REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, MARCH 25, 2024 - 7:00 PM

MINUTES

A. CALL TO ORDER

President Aliff called the meeting to order at 7:26 p.m.

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Council Members Present: Mark Aliff, Dennis Flores, Roger Gomez, Charles Hernandez, Regina Maestri, Sarah Martinez.

Council Members Present via Zoom: None.

Council Members Absent: Joe Latino.

Administrative Staff Members Present: Mayor Heather Graham, Interim Chief of Staff Marisa Pacheco, City Attorney Carla Sikes, City Clerk Marisa Stoller.

E. SPECIAL RECOGNITIONS

E1 RECOGNITION PRESENTATION: "2023-24 COLORADO STATE FAIR FIESTA QUEEN AND COURT" - ERIKA CORDOVA, WENDI ADAME, KARINA RUIZ, SOFIA DIAZ

E2 PROCLAMATION PRESENTATION: "FIRST RESPONDER WELLNESS WEEK: MARCH 25 - 29, 2024" - JOSHUA JOHNSON, EMERGENCY MANAGEMENT COORDINATOR AT PUEBLO COUNTY SHERIFF'S OFFICE

F. PUBLIC FORUM

- Frank Arteaga - Gun Exchange
- Ted Freeman - Where City Council is going?
- Elvis Martinez - Targeted Crime/Vandalism

Joe Latino joined the meeting via zoom.

- Marty Harvey - Sidewalk/gutter curve damage
- Sam Hernandez - Pyramid contraction, City Council

G. COUNCIL MEMBER AND MAYOR COMMENTARY

City of Pueblo received a $1M grant from DOLA for the Riverwalk Boathouse. Chief of Staff position has been formally accepted by Brian McCain, formerly of Action Colorado.

Council members expressed comments regarding community-related issues and events/functions they attended.

H. REVIEW OF AGENDA

The agenda was removed page by page.

I. APPROVAL OF AGENDA

Councilor Maestri, seconded by Councilor Flores, moved to move item M21 to the regular agenda, remove items N4 and R6 from the agenda, add an executive session before T. Communications and to approve the agenda as distributed.

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

J. READING AND APPROVAL OF MINUTES

J1 CITY COUNCIL MEETING MINUTES MARCH 11, 2024

Councilor Maestri, seconded by Councilor Gomez, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **March 11, 2024** as distributed.

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

K. CONSENT AGENDA

L. COMMUNICATIONS

M. RESOLUTIONS

M1 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $769,382.60 TO PYRAMID CONSTRUCTION, INC., FOR PROJECT NO. 24-030, ASPHALT AND UTILITY IMPROVEMENTS - DILLON DRIVE (RR BRIDGE TO EAGLERIDGE BOULEVARD) SETTING FORTH $153,757.40 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as 15551.

M2 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $394,811.76 TO LER INC. DBA RENNER SPORTS SURFACES FOR PROJECT NO. 24-034, ELIZABETH STREET PARK - BASKETBALL

COURTS REPLACEMENT, SETTING FORTH $19,738.24 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as **15552**.

M3 A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF $200,000 FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT FOR THE PURCHASE OF ONE GROUNDMASTER MOWER AND ONE PNEUMATIC TIRE FORKLIFT FOR THE DEPARTMENT OF AVIATION, AS AUTHORIZED BY SECTION 603(C)(1)(C) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6

This Resolution was assigned as **15553**.

M4 A RESOLUTION APPROVING AN AGREEMENT IN AN AMOUNT NOT TO EXCEED $150,000 BETWEEN THE CITY OF PUEBLO AND BROWN AND CALDWELL, INC., FOR REGULATORY ASSISTANCE AND GENERAL ENGINEERING SERVICES AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME

This Resolution was assigned as **15554**.

M5 A RESOLUTION RESCINDING A CONSTRUCTION CONTRACT TO CENTRAL STATES ROOFING AND AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $85,235.64 TO L.E. ROOFING, LLC., FOR PROJECT NO. 23-138A, ROOF REPLACEMENT - FLEET BUILDING UTILITY WELL (CLARIFICATION NO. 1), SETTING FORTH $12,814.36 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as **15555**.

