



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, JANUARY 22, 2024 - 7:00 PM
MINUTES**

A. CALL TO ORDER

President Aliff called the meeting to order at 7:02 p.m.

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Council Members Present: Mark Aliff, Dennis Flores, Roger Gomez, Heather Graham, Joe Latino, Regina Maestri, Sarah Martinez.

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

F. PUBLIC FORUM

- Denise Lowman - Camping Ban
- Michael Gonzales - Camping Ban
- Jeanette Garcia/Rita - Commission diversity
- Larry Thancher - Water
- Caleb Buddington - Men's Lacross Team
- Sherrie Palmer - Camping Ban

G. COUNCIL MEMBER AND MAYOR COMMENTARY

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 Maestri, seconded by Councilor Gomez, moved to move items M3 and N8 to the regular agenda, to postpone items M8 and M9 to the February 12, 2024 agenda, and approve the agenda as amended.

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

J. READING AND APPROVAL OF MINUTES

J1 CITY COUNCIL MINUTES JANUARY 8, 2024

Councilor Flores, seconded by Councilor Gomez, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **January 08, 2024** as distributed.

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

K. CONSENT AGENDA

L. COMMUNICATIONS

M. RESOLUTIONS

M1 A RESOLUTION AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$115,232.01 TO WEATHERCRAFT CO., FOR PROJECT NO. 23-137, ROOF REPLACEMENT - ENGINEERING ANNEX BUILDING, SETTING FORTH \$23,046.99 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as 15462.

M2 A RESOLUTION AUTHORIZING PAYMENT OF ONE HUNDRED THOUSAND DOLLARS (\$100,000) FROM PROJECT NO. C12113 – AMERICAN RESCUE PLAN ACT, FOR THE PURPOSES OF UPGRADING CITY COUNCIL CHAMBERS AND PRE-EVENT ROOM AUDIO VISUAL INFRASTRUCTURE, AS AUTHORIZED BY SECTION 603 (A) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35

This Resolution was assigned as 15463.

M4 A RESOLUTION RATIFYING THE AWARD OF A PROFESSIONAL SERVICES AGREEMENT (PROJECT NO. 21-078 - RATE CONSULTANT FOR STORMWATER UTILITY DIVISION) DATED OCTOBER 20, 2021 TO FINANCIAL CONSULTING SOLUTIONS GROUP, INC. DBA FCS GROUP; AWARDED AMENDMENT NO. 1 IN THE AMOUNT OF \$19,567.00 TO SAID AGREEMENT; AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE THE SAME

This Resolution was assigned as 15464.

M5 A RESOLUTION RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT IN THE AMOUNT OF \$10,201.52 WITH RUSS GRADING & EXCAVATING LLC, FOR EMERGENCY STORM SEWER POINT REPAIR AT THE INTERSECTION OF EAST 9TH STREET AND ERIE AVENUE, PROJECT NO. 23-040 (SWAN03)

AND APPROVING THE PURCHASING AGENT'S EXECUTION OF THE SAME

This Resolution was assigned as 15465.

M6 A RESOLUTION TO APPROVE AMENDMENT NO. 2 TO REVOCABLE PERMIT NO. REV-23-41, ISSUED TO E.T. TECHNOLOGIES, INC. FOR THE PURPOSE OF INSTALLING GROUNDWATER MONITORING WELLS

This Resolution was assigned as 15466.

M7 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT NO. REV-23-49 TO FUEL & IRON MASTER TENANT, LLC, FOR THE USE OF PARKING SPACES ALONG B STREET AT THE CORNER OF B STREET AND S. UNION AVENUE FOR THE PURPOSE OF HOSTING A WINTER BEER FESTIVAL MOBILE AXE THROWING TRAILER

This Resolution was assigned as 15467.

M8 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF STEVE NAWROCKI, ANTHONY COLARELLI, AND MICHAEL MESSERVY TO THE PUEBLO URBAN RENEWAL AUTHORITY BOARD

This item was postponed to the February 12, 2024 agenda.

M9 A RESOLUTION CONFIRMING THE APPOINTMENT OF COUNCIL MEMBERS TO VARIOUS BOARDS AND COMMISSIONS FOR THE YEAR 2024

This item was postponed to the February 12, 2024 agenda.

N. ORDINANCES – FIRST PRESENTATION

N1 AN ORDINANCE APPROVING AND ACCEPTING AN ARPA/SLRF AND STATE MULTI MODAL OPTION PROGRAM FUNDS GRANT (PUEBLO VANPOOL), AWARD NO. 24-HTD-ZL-00125 / 491003385, AND APPLICABLE CONDITIONS PERTAINING THERETO, BETWEEN THE CITY OF PUEBLO AND THE COLORADO DEPARTMENT OF TRANSPORTATION, ESTABLISHING PROJECT NO. PT2402, BUDGETING AND APPROPRIATING FUNDS OF \$400,000.00, AND RATIFYING THE MAYOR'S SIGNATURE ON SAME

