



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, SEPTEMBER 25, 2023 - 7:00 PM
MINUTES**

A. CALL TO ORDER

President Graham called the meeting to order at 7:04 p.m.

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Council Members Present: Larry Atencio, Dennis Flores, Heather Graham, Regina Maestri, Sarah Martinez, Lori Winner.

Council Members Present via Zoom: None.

Council Members Absent: Vicente Martinez Ortega.

Administrative Staff Members Present: Mayor Nicholas Gradisar, Chief of Staff Laura Solano, City Attorney George Hypolite, City Clerk Marisa Stoller.

E. SPECIAL RECOGNITIONS

**E1 PROCLAMATION PRESENTATION: "CAPTAIN ERIC BRAVO DAY:
SEPTEMBER 25, 2023" - MARLENE BRAVO, WIFE AND AARON BRAVO,
BROTHER**

F. PUBLIC FORUM

- Noelle Bellows - Crime Center
- Elvis Martinez - N7, Elections, Homeless & more
- Ted Freeman - PEDCO PDF
- Steve Villegas
- Augustine Garcia - Homelessness/Rescue Mission
- Dave DeCenzo - Cancellation, 2035

President Graham noted for the record that Councilor Martinez Ortega had joined the meeting and was now present and voting.

G. COUNCIL MEMBER AND MAYOR COMMENTARY

The Mayor submitted several updates: South Praire Ave repair work is beginning - expect lane closures, avoid the area if possible during construction. Updates will be available on City social media. This project will be completed by the end of the year.

There will be a City-wide cleanup on Saturday, Oct 14th at the State Fairgrounds and CSU-P Thunderbowl. City residents may bring one carload to dump with some limitations.

The City has received a variance to demolish the Albany from the Department of Public Health and Environment. Work is expected begin in early 2024.

Item R2 - study for creative community from Mayor's contingency fund. Goal is to make our creative community more robust, inventory assets and make suggestions on how to set up an arts and culture district/council to coordinate the creatives in our community.

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 Flores, moved to move item M1 to the regular agenda and approve the agenda as amended.

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

J. READING AND APPROVAL OF MINUTES

J1 CITY COUNCIL MINUTES SEPTEMBER 11, 2023

Councilor Martinez Ortega, seconded by Councilor Flores, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **September 11, 2023** as distributed.

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

K. PUBLIC HEARINGS

K1 PUBLIC HEARING FOR THE PURPOSE OF RECEIVING PUBLIC TESTIMONY AS IT PERTAINS TO the proposed annexation of the area commonly known as the Dorcy Community Housing Annexation described as 10.74-acres generally located south of Red Creek Springs Road and north of the Kingsroyal Boulevard terminus **REQUIRED COUNCIL ACTION: OPEN THE HEARING, RECEIVE PUBLIC TESTIMONY, AND CLOSE THE HEARING. REFERENCE ITEM S2**

Scott Hobson, Acting Director of Planning & Community Development, 211 E D Street, was sworn in and stated he is familiar with the petition that was filed for annexation of the area commonly known as the Dorcy Community Housing Annexation. Mr. Hobson answered several questions from City Attorney George Hypolite 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 A and requested that the plat map be entered into the record as part of the proceedings for this hearing. So ordered by President Graham.

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

L. CONSENT AGENDA

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

M. RESOLUTIONS

M2 A RESOLUTION AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$27,220.80 TO IMPACT INDUSTRIAL SERVICES, LLC., A COLORADO LIMITED LIABILITY COMPANY FOR PROJECT NO. 23-109, ABATE AND DEMOLISH - 718 WEST 4TH STREET (CDBG), SETTING FORTH \$4,083.20 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as 15372.

M3 A RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$10,000 FROM THE "2023" PUBLIC WORKS OPERATING BUDGET FOR CONTRACT SERVICES, APPROVING AMENDMENT NO. 1 TO THE AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF \$7,700 BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND NORTHSTAR ENGINEERING AND SURVEYING, INC., FOR PROJECT NO. 22A-039 ENGINEERING AND SURVEYING SERVICES FOR PLATTING OF FIRE STATION NO. 8 PROJECT, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME.