M6 A RESOLUTION AUTHORIZING PAYMENT IN THE AMOUNT OF $150,000 FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT FOR THE PURCHASE OF THREE FORD MAVERICK HYBRID TRUCKS AND ONE FORD F-150 FOR THE DEPARTMENT OF PARKS AND RECREATION, AS AUTHORIZED BY SECTION 603(C)(1)(C) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6

This Resolution was assigned as **15556**.

M7 A RESOLUTION APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL ARCHITECTURAL SERVICES AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND HURTIG, GARDNER, FROELICH, ARCHITECTS, INC., A COLORADO CORPORATION, IN THE AMOUNT OF $64,053.00 FOR 22-095, ARCHITECTURAL CONSULTANT FOR DESIGN OF CITY PARK TENNIS COURT RESTROOMS, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as **15557**.

M8 A RESOLUTION AWARDING AN AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES IN THE AMOUNT OF $50,000 TO ICONERGY LTD UNDER PROJECT NO. 23-158 CONSULTANT FOR CITY OF PUEBLO DEVELOPMENT OF EV INFRASTRUCTURE

This Resolution was assigned as **15558**.

M9 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $22,962.50 TO CEDAR RIDGE LANDSCAPE, INC., FOR PROJECT NO. 24-022, CONCRETE IMPROVEMENTS - LYNDA LANE AND NORTHRIDGE DRIVE, SETTING FORTH $3,537.50 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as **15559**.

M10 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $19,403.32 TO FINSTERWALD LANDSCAPING AND IRRIGATION FOR PROJECT NO. 24-032, HIGHWAY 47 AND TROY LANDSCAPING, SETTING FORTH $3,880.68 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as **15560**.

M11 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF $18,387.60 TO CEDAR RIDGE LANDSCAPE, INC., FOR PROJECT NO. 24-044, CONCRETE IMPROVEMENTS - COLGATE LANE AND FORDHAM CIRCLE, SETTING FORTH $2,800.40 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as **15561**.

M12 A RESOLUTION TRANSFERRING $5,000.00 FROM ACCOUNT PROJECT NO. CI2121, 18TH STREET EXTENSION AND $5,059.00 FROM ACCOUNT NO. CIAN22 - ROOF MAINTENANCE AND REPAIR TO ACCOUNT PROJECT NO. CI2327 - WHITLOCK PLANT OUTFLOW REPAIRS, AWARDING CONTRACT AMENDMENT NO. 2 IN THE AMOUNT OF $10,059 TO PARKER EXCAVATING, INC., FOR PROJECT NO. 23-110, WHITLOCK PLANT OUTFLOW EMERGENCY CULVERT REPAIRS, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as **15562**.

M13 A RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE FEDERAL TRANSIT ADMINISTRATION, AN OPERATING ADMINISTRATION OF THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FOR FEDERAL TRANSPORTATION ASSISTANCE AUTHORIZED BY CHAPTER 53 OF TITLE 49 OF THE UNITED STATES CODE AND ANY OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL TRANSIT ADMINISTRATION

This Resolution was assigned as **15563**.

M14 A RESOLUTION TO APPROVE AMENDMENT NO. 1 TO THE REVOCABLE PERMIT DATED MAY 14, 2021, ISSUED TO THE PUEBLO CITY - COUNTY LIBRARY DISTRICT, FOR THE PURPOSE OF INSTALLING TWO 6'W X 4'H ILLUMINATED SIGN CABINETS ON THE EXISTING RETAINING WALL

This Resolution was assigned as **15564**.

