



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, JULY 24, 2023 - 7:00 PM**

MINUTES

A. CALL TO ORDER

President Graham called the meeting to order at 7:06 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: Chief of Staff Laura Solano, Acting City Attorney Bob Jagger, City Clerk Marisa Stoller.

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

- Ted Freeman - Corruption
- Elvis Martinez - Wellness Center
- J. Doug Ohmans - Proposed Jail
- Justin Salazar - Lodging Tax

- Chris Crozer - Lodging Tax

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, seconded by Councilor Martinez Ortega, moved to move item N5 to the regular 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 7-0.

J. READING AND APPROVAL OF MINUTES

J1 MINUTES FROM CITY COUNCIL MEETING JULY 10, 2023

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **July 10, 2023** as distributed.

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

K. CONSENT AGENDA

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

This Resolution was assigned as 15308.

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

This Resolution was assigned as 15309.

- 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.**

This Resolution was assigned as 15310.

- 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**

This Resolution was assigned as 15311.

- 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**

This Resolution was assigned as 15312.

- 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**

This Resolution was assigned as 15313.

- 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**

This Resolution was assigned as 15314.

- 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**

This Resolution was assigned as 15315.

- 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

This Resolution was assigned as 15316.

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

This Resolution was assigned as 15317.

M11 A RESOLUTION AWARDED 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

This Resolution was assigned as 15318.

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)

This Resolution was assigned as 15319.

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

This Resolution was assigned as 15320.

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

This Resolution was assigned as 15321.

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

Removed from Consent Agenda.

A staff report was given by Scott Hobson, Acting Director of Planning & Community Development.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to pass the ordinance on first reading, setting the Public Hearing for August 14, 2023, and ordered the Ordinance 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.

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

Councilor Martinez Ortega, seconded by Councilor Flores, moved to file the minutes from the

Planning & Zoning Commission, approve all 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.

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

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

A staff report and detailed review of the Resolution was given by Laura Solano, Chief of Staff.

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 15322.

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

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Director of Aviation.

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 **10508.**

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

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 **10509.**

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

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Director of Aviation.

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 Martinez, Councilor Martinez Ortega, Councilor Winner. **Nays:** Councilor Maestri. Motion Passed 6-1.

This Ordinance was assigned as **10510.**

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

A staff report and detailed review of the Ordinance was given by Charles Roy, Deputy 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 10511.

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

A staff report and detailed review of the Ordinance was given by Charles Roy, Deputy 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 10512.

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

A staff report and detailed review of the Ordinance was given by Andra Ahrens, Director of Wastewater.

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 **10513.**

R7 AN ORDINANCE CHANGING THE STREET NAME OF SUNFLOWER DRIVE TO WINECUP DRIVE

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 #SNC 2301 dated June 14, 2023, 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 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 **10514.**

R8 AN ORDINANCE AMENDING ZONING RESTRICTIONS TO REZONE PUEBLO ICEHOUSE, PLANNED UNIT DEVELOPMENT TO WATERTOWER PLACE, PLANNED UNIT DEVELOPMENT

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 #Z-2104 dated June 14, 2023, 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 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 **10515.**

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

A staff report and detailed review of the Ordinance was given by Deputy Chief James Martin.

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 10516.

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

A staff report and detailed review of the Ordinance was given by Deputy Chief James Martin.

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 10517.

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

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 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 10518.

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

Councilor Atencio, seconded by Councilor Martinez Ortega, moved to convene into executive session for the purpose of a conference with the 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 position 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); and the following additional details are provided for identification purposes:

Proposed ARPA Agreement and related real property issue.

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

Council entered Executive Session at 9:07 p.m. and exited at 10:19 p.m.

T. ADJOURN

President Graham adjourned the meeting at 10:19 p.m.

Respectfully submitted,



Marisa Stoller
City Clerk