This Resolution was assigned as 15373.

M4 A RESOLUTION AUTHORIZING THE CITY OF PUEBLO TO REFUND SANITARY SEWER FEES OF \$788.89 TO TIMOTHY MCDOWELL

This Resolution was assigned as 15374.

M5 A RESOLUTION APPOINTING THE CITY CLERK AS THE DESIGNATED ELECTION OFFICIAL FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 7, 2023 AND DIRECTING THE CITY CLERK TO CERTIFY THE CONTENT OF THE BALLOT FOR SAID ELECTION

This Resolution was assigned as 15375.

M6 A RESOLUTION APPROVING AND ADOPTING FINDINGS AND DETERMINATIONS CONCERNING THE PROPOSED ANNEXATION OF THE AREA COMMONLY KNOWN AS THE DORCY COMMUNITY HOUSING ANNEXATION DESCRIBED AS 10.74-ACRES GENERALLY LOCATED SOUTH OF RED CREEK SPRINGS ROAD AND NORTH OF THE KINGSROYAL BOULEVARD TERMINUS

This Resolution was assigned as 15376.

M7 A RESOLUTION APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND ERIC SARRACINO, FOR SERVICES WITH RESPECT TO PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT FOR THE MITCHELL PARK MURAL PROJECT, AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

This Resolution was assigned as 15377.

M8 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-23-30) TO GRASSROOTS GRAVEL FOR THE USE OF THE NORTHEAST-BOUND LANES OF UNION AVENUE FROM CORONA AVENUE TO "B" STREET AND "B" STREET BETWEEN UNION AVENUE AND THE MAIN STREET OVERPASS TO HOST A CYCLING EVENT

This Resolution was assigned as 15378.

M9 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-23-36) TO THE WALTER BREWING COMPANY WALTER'S BEER, LLC., FOR THE USE OF THE INTERSECTION AT "D" STREET AND ONEIDA STREET TO THE NORTHERN PROPERTY EDGE OF THE WALTER BREWING COMPANY PROPERTY LINE TO HOST THEIR 2ND ANNUAL OKTOBERFEST EVENT STARTING ON OCTOBER 06, 2023 THROUGH OCTOBER 08, 2023

This Resolution was assigned as 15379.

M10 A RESOLUTION RATIFYING THE APPOINTMENT OF JEFFREY DEHERRERA TO THE PUEBLO CITY-COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES

This Resolution was assigned as 15380.

N. ORDINANCES – FIRST PRESENTATION

N1 AN ORDINANCE ACCEPTING A SMALL DOLLAR GRANT FROM THE COLORADO ENERGY OFFICE IN THE AMOUNT OF \$40,000.00, ESTABLISHING FINANCE ACCOUNT PROJECT NO. CI2325 ELECTRIC VEHICLE READINESS PLAN, TRANSFERRING \$10,000 FROM THE UNAPPROPRIATED FUND BALANCE OF THE GENERAL FUND INTO ACCOUNT PROJECT CI2325, BUDGETING AND APPROPRIATING \$50,000.00 INTO SAID PROJECT ACCOUNT, AND AUTHORIZING THE MAYOR TO EXECUTE THE PURCHASE ORDER AGREEMENT ON BEHALF OF THE CITY

N2 AN ORDINANCE APPROVING AND ACCEPTING A COLORADO DEPARTMENT OF LAW PEACE OFFICER STANDARDS AND TRAINING (POST) GRANT, JULY 1, 2023 THROUGH MARCH 31, 2024, ESTABLISHING PROJECT NUMBER PS2310, TRANSFERRING FUNDS NOT TO EXCEED THE AMOUNT OF \$5,347.20; TRANSFERRING \$4,947.20 FROM PROJECTS-TO-BE-DETERMINED IN THE PUBLIC SAFETY GRANTS FUND, AND TRANSFERRING \$400.00 FROM THE POLICE DEPARTMENT'S GRANT MATCH BUDGET IN THE PUBLIC SAFETY FUND

