



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, MAY 8, 2023 - 7:00 PM
MINUTES**

A. CALL TO ORDER

The meeting was called to order at 7:48 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, Lori Winner.

Council Members Present via Zoom: None.

Council Members Absent: None.

Administrative Staff Members Present: Chief of Staff Laura Solano, City Attorney Daniel Kogovsek, City Clerk Marisa Stoller.

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

- Elvis Martinez - Ethics/PPD
- Marty Harvey - Ordinance 10352
- Kennie Owens - Good Policy

G. COUNCIL MEMBER AND MAYOR COMMENTARY

Council members expressed comments regarding community-related issues and events/functions they attended.

H. REVIEW AND APPROVAL OF AGENDA

Councilor Maestri, seconded by Councilor Martinez, moved to approve the agenda 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.

I. READING AND APPROVAL OF MINUTES

I1 CITY COUNCIL MINUTES APRIL 24, 2023

Councilor Flores, seconded by Councilor Martinez Ortega, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **April 24, 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.

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

Scott Hobson, Acting Director of Planning & Community Development, was sworn in and stated he is familiar with the petition that was filed for annexation of the area commonly known as the Pueblo County Detention Center Annexation. Mr. Hobson answered several questions by Acting City Attorney Bob Jagger regarding the statutory requirements for the annexation petition and whether or not the area being proposed for annexation meets the applicable requirements of the Colorado Revised Statutes §31-12-107 and complies with Section 31-12-104 of the Colorado Municipal Annexation Act of 1965, as amended.

Mr. Hobson reviewed a copy of the annexation plat map and marked the map as Exhibit 1, requesting that the plat map be entered into the record as part of the proceedings for this hearing. So ordered by President Graham.

PUBLIC HEARING:

- Gary Rosso appeared in person to speak in favor of this ordinance

Seeing no one else wished to speak, President Graham closed the public hearing.

K. COUNCIL POLICY MATTERS

K1 PUBLIC FORUM POLICY

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

Councilor Martinez Ortega, seconded by Councilor Martinez, moved to approve the policy.

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

L. CONSENT AGENDA

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

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, AWARDED 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

This Resolution was assigned as 15217.

M2 A RESOLUTION AWARDED 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

This Resolution was assigned as 15218.

M3 A RESOLUTION AWARDED 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

This Resolution was assigned as 15219.

M4 A RESOLUTION AWARDED 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

This Resolution was assigned as 15220.

M5 A RESOLUTION AWARDED 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

This Resolution was assigned as 15221.

M6 A RESOLUTION AWARDED 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

This Resolution was assigned as 15222.

M7 A RESOLUTION AWARDED 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

This Resolution was assigned as 15223.

M8 A RESOLUTION AWARDED 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

This Resolution was assigned as 15224.

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

This Resolution was assigned as 15225.

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

This Resolution was assigned as 15226.

M11 A RESOLUTION APPROVING AMENDMENT NO. 3 TO THE AGREEMENT FOR PROFESSIONAL DESIGN CONSULTING SERVICES BY AND BETWEEN THE CITY OF PUEBLO AND BOHANNAN 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

This Resolution was assigned as 15227.

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.

This Resolution was assigned as 15228.

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

This Resolution was assigned as 15229.

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

This Resolution was assigned as 15230.

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

This Resolution was assigned as 15231.

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

This Resolution was assigned as 15232.

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

This Resolution was assigned as 15233.

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.

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

Councilor Atencio, seconded by Councilor Flores, moved 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.

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 CARING FOR COLORADO CENTENNIAL FUND DBA CO CENTENNIAL IN THE AMOUNT OF \$1,000 TO SPONSOR THE PUEBLO YOUTH ACTION COUNCIL

A staff report and detailed review of the Resolution was given by Councilor Vicente 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 15234.

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

A staff report and detailed review of the Resolution was given by Councilor Dennis Flores.

- Elvis Martinez appeared in person to speak on this ordinance

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 15235.

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

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 **10448.**

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

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

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 **10449.**

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

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting

Director of Planning & Community Development.

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 **10450.**

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

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 **10451.**

R5 AN ORDINANCE AMENDING THE FISCAL YEAR 2023 STAFFING ORDINANCE BY CONVERTING A VACANT POSITION WITHIN THE HUMAN RESOURCES DEPARTMENT

A staff report and detailed review of the Ordinance was given by Marisa Pacheco, Director of Human Resources.

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 **10452.**

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

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 #A-23-01 dated April 12, 2023, be made part of the record for this hearing. So ordered by President Graham.

PUBLIC HEARING:

- Gary Rosso, Assistant County Attorney, appeared in person to speak in favor of this ordinance
- Randy Thurston appeared in person to speak in favor of this ordinance

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

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

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, Councilor Maestri, Councilor Winner. **Nays:** President Graham, Councilor Martinez, Councilor Martinez Ortega. Motion Passed 4-3.

This Ordinance was assigned as **10453**.

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

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

PUBLIC HEARING:

- Randy Thurston appeared in person to speak against this ordinance

Seeing no one else 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 Martinez, Councilor Martinez Ortega. **Nays:** Councilor Maestri, Councilor Winner. Motion Passed 5-2.

This Ordinance was assigned as **10454**.

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

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

PUBLIC HEARING:

- Randy Thurston appeared in person to speak against this ordinance
- Elvis Martinez appeared in person to speak against 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 Maestri, Councilor Winner. **Nays:** Councilor Atencio, Councilor Flores, President Graham, Councilor Martinez, Councilor Martinez Ortega. Motion Failed 2-5.

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

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

PUBLIC HEARING:

- Judalon Smyth appeared in person to speak in favor of this ordinance
- Sharon Scootie appeared in person to speak in favor of this ordinance
- Christine Lucero appeared in person to speak in favor of this ordinance
- Angela Crank appeared in person to speak in favor of this ordinance
- Holly Valvatne appeared in person to speak in favor of this ordinance
- Elvis Martinez appeared in person to speak against this ordinance

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

Councilor Maestri, seconded by Councilor Winner, moved to amend the item to be placed on the general election ballot to be held on November 7, 2023 and to continue the item to the May 22, 2023 agenda.

Roll Call - **Ayes:** President Graham, Councilor Maestri, Councilor Winner. **Nays:** Councilor Atencio, Councilor Flores, Councilor Martinez, Councilor Martinez Ortega. Motion Failed 3-4.

Councilor Martinez Ortega, seconded by Councilor Maestri, moved to approve the Ordinance on Final Presentation. Roll Call - **Ayes:** Councilor Maestri, Councilor Winner. **Nays:** President Graham, Councilor Atencio, Councilor Flores, Councilor Martinez, Councilor Martinez Ortega. Motion Failed 2-5.

S. COUNCIL MEMBER CONFLICT OF INTEREST

S1 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$157,181.50 TO BAHAMAS 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

Councilor Maestri recused herself due to a conflict of interest.

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

Councilor Martinez Ortega, seconded by Councilor Flores, moved to approve the Resolution.

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

This Resolution was assigned as 15236.

T. ADJOURN

The meeting was adjourned at 10:50 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marisa Stoller", written in a cursive style.

Marisa Stoller
City Clerk