



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, OCTOBER 23, 2023 - 7:00 PM
MINUTES**

A. CALL TO ORDER

President Graham called the meeting to order at 7:05 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 George Hypolite, City Clerk Marisa Stoller.

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

- Steve Villegas - Homeless
- Ted Freeman - Passing Laws & Enforcing them
- Elvis Martinez - Homeless and more
- Marty Harvey - Health Fair/thing re: younger people

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

The agenda was reviewed page by page.

Councilor Martinez, seconded by Councilor Martinez Ortega, moved to remove items M5 and R12 from the 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 Passed 7-0.

I. READING AND APPROVAL OF MINUTES

I1 CITY COUNCIL MINUTES OCTOBER 10, 2023

Councilor Martinez Ortega, seconded by Councilor Flores, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **October 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 Passed 7-0.

J. COMMUNICATIONS

J1 A CITIZEN FILED AN ETHICS COMPLAINT AGAINST MAYOR NICHOLAS GRADISAR

Councilor Atencio, seconded by Councilor Martinez Ortega, moved to receive the communication.

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

City Attorney George Hypolite reviewed the ethics complaint for Council.

Councilor Winner, seconded by Councilor Martinez Ortega, moved to dismiss the complaint.

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

K. PUBLIC HEARINGS

K1 PROPOSED 2024 ANNUAL BUDGET

President Graham opened the public hearing.

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

L. CONSENT AGENDA

L1 MINUTES OF THE PLANNING AND ZONING COMMISSION REGULAR MEETING FOR 09/23/2023

M. RESOLUTIONS

- M1 A RESOLUTION AWARDED 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**

This Resolution was assigned as 15402.

- M2 A RESOLUTION AWARDED 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**

This Resolution was assigned as 15403.

- M3 A RESOLUTION REESTABLISHING THE PUEBLO MEMORIAL AIRPORT ADVISORY COMMITTEE ("COMMITTEE") AND REPEALING RESOLUTION NO. 14575.**

This Resolution was assigned as 15404.

- M4 A RESOLUTION RATIFYING PACOG'S JOINT APPOINTMENT OF STEVEN CONTRERAS TO THE PUEBLO REGIONAL BUILDING COMMISSION**

This Resolution was assigned as 15405.

- M5 A RESOLUTION RATIFYING PACOG'S JOINT APPOINTMENT OF DAKOTA LAMOUREAUX AND TANNA SCHUT TO THE COMMUNITY SERVICES ADVISORY COMMISSION (CSAC)**

This item was removed from the agenda.

- 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**

This Resolution was assigned as 15406.

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

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 November 13, 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

**PUEBLO FRIENDS OF THE ARKANSAS RIVER IN THE AMOUNT OF \$1,000
TO SPONSOR THE YOU DON'T STAND ALONE SCULPTURE**

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

Councilor Martinez Ortega, 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 15407.

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

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

Councilor Martinez Ortega, 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 15408.

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

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 10570.

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

A staff report and detailed review of the Ordinance was given by Ben Valdez, Director of Transit.

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 10571.

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

A staff report and detailed review of the Ordinance was given by Lori Pinz, Director of Information Technology.

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 10572.

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

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

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 **10573.**

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

A staff report and detailed review of the Ordinance was given by Lisa Macchietto, Assistant City Attorney.

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 **10574.**

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

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.

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 **10575.**

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

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

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 10576.

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

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

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 10577.

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.

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport 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 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 **10578.**

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.

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

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 **10579.**

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

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 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 **10580.**

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

This item was removed from the agenda.

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

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

PUBLIC HEARING:

- David Tenell appeared in person to speak in favor of this ordinance
- Tyler Trujillo appeared in person to speak in favor of this ordinance
- Lynnay Trujillo appeared in person to speak in favor of this ordinance
- Lori Sole appeared in person to speak in favor of this ordinance
- Jennifer Strawmatt appeared in person to speak in favor of this ordinance
- Robert Riven appeared in person to speak in favor of this ordinance
- Patricia Joust appeared in person to speak in favor of this ordinance
- Amanda Montoya appeared in person to speak in favor of this ordinance
- Matt Goodwin appeared in person to speak in favor of this ordinance
- Lonny Kanz appeared in person to speak against this ordinance
- Joseph Luna 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 Atencio, Councilor Flores, Councilor Martinez Ortega, Councilor Winner. **Nays:** President Graham, Councilor Maestri, Councilor Martinez. Motion Passed 4-3.

This Ordinance was assigned as **10581.**

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

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

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 10582.

T. COUNCIL MEMBER CONFLICT OF INTEREST

U. COMMUNICATIONS

U1 A CITIZEN FILED AN ETHICS COMPLAINT AGAINST PRESIDENT HEATHER GRAHAM

President Graham recused herself from the meeting.

Councilor Maestri, seconded by Councilor Martinez Ortega, moved to accept the communication.

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

City Attorney George Hypolite reviewed the Complaint for Council.

Councilor Martinez Ortega, seconded by Councilor Flores, moved to dismiss the complaint.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega. **Nays:** Councilor Winner. Motion Passed 5-1.

U2 A CITIZEN FILED AN ETHICS COMPLAINT AGAINST PRESIDENT HEATHER GRAHAM

Councilor Martinez Ortega, seconded by Councilor Winner, moved to receive the communication.

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

City Attorney George Hypolite reviewed the Complaint for Council.

Councilor Martinez Ortega, seconded by Councilor Atencio, moved to dismiss the complaint.

Roll Call - **Ayes:** Councilor Atencio, Councilor Flores, Councilor Maestri, Councilor Martinez, Councilor Martinez Ortega. **Nays:** Councilor Winner. Motion Passed 5-1.

V. ADJOURN

Vice President Flores adjourned the meeting at 9:08 p.m.

Respectfully submitted,

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

Marisa Stoller
City Clerk