



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

**TUESDAY, OCTOBER 10, 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 Josh Richardson, Pueblo Christian Center

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation Presentation: "Pueblo Latino Veterans Profiles in Courage Day: October 14, 2023" - Gloria Gutiérrez, Pueblo Latino Veterans Profiles in Courage Committee

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 September 25, 2023, as distributed.

J1 City Council Minutes 092523

K. COMMUNICATIONS

K1 Minutes of the Planning and Zoning Commission Regular Meeting for 8/9/2023

K2 Submission of the Mayor's Recommended Budget for the Fiscal Year 2024

L. 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.

M. RESOLUTIONS

- M1 A Resolution authorizing the transfer of \$750,000 to Project ED0801, Lease Proceeds Escrow/Rms, previously established in the 1992 - 2026 Sales And Use Tax Capital Improvements Projects Fund
- M2 A Resolution awarding a construction contract in the amount of \$296,381.97 to Rebuild-It, A Sentry Equipment Company., for Project No. 23-102 (WW2002) & (WWAN04) FY2023 Gravity Thickener Rehabilitation Project at the James R. Dilorio Water Reclamation Facility, setting forth \$29,638.20 for contingencies and authorizing the purchasing agent to execute same.
- M3 A Resolution awarding an agreement for professional engineering services in the amount of \$415,230 to Brown and Caldwell, Inc., for Project No. 23A-038 Design West Side Interceptor Upsize, and authorizing the Purchasing Agent to execute same
- M4 A Resolution awarding an agreement for professional engineering services in the amount of \$295,035 to Brown and Caldwell, Inc., for Project No. 23A-039 Design of Sanitary Sewer Extension at Northern Avenue, and authorizing the Purchasing Agent to execute same
- M5 A Resolution awarding a construction contract in the amount of \$264,435.90 to Tony J Beltramo & Sons, Inc. and setting forth \$26,443.59 for contingencies and additional work for project No. 23-115 Illinois Avenue storm sewer improvements and authorizing the purchasing agent to execute same
- M6 A Resolution ratifying the award of a construction contract in the amount of \$82,551 to K.R. Swerdfeger Construction, Inc., for an emergency storm sewer point repair at Drew Dix Park and authorizing the purchasing agent to execute same
- M7 A Resolution awarding a construction contract in the amount of \$64,638.45 to A5 Construction for Project No. 23-124, Concrete Improvements - 1100th Block of Acero Avenue (CDBG), setting forth \$20,000 for contingencies, and authorizing the Purchasing Agent to execute same
- M8 A Resolution awarding a construction contract in the amount of \$55,268.30 to A5 Construction for Project No. 23-123, Concrete Improvements - 200th Block of Van Buren Street (CDBG), setting forth \$20,000 for contingencies, and authorizing the Purchasing Agent to execute same
- M9 A Resolution awarding a Construction Contract in the amount of \$34,807.80 to Potter Commercial Walls and Ceilings, Inc., for Project No. 23-129, Pueblo Memorial Airport Terminal Hangar Partition Repair, setting forth \$15,192.20 for contingencies, and authorizing the Purchasing Agent to execute same
- M10 A Resolution ratifying an emergency construction contract in the amount of \$33,449.94 to Tony J Beltramo & Sons, Inc., for Project No. 23-132, Asphalt Improvements - West 20th Street, and approving the Purchasing Agent's execution of same
- M11 A Resolution confirming the appointment by the Mayor of Patrick Hurley and Oren Olson to complete a three-year term expiring December 30, 2025 on the Community Commission on Housing and Homelessness
- M12 A Resolution authorizing the issuance of a Revocable Permit (REV-23-35) to Pueblo County, a political subdivision of the State of Colorado, for the use of West 11th Street from Santa Fe Avenue to Grand Avenue; West 10th Street from Santa Fe Avenue to

Grand Avenue; West 9th Street from Santa Fe Avenue to Main Street; Main Street from West 9th Street to West 12th Street; and Court Street from West 12th Street to West 8th Street for the purpose of facilitating the Courthouse Lighting Ceremony

M13 A Resolution authorizing the issuance of a Revocable Permit (REV-23-40) to the Pueblo Diversified Industries for the use of Alan Hamel Drive from Santa Fe Avenue to Main Street for the purpose of facilitating their 5K Walk/Run event

M14 A Resolution authorizing the issuance of a Revocable Permit (REV-23-44) to the HARP Authority for the use of Victoria Street from the HARP Parking Lot at 101 South Victoria Avenue to Greenwood for the purpose of facilitating a "Fright Night" event

M15 A Resolution authorizing payment of funds in the amount of twenty-five thousand dollars (\$25,000) to the Parks and Recreation Department of the City of Pueblo, a Colorado Municipal Corporation, for the Mitchell Park Mural Project, to be paid from Project No. CI-2113 - American Rescue Plan Act, as authorized by Section 603 (a) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6

N. ORDINANCES – FIRST PRESENTATION

N1 An Ordinance authorizing a site lease and lease purchase agreement between the City, and BOKF, N.A. (solely in its capacity as trustee) for the purpose of financing the construction, improvement and equipping of three fire stations; approving not to exceed \$37,000,000 principal amount of Certificates of Participation, Series 2023 in connection therewith; authorizing officials of the City to take all action necessary to carry out the transactions contemplated hereby; and related matters

