



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

**MONDAY, OCTOBER 23, 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 Steve Chavez, Praise Assembly

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

- E1 Proclamation Presentation: "National Veterans Small Business Week: October 30 - November 3, 2023" - Aikta Marcoulier, Regional Administrator, U.S. Small Business Administration and Kia Palmer, Executive Director, Colorado Veterans Business Outreach Center

F. PUBLIC FORUM

G. COUNCIL MEMBER AND MAYOR COMMENTARY

H. REVIEW AND APPROVAL OF AGENDA

Motion to Amend the Agenda or Motion to Approve the Agenda as distributed

I. READING AND APPROVAL OF MINUTES

Motion to dispense with the reading and approve the Minutes of the Regular Meeting dated October 10, 2023, as distributed.

- I1 City Council Minutes October 10, 2023

J. COMMUNICATIONS

- J1 A Citizen Filed an Ethics Complaint against Mayor Nicholas Gradisar
Required Council Action: Motion to Receive the Communication.

K. PUBLIC HEARINGS

- K1 Proposed 2024 Annual Budget

This Public Hearing is held for the purpose of receiving public testimony as it pertains to

the 2024 Proposed Annual Budget per the requirements of Section 7-9 of the Charter for the City of Pueblo.

Required Council Action: Open the Hearing, Receive Public Testimony, and Close the Hearing. **Council discussion is not required and there is no Council action at this time.**

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.

L1 Minutes of the Planning and Zoning Commission Regular Meeting for 09/23/2023

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$195,602.85 to Rocky Mechanical, L.L.C., a Colorado Limited Liability Company, for Project No. 23-125, Mechanical Improvements - Mineral Palace Atrium, setting forth \$29,340.15 for contingencies, and authorizing the Purchasing Agent to execute same
- M2 A Resolution awarding contract amendment NO. 1 in the amount of \$85,988.59 for Project NO. 21-061 (WWAN01), 2021 Small Main Remove and Replace Project, and authorizing the purchasing agent to execute the same
- M3 A Resolution reestablishing the Pueblo Memorial Airport Advisory Committee ("Committee") and repealing Resolution No. 14575.
- M4 A Resolution ratifying PACOG's Joint Appointment of Steven Contreras to the Pueblo Regional Building Commission
- M5 A Resolution ratifying PACOG's Joint Appointment of Dakota Lamoureux and Tanna Schut to the Community Services Advisory Commission (CSAC)
- M6 A Resolution accepting a grant award of \$120,000 from the Colorado Department of Agriculture, to support the Pueblo Food Project staff community food pantry No. CI2328

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance establishing the 2024-2025 pueblo Urban Transportation Planning Project and budgeting and appropriating funds in the amount of \$932,107 in 2024 for said Project
- N2 An Ordinance approving an agreement for Professional Engineering services in the amount of \$556,897.60 between the City of Pueblo, a Colorado Municipal Corporation, and Brown and Caldwell, Inc., for consulting engineering and project management services with respect to a pilot project to identify issues contributing to groundwater infiltration and inflow to the city's sewer sanitary system and authorizing the mayor to execute the same
- N3 An Ordinance accepting a small dollar grant from the Colorado Energy Office in the amount of \$45,000.00, establishing finance account Project No. CI2217 - Charge Ahead Colorado, budgeting and appropriating \$45,000.00 into said project account, and authorizing the Mayor to execute the purchase order on behalf of the City
- N4 An Ordinance accepting funds in the amount of \$16,742.00 from H.W. Houston, LLC, a Colorado Limited Liability Company, for costs associated with the repair of W. 20th Street, and budgeting and appropriating said funds to Account CI2309 - Road & Street Repairs
- N5 An Ordinance establishing 2024 Pueblo Rural Transportation Planning Project, TP2401,

and budgeting and appropriating funds in the amount of \$7,400 for said Project

- N6 An Ordinance approving a Delegation Agreement between the City of Pueblo, a Colorado Municipal Corporation, and the Pueblo Area Council of Governments for 2024 transportation planning services 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 November 13, 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 Friends of the Arkansas River in the amount of \$1,000 to sponsor the You Don't Stand Alone sculpture
- Q2 A Resolution authorizing a transfer of funds in the amount of \$1,000 from the Council Contingencies account in the 2023 general fund budget to the Pueblo Police Department for sponsorship of the 7th Annual Charity Ice Cup Hockey game between the Fire Department and Police Department on October 21, 2023 at 3 pm

R. ORDINANCES – FINAL PRESENTATION

- R1 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 - *Introduced October 10, 2023 by Councilor Vicente Martinez Ortega*
- R2 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 - *Introduced October 10, 2023 by Councilor Vicente Martinez Ortega*
- R3 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 - *Introduced October 10, 2023 by Councilor Vicente Martinez Ortega*
- R4 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 - *Introduced October 10, 2023 by Councilor Vicente Martinez Ortega*
- R5 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 - *Introduced October 10, 2023 by Councilor Vicente Martinez Ortega*
- R6 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 - *Introduced October 10,2023 by Councilor Vicente Martinez Ortega*

- R7 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 - *Introduced October 10,2023 by Councilor Vicente Martinez Ortega*
- R8 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 - *Introduced October 10,2023 by Councilor Vicente Martinez Ortega*
- R9 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. - *Introduced October 10,2023 by Councilor Vicente Martinez Ortega*
- R10 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. - *Introduced October 10,2023 by Councilor Vicente Martinez Ortega*
- R11 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 - *Introduced October 10,2023 by Councilor Vicente Martinez Ortega*
- R12 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 - *Introduced October 10,2023 by Councilor Vicente Martinez Ortega*
- R13 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 October 10,2023 by Councilor Vicente Martinez Ortega*

S. EMERGENCY ORDINANCES

- S1 An Emergency Ordinance amending Ordinance No. 10058 to authorize the Mayor to enlarge the time frame within which the Mayor may declare temporary housing and shelter emergencies before November 1st of each year subject to council ratification

T. COUNCIL MEMBER CONFLICT OF INTEREST

President Heather Graham may ask to be excused from the meeting due to a conflict of interest with agenda item numbers U-1, U-2.

U. COMMUNICATIONS

U1 A Citizen Filed an Ethics Complaint against President Heather Graham

Required Council Action: Motion to Receive the Communication

U2 A Citizen Filed an Ethics Complaint against President Heather Graham

Required Council Action: Motion to Receive the Communication

V. ADJOURN