N2 AN ORDINANCE APPROVING AND ACCEPTING A UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION GRANT (AREAS OF PERSISTENCE POVERTY), AWARD NO. FTA G-30, AND APPLICABLE CONDITIONS PERTAINING THERETO, BETWEEN THE CITY OF PUEBLO AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION, ESTABLISHING PROJECT NO. PT2401, BUDGETING AND APPROPRIATING FUNDS \$180,000.00, WITH A LOCAL MATCH OF \$20,000.00 AND RATIFYING THE MAYOR'S SIGNATURE ON SAME

N3 AN ORDINANCE APPROVING AND ACCEPTING A COLORADO DEPARTMENT OF TRANSPORTATION 2024-CTE: PUEBLO TRANSIT FLEET TRANSITION PLANNING GRANT AWARD-021647, AND APPLICABLE CONDITIONS PERTAINING THERETO, BETWEEN THE CITY OF PUEBLO AND

THE COLORADO DEPARTMENT OF TRANSPORTATION, ESTABLISHING PROJECT NO. PT2403, BUDGETING AND APPROPRIATING \$99,000.00 WITH A LOCAL MATCH OF \$11,000.00, AND RATIFYING THE MAYOR'S SIGNATURE ON SAME

N4 AN ORDINANCE APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE STATE OF COLORADO, DEPARTMENT OF HUMAN SERVICES FOR THE PREMISES KNOWN AS THE LANGONI SPORTS COMPLEX

N5 AN ORDINANCE AUTHORIZING AMENDMENT NO. 19 TO THE AGREEMENT FOR COMMUNITY SERVICES PLANNING, ADMINISTRATION, AND ACCOUNTABILITY SERVICES BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PUEBLO

N6 AN ORDINANCE APPROVE THE GRANT AGREEMENT BETWEEN THE CITY OF PUEBLO AND HEALTH COLORADO, INC. FOR COMMUNITY OUTREACH TO CONNECT COMMUNITY MEMBERS TO COMMUNITY RESOURCES AND ACCEPTANCE OF \$80,000 FOR PROGRAM PROJECT PS2402 AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

N7 AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN COLORADO STATE PATROL AND THE CITY OF PUEBLO RELATING TO USE OF THE PUEBLO FIRE DEPARTMENT TRAINING FACILITIES AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

N9 AN ORDINANCE FOR SAFE USE OF PUBLIC PROPERTY TO LIMIT PUBLIC CAMPING AND PROHIBIT TEMPORARY STRUCTURES ON PUBLIC PROPERTY WITHIN THE CITY OF PUEBLO, COLORADO

N10 AN ORDINANCE AMENDING CHAPTER 10 TO TITLE XI AND CHAPTER 1 OF TITLE XV OF THE PUEBLO MUNICIPAL CODE REGULATING COMMERCIAL VEHICLE OPERATIONS WITHIN THE CITY

O. APPROVAL OF CONSENT AGENDA

M3 A RESOLUTION AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$74,000.00 TO ROCKIES ENVIRONMENTAL AND DEMOLITION SERVICES, FOR PROJECT NO. 23-143, ABATE AND DEMOLISH - 2907 2ND AVE., SETTING FORTH \$26,000.00 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This item was moved to the regular agenda.

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

Councilor Maestri, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 15468.

N8 AN ORDINANCE APPROVING A SUBRECIPIENT AGREEMENT AUTHORIZING PAYMENT IN AN AMOUNT OF UP TO \$200,000 FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT TO ROCKY MOUNTAIN S.E.R./JOBS FOR PROGRESS, INC., FOR EQUIPMENT AND RELATED INFRASTRUCTURE IMPROVEMENTS FOR ITS EMPOWERMENT CENTER 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

This item was moved to the regular agenda.

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

Councilor Maestri, seconded by Councilor Gomez, moved to postpone the first reading of the Ordinance to February 26, 2024.

Roll Call - **Ayes:** President Aliff, Councilor Gomez, Councilor Maestri. **Nays:** Councilor Flores, Councilor Graham, Councilor Latino, Councilor Martinez. Motion Failed 3-4.

Councilor Martinez, seconded by Councilor Flores, moved to pass the ordinance on first presentation, setting the public hearing for February 12, 2024 and order the ordinance to be published BY TITLE.

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham, Councilor Latino, Councilor Martinez. **Nays:** Councilor Maestri. Motion Passed 6-1.

P. REGULAR AGENDA - QUASI-JUDICIAL PROCEEDINGS

P1 AN ORDINANCE AMENDING ZONING RESTRICTIONS TO REZONE APPROXIMATELY 71.75 -ACRES IF A-4, AGRICULTURAL FOUR TO R-1, SINGLE FAMILY RESIDENTIAL (53.07-ACRES) AND R-2 SINGLE FAMILY RESIDENTIAL (18.05-ACRES) LOCATED IN THE WESTERN PORTION OF THE VENTANA MASTER PLAN, 2002, AND WITHIN THE PROPOSED VENTANA ESTATES OVERALL DEVELOPMENT PLAN AREA

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 #Z-23-03 dated December 13, 2023, be made part of the record for this hearing. So ordered by President Aliff.