N2 An Ordinance Transferring funds in the amount of \$9,942.85 from Pueblo Transit ARPA Award No. CO-2023-019-00, into Project Number PT2201 Shop Truck Replacement Project to purchase a new Maintenance Vehicle

N3 An Ordinance approving a license for communication line, television cable, and/or fiber optic line across or along railway property between the City of Pueblo and BNSF Railway Company, a Delaware Corporation, and authorizing the Mayor to execute same

N4 An Ordinance approving an amendment to the Collective Bargaining Agreement between The City of Pueblo and The Pueblo Association of Government Employees relating to salary classification and pay range adjustments and increases for eight specified and enumerated classifications

N5 An Ordinance approving and authorizing the Mayor to execute a Hardware Rental, Software License and Services Agreement between the City of Pueblo, a Colorado Municipal Corporation and Dominion Voting Systems, Inc., as required for any potential Mayoral Runoff Election

N6 An Ordinance electing to certify Abatement Assessment Roll No. 2023-1 to the County Treasurer and to have the County Treasurer collect in the same manner as other taxes

N7 An Ordinance approving amendment of two Solar Production Agreements between the City of Pueblo and CEC Solar #1117, LLC. and CEC Solar #1118, LLC relating to and updating the power purchase agreement rate schedules for each agreement, and authorizing execution thereof by the Mayor

N8 An Ordinance approving an Agreement for the Purchase and Sale of Real Property known as lots 8 & 9 blk 70 Mattice & Gibson ad, and lot 19 blk 71 Mattice & Gibson ad between the City of Pueblo, a Colorado Municipal Corporation and Mr. Fred F. Jones and Mrs. Melva Jean Jones and authorizing the Mayor to execute the same

N9 An Ordinance approving and accepting a U. S. Department of Justice 2023 Edward Byrne

Memorial Justice Assistance (2023 Jag) Grant, Award No. 15PBJA-23-GG-03201-JAGX, and applicable conditions pertaining thereto, establishing Project Number PS2314, budgeting and appropriating funds not to exceed \$111,507, authorizing the Mayor to execute same and related certifications, assurances and other documents, approving and ratifying the July 17, 2023 Memorandum Of Understanding concerning receipt and disbursement of funds, and authorizing the Mayor to execute same and ratifying his signature thereto

N10 An Ordinance approving an amendment to the rental agreement for the use of an office space and the Fire Fighting Reload Base at the Pueblo Memorial Airport between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado Department of Public Safety, Division of Fire Prevention and Control, and authorizing the Mayor to execute the same.

N11 An Ordinance accepting a Bargain and Sale Deed from Pueblo Historical Aircraft Society, a Colorado nonprofit, for a hangar located at 508 Skyway Street at the Pueblo Memorial Airport, and authorizing the Mayor to execute same.

N12 An Ordinance amending zoning restrictions to rezone approximately 70.89-acres located in the western portion of the Ventana Master Plan, 2002, and within the proposed Ventana Estates Overall Development Plan from A-4, Agricultural Four Zone District to R-2, Single Family Residential Zone District

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 October 23, 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 Pueblo Downtown Association in the amount of \$1,250 to sponsor the Parade of Lights on Saturday, November 25, 2023 in Downtown Pueblo

Q2 A Resolution authorizing payment from the Council Contingencies account in the 2023 general fund budget to Pueblo Area Agency on Aging in the amount of \$2,000 to sponsor the Senior of the Year event

Q3 A Resolution authorizing payment from the Council Contingencies Account in the 2023 General Fund Budget to Latino Chamber Development Corp in the amount of \$1,000 to support the 16th Annual Lifetime Achievement Award Ceremony

R. ORDINANCES – FINAL PRESENTATION

R1 An Ordinance accepting a small dollar grant from the Colorado Energy Office in the amount of \$40,000 and establishing a finance account Project 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 into said project account, and authorizing the Mayor to execute the purchase order agreement on behalf of the City of Pueblo - *Introduced September 25, 2023 by Councilor Vicente Martinez Ortega*

R2 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 - *Introduced September 25, 2023 by Councilor Vicente Martinez Ortega*

- R3 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 - *Introduced September 25, 2023 by Councilor Vicente Martinez Ortega*
- R4 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 - *Introduced September 25, 2023 by Councilor Vicente Martinez Ortega*
- R5 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 - *Introduced September 25, 2023 by Councilor Vicente Martinez Ortega*
- R6 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 - *Introduced September 25, 2023 by Councilor Vicente Martinez Ortega*
- R7 An Ordinance fixing the monthly salaries of the members and President of the City Council at \$2,100 and \$2,700 respectively - *Introduced September 25, 2023 by Councilor Vicente Martinez Ortega*
- R8 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 - *Introduced September 25, 2023 by Councilor Vicente Martinez Ortega*
- R9 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 - *Introduced September 25, 2023 by Councilor Vicente Martinez Ortega*

S. COUNCIL MEMBER CONFLICT OF INTEREST

Councilor Vicente Martinez Ortega may ask to be excused from the meeting due to a conflict of interest with agenda items number T-1 and T-2.

T. COMMUNICATIONS

T1 A Citizen Filed an Ethics Complaint against Councilor Vicente Martinez Ortega

Required Action: Accept Communication

T2 A Citizen Filed an Ethics Complaint against Councilor Vicente Martinez Ortega

U. ADJOURN