N3 AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING

BETWEEN THE CITY OF PUEBLO AND HEALTH SOLUTIONS OF PUEBLO, A NON-PROFIT ORGANIZATION, RELATING TO THE DELIVERY OF SERVICES VIA THE SOLUTIONS OUTREACH SERVICES TEAM (S.O.S. TEAM), AND AUTHORIZING THE MAYOR'S SIGNATURE THERETO

- N4 AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL INSURANCE CRIME BUREAU (NICB) AND THE CITY OF PUEBLO RELATING TO AUTHORIZED ACCESS TO NICB RESOURCES TO ASSIST IN THE INVESTIGATION OF THEFT AND FRAUD-RELATED CRIMES, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**
- N5 AN ORDINANCE APPROVING AND ADOPTING A SUBSTANTIAL AMENDMENT TO THE CITY OF PUEBLO'S FY2020 ACTION PLAN TO ADD AN ADDITIONAL PROJECT TO THE FY2020 ANNUAL ACTION PLAN TO ACQUIRE AND REHABILITATE 710 W. 4TH STREET, PUEBLO, CO TO PROVIDE A WARMING SHELTER UTILIZING CASE MANAGEMENT AND NAVIGATION SERVICES FOR THE HOMELESS 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**
- N6 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 2024 SPECIAL ELECTION – MAYORAL RUNOFF**
- N7 AN ORDINANCE FIXING THE MONTHLY SALARIES OF THE MEMBERS AND PRESIDENT OF THE CITY COUNCIL AT \$2,100 AND \$2,700 RESPECTIVELY**
- N8 AN ORDINANCE APPROVING A SUBRECIPIENT AGREEMENT AUTHORIZING PAYMENT IN AN AMOUNT OF UP TO \$900,000 FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT TO NEIGHBORWORKS SOUTHERN COLORADO, INC. TO CONSTRUCT NECESSARY INFRASTRUCTURE IMPROVEMENTS FOR AFFORDABLE HOUSING UNITS AS AUTHORIZED BY SECTION 603(C)(1)(A) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 C.F.R. § 35.6 (B) (3) (II) (A) (5) AND AUTHORIZING THE MAYOR TO EXECUTE SAME**
- N9 AN ORDINANCE APPROVING A SUBRECIPIENT AGREEMENT AUTHORIZING PAYMENT IN AN AMOUNT OF UP TO \$400,000 OF COMMUNITY DEVELOPMENT BLOCK GRANT – COVID-19 FUNDS TO THE PUEBLO RESCUE MISSION THROUGH A SUBRECIPIENT AGREEMENT TO**

PURCHASE REAL PROPERTY LOCATED AT 710 WEST 4TH STREET, PUEBLO, CO AND MAKE CERTAIN IMPROVEMENTS TO THE PROPERTY TO PROVIDE A WARMING SHELTER FOR THE PUEBLO COMMUNITY DURING WEATHER EMERGENCIES DECLARED BY THE CITY AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

O. APPROVAL OF CONSENT AGENDA

Councilor Martinez Ortega, 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 October 10, 2023, and Order the Ordinances to be published BY TITLE.

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

P. REGULAR AGENDA

Q. RESOLUTIONS

Q1 A RESOLUTION ADOPTING A FEE SCHEDULE FOR LIQUOR AND BEER LICENSE APPLICATIONS AND PERMITS AND REPEALING RESOLUTION 13529

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

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

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

This Resolution was assigned as 15381.

Q2 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2023 GENERAL FUND BUDGET TO SPARK THE CHANGE COLORADO IN THE AMOUNT OF \$2,000 TO SPONSOR A SUICIDE MEMORY WALK ON SEPTEMBER 30, 2023 AT LAKE MINNEQUA VETERAN'S MEMORIAL PARK

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

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

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

This Resolution was assigned as 15382.

