and through Colorado State University Pueblo and authorizing the Mayor to execute same
- N5 An Ordinance amending zoning restrictions to rezone the southern portion of lot 2, block 1 Park West Business Campus Filing No. 9, approximately 11.85 acres generally located east of Pueblo Boulevard and south of East Spaulding Avenue from B-3, Highway Arterial Zone District to R-5, Multiple Residential and Office Zone District
- N6 An Ordinance approving the Cottages at Park West Special Area Plan
- N7 An Ordinance approving the Cottages at Park West Subdivision

- N8 An Ordinance vacating a 40-foot utility, drainage, and ingress/egress easement that runs diagonally through parcel B, rearrangement of property boundaries, amended plat, University Park 30th Filing
- N9 An Ordinance approving the University Park Subdivision, 33rd Filing
- N10 An Ordinance approving a Water Main Extension Agreement between the City of Pueblo, a Colorado Municipal Corporation and the Board of Water Works for Pueblo, Colorado for the extension of water mains in W. 18th Street and Newport Avenue and authorizing the Mayor to execute the same
- N11 An Ordinance amending Section 4 of Chapter 2 of Title IX of the Pueblo Municipal Code to bring Cabaret License application requirements in line with standard Liquor License application requirements
- N12 An Ordinance approving a Pueblo Mural Levee Project agreement between the City of Pueblo, a municipal corporation, and Desiree Talmich and authorizing the Mayor to execute same

O. APPROVAL OF CONSENT AGENDA

I move to receive and file the minutes of the Planning and Zoning Commission, approve all the Resolutions Set Forth in the Consent Agenda; Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for June 12, 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 Ultimate Performance Sports Training and Rehab in the amount of \$2,000 to sponsor the youth scholarship fund
- Q2 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to Goodnight Barn Preservation, Inc in the amount of \$5,000 to sponsor the Chuckwagon Rendezvous on May 20, 2023 at noon at the Goodnight Barn
- Q3 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to Colorado Youth Mariachi Program (CYMP) in the amount of \$1,500 to sponsor youth attendance of the Mariachi Los Camperos workshop at UCCS
- Q4 A Resolution awarding an agreement for professional services in the maximum amount of \$10,000 to the Wellman Way LLC for research on future governance structure transition options for the Pueblo Food Project, and authorizing the purchasing agent to execute the same
- Q5 A Resolution authorizing the issuance of a revocable permit to Jim Presents, LLC for the use of Central Main Street between City Center Dr. and Alan Hamel Ave. to host the Colorado Supershow Car Show on Saturday, May 27, 2023

R. ORDINANCES – FINAL PRESENTATION

- R1 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 - *Introduced May*

08, 2023 by Councilor Larry Atencio

- R2 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R3 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R4 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R5 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R6 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R7 An Ordinance amending the Fiscal Year 2023 Staffing Ordinance by converting a vacant position within the Wastewater Department - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R8 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R9 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R10 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R11 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R12 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*
- R13 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*

- R14 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 - *Introduced May 08, 2023 by Councilor Larry Atencio*

S. COUNCIL MEMBER CONFLICT OF INTEREST

- S1 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 May 08, 2023 by Councilor Larry Atencio*

T. ADJOURN