M15 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-23-46) TO BLACK HILLS ENERGY COLORADO ELECTRIC, LLC, FOR THE USE OF A PORTION OF THE RIGHT-OF-WAY ON THE EAST/SOUTH

SIDE OF VICTORIA, APPROXIMATELY 8'3" IN WIDTH AND A PORTION OF THE RIGHT-OF-WAY APPROXIMATELY 8'7" IN WIDTH ALONG THE NORTH/EAST SIDE OF D STREET.

This Resolution was assigned as **15565**.

M16 A RESOLUTION APPROVING A PARTIAL RELEASE OF A DRAINAGE EASEMENT IN THE PARK WEST BUSINESS CAMPUS NINTH FILING SUBDIVISION TO FACILITATE THE COTTAGES AT PARK WEST SUBDIVISION, A SPECIAL AREA PLAN

This Resolution was assigned as **15566**.

M17 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF JOHN WARK TO COMPLETE A THREE-YEAR TERM EXPIRING SEPTEMBER 30, 2026 ON THE PUEBLO MEMORIAL AIRPORT ADVISORY COMMITTEE

This Resolution was assigned as **15567**.

M18 A RESOLUTION CONFIRMING THE REAPPOINTMENT BY THE MAYOR OF MIKE CARLISLE TO SERVE A THREE-YEAR TERM EXPIRING APRIL 1, 2027 ON THE FIRE BOARD OF APPEALS

This Resolution was assigned as **15568**.

M19 A RESOLUTION ADOPTING THE POLICY AND PROCEDURE FOR CITY COUNCIL MILEAGE REIMBURSEMENT.

This Resolution was assigned as **15569**.

M20 A RESOLUTION TO UNOBLIGATE $377,816.53 FROM TEN PROJECTS IN PROJECT CI2113 - AMERICAN RESCUE PLAN ACT FOR THE PURPOSE OF REOBLIGATING THE FUNDS AS AUTHORIZED BY THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.

This Resolution was assigned as **15570**.

M21 A RESOLUTION AMENDING THE LEGISLATIVE PROCEDURES AND RULES OF THE PUEBLO CITY COUNCIL TO IMPLEMENT PARENTAL LEAVE FOR CITY COUNCIL MEMBERS

This item was removed from the Consent Agenda.

A staff report and detailed review of the Resolution was given by Carla Sikes, City Attorney.

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

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

This Resolution was assigned as **15572**.

M22 A RESOLUTION AUTHORIZING FUNDS IN THE AMOUNT OF $1,123,811.89 FROM THE BLACK HILLS ENERGY UNDERGROUND UTILITY FUND TO BE EXPENDED FOR RELOCATING OVERHEAD ELECTRIC FACILITIES UNDERGROUND FOR THE I-25/US-50B INTERCHANGE PROJECT

This Resolution was assigned as **15571**.

N. ORDINANCES – FIRST PRESENTATION

N1 AN ORDINANCE BUDGETING AND APPROPRIATING $721,825 FROM UNAPPROPRIATED FUND BALANCE FROM THE SEWER USER FUND, ESTABLISHING PROJECT WW2403 WRF MASTER PLAN, AND APPROVING AN AGREEMENT IN THE AMOUNT OF $721,825 BETWEEN THE CITY OF PUEBLO AND BROWN AND CALDWELL INC. FOR PROFESSIONAL SERVICES ASSOCIATED WITH UPDATING THE JAMES R. DIIORIO WATER RECLAMATION FACILITY MASTER PLAN FOR THE CITY OF PUEBLO AND AUTHORIZING THE MAYOR TO EXECUTE SAME

N2 AN ORDINANCE APPROVING AND ACCEPTING A GRANT FROM THE COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT IN THE AMOUNT OF $271,889.00 TO DEVELOP AND EXPAND TRAINING AND WORK-BASED PROGRAMS FOR RESKILLING, UPSKILLING, AND NEXT-SKILLING INDIVIDUALS AND HOUSEHOLDS ADVERSELY AFFECTED BY COVID; AUTHORIZING THE MAYOR TO SIGN THE GRANT AGREEMENT, ESTABLISHING PROJECT NO. CI2329, AND BUDGETING AND APPROPRIATING $271,889.00 TO PROJECT NO. CI2329

