



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

**MONDAY, JULY 24, 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

Reverend Robert S Lewis Jr., Fellowship of Bible

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation Presentation: "Pueblo County Farmers Market Week: August 6-12, 2023," - Angelika Sunie, Pueblo Farmers Market

E2 Proclamation Presentation: "Purple Heart Recognition Day: August 7, 2023," - Karen Lindquist, Military Order of the Purple Heart - Chapter 423; Steven Zerger, Purple Heart Recipient; Bob Perez, Purple Heart Recipient; Mandel Reliford, Purple Heart Recipient

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 July 10, 2023, as distributed.

J1 Minutes from City Council Meeting July 10, 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 6/14/2023

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$586,620.00 to K.R. Swerdfeger Construction, Inc., and setting forth \$117,324 for contingencies, for Project No. 23-090 (WWAN05) 2023 Manhole Rehabilitation Project and authorizing the purchasing agent to execute the same
- M2 A Resolution transferring \$138,000 from account Project No. SW1907, 2019 Projects to be determined and \$89,000 from account Project No. SW9999, Projects to be determined into account Project No. SW2101, storm system upgrade - Illinois Avenue and authorizing the purchasing agent to execute same
- M3 A Resolution authorizing payment in the amount of up to one hundred thirteen thousand, one hundred and ninety dollars (\$113,190) from Project CI2113 - American Rescue Plan Act for the purpose of granting a one-time \$10,000 retention bonus to existing sworn police command staff members as authorized by Section 603(C)(1)(C) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.
- M4 A Resolution ratifying an emergency construction contract in the amount of \$34,410 with Russ Grading & Excavating LLC., for emergency storm sewer point repair located at a stormwater detention facility near the intersection of Interstate 25 and Dillon Drive and approving the purchasing agent's execution of same
- M5 A Resolution ratifying an Emergency Contract Amendment No. 1 in the amount of \$20,417.18 with GWP Inc. dba Colorado Boiler, and setting forth \$4,083.44 for contingencies, for Project No. 22-072 (WWAN04) Refurbishment of Boiler #33 for the James R. Dilorio Water Reclamation Facility (WRF) and approving the purchasing agent's execution of the same
- M6 A Resolution transferring \$3,158.75 from Project No. LT2001 into Project No. LT1501 City Park Renovations for additional expenses associated with the City Park Pool Parking Lot Project
- M7 A Resolution authorizing the issuance of a revocable permit (REV-23-23) to M3 Real Estate, LLC., for the purpose of installing a landscape buffer in the area 10.5 feet of the Thornberry Lane right-of-way, north of Lot #4 Block #4 of the South Prairie Subdivision 2nd Filing, and 5.5 feet of the Broadmoor Road right-of-way east of the aforementioned lot
- M8 A Resolution authorizing the issuance of revocable permit (REV-23-27) to the City of Pueblo Police Department for the temporary use of the public right-of-way on Alan Hamel Avenue between Main Street and south Santa Fe Avenue August 04, 2023, through August 05, 2023, for the purpose of their annual Neighborhood Safety Night
- M9 A Resolution authorizing the issuance of a revocable permit (Rev-23-28) to Pueblo Community College for the use of the public right-of-way along Orman Avenue between Arthur Street and Marilyn Place to host its annual Panther Fest event on August 05, 2023
- M10 A Resolution authorizing the issuance of a revocable permit (REV-23-29) to Pueblo Community College for the use of the public right-of-way along Orman Avenue between Arthur Street and Marilyn Place to host its annual Welcome Back to Campus event on Monday, August 21, 2023
- M11 A Resolution awarding Contract Amendment No. 1 in the amount of \$46,802 to Cedar Ridge Landscape, Inc., for Project No. 23-088, Concrete Improvements - Northern Avenue

Phase 2, setting forth \$15,000 for contingencies on the additional work and authorizing the Purchasing Agent to execute same

M12 A Resolution to amend Resolution No. 15274 to correct the assigned finance project numbers from which funds will be paid for Project No. 23-064, Miscellaneous Concrete Improvements (CDBG)

M13 A Resolution confirming the appointment by the Mayor of Alexis Ellis to serve a three-year term expiring December 31, 2025 on the Community Commission on Housing and Homelessness

M14 A Resolution confirming the appointment by the Mayor of Seth Rocco to complete a three-year term expiring November 1, 2025 on the Streetscape Advisory Committee

N. ORDINANCES – FIRST PRESENTATION

N1 An Ordinance (1) approving and authorizing the Mayor to execute an Employment Agreement between the City of Pueblo, a Colorado Municipal Corporation, and Fomcore, a Michigan Limited Liability Company, relating to a job creating capital improvement project and (2) approving and authorizing the Mayor to execute a Real Property Conveyance Agreement and related Quitclaim Deed between the City of Pueblo, a Colorado Municipal Corporation, and the Pueblo Development Foundation, a Colorado Nonprofit Corporation, relating to a parcel of improved land located in the Pueblo Minnequa Industrial Park and (3) transferring six million five hundred thousand dollars (\$6,500,000) from the 1992-2026 Sales and Use Tax Capital Improvement Projects Fund for the purpose of said Conveyance Agreement and (4) transferring one million seven hundred and forty thousand dollars (\$1,740,000) from the 1992-2026 Sales And Use Tax Capital Improvement Projects Fund for the purpose of the City of Pueblo's compliance with said Employment Agreement

N2 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 six hundred thousand dollars (\$600,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof

N3 An Ordinance amending zoning restrictions to rezone land located east of the Village Circle cul-de-sac from O-1, Neighborhood Office District to R-4, Mixed Residential District