PUBLIC HEARING:

- Nathan Bell, 445 County Road 291, Rifle, Colorado was sworn in and appeared via

- zoom to speak in favor of this ordinance as the builder
- James Robinson was sworn in and appeared in person to speak against this ordinance
- Janice Mailey, 2639 Ventana Circle was sworn in and appeared in person to speak against this ordinance
- Geri Lane, 133 Carolina Lane was sworn in and appeared in person to speak against this ordinance
- Larry Heggler, 5611 Venezia was sworn in and appeared in person to speak against this ordinance

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

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

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Graham, Councilor Latino, Councilor Maestri. **Nays:** Councilor Gomez, Councilor Martinez. Motion Passed 5-2.

This Ordinance was assigned as **10639**.

Q. RESOLUTIONS

Q1 A RESOLUTION AUTHORIZING A TRANSFER FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO THE PUEBLO FOOD PROJECT IN THE AMOUNT OF \$2,000 TO SPONSOR THE SUN, SOIL, WATER AG SUMMIT ON FEBRUARY 23 - 24, 2024

A staff report and detailed review of the Resolution was given by Laura Solano, Chief of Staff, and Megan Moore, Pueblo Food Project Coordinator.

Councilor Maestri, seconded by Councilor Flores, moved to approve the Resolution.

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** Councilor Gomez. Motion Passed 6-1.

This Resolution was assigned as **15469**.

Q2 A RESOLUTION AUTHORIZING PAYMENT FROM COUNCIL CONTINGENCIES IN THE 2024 GENERAL FUND BUDGET TO THE LATINO CHAMBER OF COMMERCE IN THE AMOUNT OF \$1,100 TO SPONSOR A TABLE OF 10 AT THE 45TH ANNIVERSARY DINNER DANCE HELD ON SATURDAY, FEBRUARY 24, 2024 AT THE PUEBLO CONVENTION CENTER

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

Councilor Flores, seconded by Councilor Maestri, moved to approve the Resolution.

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as **15470**.

Q3 A RESOLUTION AUTHORIZING PAYMENT FROM COUNCIL CONTINGENCIES IN THE 2024 GENERAL FUND BUDGET TO THE BOYS & GIRLS CLUB IN THE

AMOUNT OF \$1,800 TO SPONSOR A V.I.P. TABLE OF 10 AT THE CHAMPIONS OF YOUTH DINNER ON THURSDAY, MARCH 14, 2024 AT THE PUEBLO CONVENTION CENTER

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

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

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** Councilor Gomez. Motion Passed 6-1.

This Resolution was assigned as 15471.

R. ORDINANCES – FINAL PRESENTATION

R1 AN ORDINANCE ESTABLISHING FUND NO. 304 - COP-FIRE STATIONS AND BUDGETING AND APPROPRIATING THE PROCEEDS RECEIVED FROM THE ISSUANCE OF THE SERIES 2023 CERTIFICATES OF PARTICIPATION AND ALL FUTURE FUNDS RECEIVED INTO FUND NO. 304.

A staff report and detailed review of the Ordinance was given by Alex Romero, Finance Director.

PUBLIC HEARING:

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

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

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as 10640.

R2 AN ORDINANCE ESTABLISHING PROJECT PL2401 FOR SAFE ROUTES TO SCHOOL ROCK AND ROLL SAFELY, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE STATE OF COLORADO, ACTING BY AND THROUGH THE COLORADO DEPARTMENT OF TRANSPORTATION, PROJECT: SAR M086-100 (25950), BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$482,977 AND AUTHORIZING THE MAYOR TO EXECUTE SAME

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 Aliff declared the Hearing closed.

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

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham,

Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10641.**

R3 AN ORDINANCE AMENDING SECTION SEVEN OF CHAPTER FOUR OF TITLE XVII OF THE PUEBLO MUNICIPAL CODE RELATING TO LANDSCAPE PERFORMANCE STANDARDS

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 #TA-24-01 dated December 13, 2023, be made part of the record for this hearing. So ordered by President Aliff.

PUBLIC HEARING:

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

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

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10642.**

R4 AN ORDINANCE AMENDING SECTION 5 OF CHAPTER 4, OF TITLE XVII OF THE PUEBLO MUNICIPAL CODE RELATING TO THE APPEAL PROCESS FOR DEVELOPMENT AND REDEVELOPMENT REVIEW IN THE HB, HARP-1, HARP -2 AND HARP-3 PERFORMANCE STANDARD REVIEW

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 #TA-24-04 dated December 13, 2023, be made part of the record for this hearing. So ordered by President Aliff.

PUBLIC HEARING:

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

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

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10643.**

R5 AN ORDINANCE APPROVING AND AUTHORIZING THE CITY TO SELL AND ASSIGN CERTAIN LIENS ENCUMBERING REAL PROPERTY PURSUANT TO TITLE VII, CHAPTER 9 OF THE PUEBLO MUNICIPAL CODE, AND AUTHORIZING THE MAYOR TO EXECUTE ASSIGNMENTS OF LIEN

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 Aliff declared the Hearing closed.

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

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Graham, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10644**.

S. ADJOURN

President Aliff adjourned the meeting at 8:55 p.m.

Respectfully submitted,

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

Marisa Stoller
City Clerk