N3 AN ORDINANCE ESTABLISHING PROJECT ACCOUNT CI2428 - FABRICATE AND INSTALL NEW SIGNAGE FOR MLK BYPASS, TRANSFERRING $40,000 FROM THE UNAPPROPRIATED FUND BALANCE OF THE GENERAL FUND, AND BUDGETING AND APPROPRIATING SAID FUNDS IN THE AMOUNT OF $40,000 TO PROJECT ACCOUNT CI2428

N4 AN ORDINANCE APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF PUEBLO, COLORADO MUNICIPAL CORPORATION, AND PROFESSIONAL BULL RIDERS, INC., A COLORADO CORPORATION, REGARDING THE LEASE OF APPROXIMATELY 5,778 SQUARE FEET OF ADMINISTRATIVE OFFICE SPACE IN THE BUILDING LOCATED AT 101 W. RIVERWALK PLACE, PUEBLO, CO 81003 TO HOUSE THE CITY'S LAW DEPARTMENT

This item was removed from the agenda.

N5 AN ORDINANCE AMENDING CHAPTER 4 OF TITLE IV OF THE PUEBLO MUNICIPAL CODE RELATING TO PLUMBING REGULATIONS AND ADOPTING BY REFERENCE PORTIONS OF THE 2023 COLORADO PLUMBING CODE ESTABLISHED BY THE COLORADO STATE PLUMBING BOARD, AND THE 2021 INTERNATIONAL PLUMBING CODE, THE 2021 INTERNATIONAL RESIDENTIAL CODE, AND THE 2021 INTERNATIONAL SWIMMING POOL AND SPA CODE, ALL PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., AND THE 2013 NFPA 24 STANDARD FOR THE INSTALLATION OF PRIVATE FIRE SERVICE MAINS AND THEIR APPURTENANCES PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION AND PROVIDING PENALTIES AND REMEDIES FOR THE

VIOLATION THEREOF

N6 AN ORDINANCE AMENDING CHAPTER 3 OF TITLE IV OF THE PUEBLO MUNICIPAL CODE RELATING TO ELECTRICAL REGULATIONS AND ADOPTING BY REFERENCE PORTIONS OF THE 2023 NATIONAL ELECTRICAL CODE PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, ONE BATTERYMARCH PARK, QUINCY, MASSACHUSETTS 02169-7471, AND THE 2003 INTERNATIONAL CODE COUNCIL ELECTRICAL CODE ADMINISTRATIVE PROVISIONS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., 4051 FLOSSMOOR ROAD, COUNTRY CLUB HILLS, IL 60478-5795, AND PROVIDING PENALTIES AND REMEDIES FOR THE VIOLATION THEREOF

N7 AN ORDINANCE ACCEPTING FUNDS IN THE AMOUNT OF $60,000 FROM EL CAMINO HOMEOWNERS ORGANIZATION, INC., A COLORADO NONPROFIT CORPORATION, FOR COSTS ASSOCIATED WITH TRAFFIC CALMING, LANDSCAPING, AND OTHER ROADWAY IMPROVEMENTS ON BANDERA PARKWAY, ESTABLISHING ACCOUNT PROJECT CI2427 - BANDERA PARKWAY TRAFFIC CALMING IMPROVEMENTS AND BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF $60,000 INTO SAID ACCOUNT.

O. APPROVAL OF CONSENT AGENDA

Councilor Flores, seconded by Councilor Gomez, moved to approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for April 08, 2024, and Order the Ordinances to be published BY TITLE.

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

P. REGULAR AGENDA

Q. RESOLUTIONS

Q1 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO THE SOUTHERN COLORADO PRESS CLUB IN THE AMOUNT OF $1,000 TO SPONSOR A TABLE AT THE SHEEP DIP EVENT ON APRIL 4, 2024

A staff report and detailed review of the Resolution was given by Mayor Heather Graham.