N4 An Ordinance approving the DFB Subdivision, A Special Area Plan

N5 An Ordinance approving a Special Area Plan for the DFB Subdivision

N6 An Ordinance approving the Medal of Honor Subdivision

N7 An Ordinance approving a Public Art Donation Agreement between Latka Studios, LLC., a Colorado Limited Liability Company and the City of Pueblo, a Colorado Municipal Corporation, relating to the donation of artwork for public enjoyment and authorizing execution thereof by the Mayor

N8 An Ordinance approving an intergovernmental agreement between the City of Pueblo, a Colorado Municipal Corporation, and Pueblo School District No. 60, relating to the management of a public, educational, and governmental channel on the Comcast Cable System in the City of Pueblo, and authorizing the Mayor to execute the same

N9 An Ordinance approving two intergovernmental agreements between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado, Department of Higher Education, relating to the management of two public, educational, and governmental channels on the Comcast Cable System in the City of Pueblo and providing for the

production of weekly council meetings, and authorizing the Mayor to execute the same

- N10 An Ordinance approving and authorizing the Mayor to execute an Intergovernmental Agreement between the City of Pueblo, a Colorado Municipal Corporation, and the County of Pueblo, a Political Subdivision of the State of Colorado, relating to the 2023 General Municipal Election
- N11 An Ordinance submitting to the eligible electors of the City of Pueblo, Colorado at the general municipal election to be held on November 7, 2023, a question establishing an additional one and one-half percent lodger's tax rate for providing accessible and affordable childcare programs for working families in the City of Pueblo
- N12 An Ordinance approving an agreement to buy and sell real estate between the City of Pueblo, a Colorado Municipal Corporation, and Pueblo Urban Renewal Authority, a Public Body Corporate and Politic of the State of Colorado, relating to the sale of property at 612 E. 2nd Street, Pueblo, Colorado and 618 E. 2nd Street, Pueblo, Colorado for the amount of ten thousand, eight hundred, forty-six dollars and twenty-five cents (\$10,846.25), 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 August 14, 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 Global Medical Response, DBA American Medical Response Pueblo, in the amount of \$1,000 to sponsor the Safety Jam event on Saturday, June 3, 2023
- Q2 A Resolution authorizing payment from the council contingencies account in the 2023 general fund budget to Pueblo Memorial Hall in the amount of \$6,626 to sponsor the Time Is Now Benefit Show on Saturday, October 28, 2023 at Memorial Hall

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance approving and accepting Airport Infrastructure Grant (AIG) Agreement No. 3-08-0046-049-2023 from the United States of America acting through the Federal Aviation Administration for funds in the amount of \$571,290 to Reconstruct Runway 8R-26L Lighting and the Airfield Lighting Control And Monitor System (ALCMS) as part of the Rehabilitation of Runway 8R-26L and Taxiway A2 Removal project, budgeting and appropriating \$571,290 to Project No. AP2205, and authorizing the Mayor to execute same - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*
- R2 An Ordinance approving and accepting an Ozone Season Transit Grant, Award No. OSTG2023-04, and applicable conditions pertaining thereto, between The City of Pueblo and The Colorado Association of Transit Agencies, establishing Project No. PT2301, budgeting and appropriating funds not to exceed \$414,898.85 into Project No. PT2301, and ratifying the Mayor's signature of the Grant Agreement - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*
- R3 An Ordinance approving an Instrument of Release between the United States of America and the City of Pueblo, A Colorado Municipal Corporation, for the release of Lot 12 in the Pueblo Memorial Airport Industrial Park Subdivision and Authorizing the Mayor to execute

same - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*

- R4 An Ordinance approving a Deferred Improvements Agreement between Brick Solid Investments, LLC., a Colorado limited liability company, and the City of Pueblo, a Colorado Municipal Corporation, relating to the construction of public improvements incidental to a rearrangement of property boundaries and authorizing execution thereof by the Mayor - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*
- R5 An Ordinance approving a Public Art Donation Agreement between Eric McCue and the City of Pueblo, a Colorado 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 - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*
- R6 An Ordinance Approving a Memorandum of Understanding between the City of Pueblo, the Colorado Department of Public Health and Environment to monitor for SARS-CoV-2 and other pathogens of concern and authorizing the Mayor to execute same - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*
- R7 An Ordinance changing the street name of Sunflower Drive to Winecup Drive - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*
- R8 An Ordinance amending zoning restrictions to rezone Pueblo Icehouse, Planned Unit Development to Watertower Place, Planned Unit Development - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*
- R9 An Ordinance approving and accepting a grant funding agreement and all applicable conditions pertaining thereto from the Colorado Auto Theft Prevention Authority ("CATPA") relating to the Beat Auto Theft Through Law Enforcement ("BATTLE") team, establishing project no. PS2307, budgeting and appropriating funds to project no. PS2307, and authorizing the mayor to execute same - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*
- R10 An Ordinance approving and accepting a grant agreement and applicable conditions pertaining thereto with the State of Colorado Department of Law Peace Officer Standards and Training (POST), establishing project number PS2306, authorizing the Mayor to execute same, and ratifying his prior signature thereto - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*
- R11 An Ordinance amending Ordinance No. 10481 to update the assigned funding from CI2321 to \$2,500 from City Council Contingencies and \$2,500 from Mayor's Contingencies - *Introduced July 10, 2023 by Councilor Vicente Martinez Ortega*

S. EXECUTIVE SESSION

S1 Conference with City Attorney

Conference with City Attorney to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24 6 402(4)(a), and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24 6 402(4)(e). The following additional details are provided for identification purposes: Proposed ARPA Agreement and related real property issue

T. ADJOURN