M1 A RESOLUTION AUTHORIZING PAYMENT IN AN AMOUNT OF UP TO

\$1,500,000.00 FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT TO ESTABLISH A REAL TIME CRIME CENTER AS AUTHORIZED BY SECTION 603(C)(1)(A) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6(B)(3)(I)(D)

This item was removed from the Consent Agenda.

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

Councilor Martinez, seconded by Councilor Winner, moved to approve the Resolution.

Councilor Atencio, seconded by Councilor Flores, moved to postpone the Resolution until the Regular meeting on October 23rd. Councilor Atencio withdrew his motion and the original motion to approve was voted on.

Roll Call - **Ayes:** Councilor Winner, Councilor Atencio, Councilor Flores, President Graham, Councilor Martinez. **Nays:** Councilor Maestri, Councilor Martinez Ortega. Motion Passed 5-2.

This Resolution was assigned as 15383.

R. ORDINANCES – FINAL PRESENTATION

R1 AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE STATE OF COLORADO, BY AND THROUGH THE STATE FAIR AUTHORITY, RELATED TO THE RENTAL OF STATE FACILITIES TO HOST THE CITY'S 2023 ANNUAL EMPLOYEE HEALTH FAIR

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

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

This Ordinance was assigned as 10552.

R2 AN ORDINANCE APPROVING AN AGREEMENT FOR RESEARCH AND ARTS STUDY SERVICES BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND ROXANNE PIGNANELLI AND AUTHORIZING THE MAYOR TO EXECUTE SAME

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

PUBLIC HEARING:

- Roxanne Pignanelli appeared in person to speak in favor of this ordinance
- Kennedy Pew appeared in person to speak in favor of this ordinance
- Christina McCan appeared in person to speak against this ordinance
- Diana LaMorris appeared in person to speak against this ordinance
- Andy Sanchez appeared in person to speak against this ordinance
- Abel Sanchez 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.

Councilor Flores, seconded by Councilor Martinez Ortega, moved to amend the motion to postpone the final reading of the ordinance to the Regular October 23rd meeting.

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

This Ordinance was postponed to the October 23, 2023 meeting.

R3 AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SETTLEMENT AGREEMENT AND MUTUAL RELEASE OF CLAIMS BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND REVEREND PAUL ELDER AND THE CHRISTIAN GROWTH CENTER, INC., RELATED TO SETTLEMENT OF UNITED STATES DISTRICT COURT OF COLORADO ACTION NO. 22-CV-00460-CNS-MDB

A staff report and detailed review of the Ordinance was given by City Attorney George Hypolite.

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

This Ordinance was assigned as **10553**.

R4 AN ORDINANCE APPROVING AMENDMENT NO. 1 TO THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR THE PUEBLO SPRINGS APARTMENTS SUBDIVISION ENTERED INTO BETWEEN THE CITY OF PUEBLO AND PUEBLO SPRINGS APARTMENTS, LLC, 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.

President Graham, seconded by Councilor Martinez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Winner, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega. **Nays:** Councilor Atencio. Motion Passed 6-1.

This Ordinance was assigned as **10554**.

S. QUASI-JUDICIAL PROCEEDINGS

S1 AN ORDINANCE ANNEXING UNINCORPORATED LAND COMMONLY KNOWN AS THE DORCY COMMUNITY HOUSING ANNEXATION TO THE CITY OF PUEBLO, DESCRIBED AS 10.74-ACRES OF LAND GENERALLY LOCATED SOUTH OF RED CREEK SPRINGS ROAD AND NORTH OF THE KINGSROYAL BOULEVARD TERMINUS

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 #A22-06 dated December 14, 2022, be made part of the record for this hearing. So ordered by President Graham.

PUBLIC HEARING:

Mr. David Lidal appeared for Posada to speak on behalf of the applicant.

- Susan Witamore, 25 Ibis Lane, appeared in person to speak against this ordinance.

Mr. David Lidal provided a rebuttal on behalf of the applicant.

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

This Ordinance was assigned as **10555**.