- Ted Freeman appeared in person to speak on this ordinance.

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

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

This Resolution was assigned as **15573**.

Q2 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO JUNETEENTH ORGANIZATION OF PUEBLO IN THE AMOUNT OF $1,000 TO SPONSOR THE 2024 JUNETEENTH EVENT AND COMMEMORATIVE JOURNAL

A staff report and detailed review of the Resolution was given by Mayor Heather Graham.

- Ted Freeman appeared in person to speak on this ordinance.

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

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

This Resolution was assigned as **15574**.

Q3 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO EL MOVIMIENTO SIGUE IN THE AMOUNT OF $2,000 TO SPONSOR THE 2024 CINCO DE MAYO EVENT

A staff report and detailed review of the Resolution was given by Mayor Heather Graham.

- Ted Freeman appeared in person to speak on this ordinance.

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

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

This Resolution was assigned as **15575**.

Q4 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO THE BOYS & GIRLS CLUB OF PUEBLO IN THE AMOUNT OF $1,000 TO SPONSOR THE PLACE COMMUNITY BLOCK PARTY ON TUESDAY, APRIL 30, 2024 FROM 4-7 PM ON ORMAN AVENUE

A staff report and detailed review of the Resolution was given by Mayor Heather Graham.

- Ted Freeman appeared in person to speak on this ordinance.

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

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

This Resolution was assigned as **15576**.

Q5 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO THE ARC OF PUEBLO IN THE AMOUNT OF $400 TO SPONSOR A TABLE AT THE GOLDEN TORTILLA EVENT ON FRIDAY, APRIL 19TH, 2024, AT THE PUEBLO

CONVENTION CENTER

A staff report and detailed review of the Resolution was given by Mayor Heather Graham.

- Ted Freeman appeared in person to speak on this ordinance.

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

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

This Resolution was assigned as **15577**.

R. ORDINANCES – FINAL PRESENTATION

R1 AN ORDINANCE APPROVING AN AGREEMENT IN THE AMOUNT OF ONE HUNDRED THOUSAND DOLLARS TO PROVIDE EVICTION PREVENTION ASSISTANCE BETWEEN THE COUNTY OF PUEBLO AND THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development.

PUBLIC HEARING:

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

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

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

This Ordinance was assigned as **10674.**

R2 AN ORDINANCE APPROVING AN ASSIGNMENT AND ASSUMPTION BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND BIF IV INTREPID OPCO LLC, A DELAWARE LIMITED LIABILITY COMPANY ASSIGNING ALL RIGHTS, TITLE, INTEREST, AND OBLIGATIONS OF BIF IV INTREPID OPCO LLC TO INTREPID PUEBLO LLC, A DELAWARE LIMITED LIABILITY COMPANY

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

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

This Ordinance was assigned as **10675.**

R3 AN ORDINANCE (1) APPROVING TWO MEMORANDA OF AGREEMENTS BETWEEN THE CITY OF PUEBLO AND THE STATE OF COLORADO BY AND THROUGH THE COLORADO DEPARTMENT OF TRANSPORTATION RELATED TO THE CONVEYANCE OF REAL PROPERTY BETWEEN THE CITY AND CDOT, (2) ACCEPTING AND APPROVING A SPECIAL WARRANTY DEED CONVEYING PROPERTY FROM THE CITY TO CDOT, (3) ACCEPTING AND APPROVING A QUITCLAIM DEED FROM CDOT TO THE CITY, (4) ACCEPTING AND APPROVING A WARRANTY DEED CONVEYING PROPERTY FROM NEIGHBORHOOD SERVICES, INC. TO THE CITY, (5) ESTABLISHING PROJECT ACCOUNT CI2422 - FIRE STATION 1 LAND PROCUREMENT, (6) TRANSFERRING FUNDS IN THE AMOUNT OF $160,000.00 FROM THE UNAPPROPRIATED FUND BALANCE OF THE GENERAL FUND AND BUDGETING AND APPROPRIATING SAID FUNDS INTO PROJECT ACCOUNT CI2422 - FIRE STATION 1 LAND PROCUREMENT, AND (7) AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO FACILITATE THE TRANSACTIONS DESCRIBED HEREIN

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

This Ordinance was assigned as **10676.**

R4 AN ORDINANCE APPROVING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COLORADO DEPARTMENT OF MILITARY & VETERANS AFFAIRS (DMVA) AND THE PUEBLO FIRE DEPARTMENT ALLOWING THE AUTHORITY HAVING JURISDICTION (AHJ) OVER DMVA FACILITIES OPERATIONS IN PUEBLO CITY LIMITS FOR BUILDING CONSTRUCTION PLAN REVIEW AND RELATED INSPECTIONS, FIRE SAFETY INSPECTIONS, AND FIRE SAFETY PERMITS AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME.

A staff report and detailed review of the Ordinance was given by Barb Huber, Fire Chief.

PUBLIC HEARING:

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

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

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

This Ordinance was assigned as **10677.**

R5 AN ORDINANCE AMENDING THE FISCAL YEAR 2024 STAFFING ORDINANCE BY ADDING THREE (3) FULL-TIME POSITIONS TO THE AUTHORIZED STAFFING OF THE LAW DEPARTMENT

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

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:** Councilor Flores, Councilor Hernandez, Councilor Martinez. **Nays:** President Aliff, Councilor Gomez, Councilor Latino, Councilor Maestri. Motion Failed 3-4.

R6 AN ORDINANCE BUDGETING AND APPROPRIATING $50,000 FROM THE UNAPPROPRIATED GENERAL FUND BALANCE TO BE PAID TO THE SOUTHERN COLORADO SMALL BUSINESS DEVELOPMENT CENTER

This item was removed from the agenda.

S. QUASI-JUDICIAL PROCEEDINGS

S1 AN ORDINANCE APPROVING THE QUIKTRIP 4298 SUBDIVISION, FILING NO. 1, A SPECIAL AREA PLAN

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 #S-22-11 dated April 12, 2023, be made part of the record for this hearing. So ordered by President Aliff.

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development.

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

This Ordinance was assigned as **10678.**

S2 AN ORDINANCE APPROVING A SPECIAL AREA PLAN FOR THE QUIKTRIP 4298, SUBDIVISION FILING NO. 1

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 #SAP 23-02 dated April 12, 2023, be made part of the record for this hearing. So ordered by President Aliff.

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development.

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

This Ordinance was assigned as **10679.**

S3 AN ORDINANCE VACATING A PORTION OF THE ALLEY WITHIN BLOCK 38, IRVING PLACE, 2ND FILING 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 #V-23-10 dated February 14, 2024, be made part of the record for this hearing. So ordered by President Aliff.

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development.

PUBLIC HEARING:

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

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

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

This Ordinance was assigned as **10680.**

T. COMMUNICATIONS

Councilor Maestri, seconded by Councilor Hernandez, moved to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) and to discuss the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest pursuant to C.R.S. 24-6-402(4)(a).

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

Council returned from Executive Session and resumed the regular meeting at 10:19 p.m.

T1 A CITIZEN FILED AN ETHICS COMPLAINT AGAINST COUNCILOR REGINA MAESTRI

A staff report and detailed review of the Complaint was given by Carla Sikes, City Attorney

Councilor Martinez, seconded by Councilor Flores, moved to accept the communication.

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Hernandez, Councilor Latino, Councilor Martinez. **Nays:** None. Motion Passed 6-0.

President Aliff, seconded by Councilor Gomez, moved to dismiss the complaint.

Roll Call - **Ayes:** President Aliff, Councilor Flores, Councilor Gomez, Councilor Hernandez, Councilor Latino, Councilor Martinez. **Nays:** None. Motion Passed 6-0.

U. ADJOURN

President Aliff adjourned the meeting at 10:28 p.m.

Respectfully submitted,

Marisa Stoller
City Clerk