S2 AN ORDINANCE AMENDING ZONING RESTRICTIONS FROM PUEBLO COUNTY A-4 TO CITY OF PUEBLO R-3-, ONE- AND TWO-FAMILY RESIDENTIAL ZONE DISTRICT FOR APPROXIMATELY 10.74-ACRES GENERALLY LOCATED SOUTH OF RED CREEK SPRINGS ROAD, NORTH OF REGENCY PARK, 10TH FILING AND WEST OF THE MEADOWS, FILING 4 SUBDIVISION

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 #Z23-04 dated July 12, 2023, be made part of the record for this hearing. So ordered by President Graham.

PUBLIC HEARING:

The applicant and Michael Cuppy of Northstar Engineering, 111 E 5th Street, discussed the project.

- Elvis Martinez of 1919 W 12th St Apt 143 appeared in person to speak in favor of this ordinance
- Frank Cirrulo of 5112 Applecrest appeared in person to speak against this ordinance

Seeing no one 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 Winner, Councilor Atencio, Councilor Flores, President Graham, Councilor Martinez, Councilor Martinez Ortega. **Nays:** Councilor Maestri. Motion Passed 6-1.

This Ordinance was assigned as 10556.

S3 AN ORDINANCE VACATING A 0.167-ACRE DRAINAGE EASEMENT WITHIN LOT 1 AND LOT 2 OF THE GREDIG SUBDIVISION

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 #V23-05 dated August 9, 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 Flores, moved to approve the Ordinance on final presentation.

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

This Ordinance was assigned as 10557.

S4 AN ORDINANCE APPROVING THE NORTH VISTA HIGHLANDS, FILING NO. 7 SUBDIVISION

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 #S23-02 dated August 9, 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 Winner, Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10558.**

S5 AN ORDINANCE VACATING A TEN-FOOT BY ONE HUNDRED AND TWENTY-THREE-FOOT STRIP OF SUMMIT AVENUE RIGHT-OF-WAY

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 #V23-02 dated May 10, 2023, be made part of the record for this hearing. So ordered by President Graham.

PUBLIC HEARING:

The applicants came forward to speak and were sworn in as Keith and August Willheight of 2132 Vinewood Ave.

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

This Ordinance was assigned as **10559.**

S6 AN ORDINANCE AMENDING ZONING RESTRICTIONS FROM R-4, MIXED RESIDENTIAL ZONE DISTRICT TO RCN, RESIDENTIAL CHARTER NEIGHBORHOOD ZONE DISTRICT FOR 945 EAST ROUTT AVENUE

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 #Z23-08 dated August 9, 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 Flores, moved to approve the Ordinance on final presentation.

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

This Ordinance was assigned as **10560.**

S7 AN ORDINANCE AMENDING ZONING RESTRICTIONS TO REZONE APPROXIMATELY 3,000 SQUARE FEET OF LAND AT 718 WEST 4TH STREET FROM B-4, REGIONAL BUSINESS ZONE DISTRICT TO S-1, GOVERNMENT

USE ZONE DISTRICT

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 #Z23-08 dated August 9, 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 Winner, Councilor Atencio, Councilor Flores, President Graham, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10561.**

S8 AN ORDINANCE AMENDING ZONING RESTRICTIONS FROM I-2, INDUSTRIAL ZONE DISTRICT AND I-3 HEAVY INDUSTRIAL ZONE DISTRICT TO S-1, GOVERNMENT USE ZONE DISTRICT FOR APPROXIMATELY 2.9-ACRES GENERALLY LOCATED WEST OF SANTA FE DRIVE, NORTH AND EAST OF RICHMOND AVENUE, AND SOUTH OF MECHANIC STREET

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 #Z23-05 dated July 12, 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 Flores, moved to approve the Ordinance on final presentation.

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

This Ordinance was assigned as **10562.**

T. ADJOURN

President Graham adjourned the meeting at 10:47 p.m.

Respectfully submitted,



Marisa Stoller
City Clerk