



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

**MONDAY, MAY 13, 2024
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 Mark Aliff

B. INVOCATION

Pastor Ken Wood, The Avenue Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation Presentation: "Laura Schwartzenberger Day - May 25, 2024" - "For Love of Laura" Committee

E2 Recognition Presentation: "Pueblo's 2024 Public Health Champion" - Eva Cosyleon, MPO Manager, City of Pueblo

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 April 22, 2024, as distributed.

J1 City Council Meeting Minutes April 22, 2024

K. 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.

L. COMMUNICATIONS

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$267,230.41 to Finsterwald Landscaping and Irrigation for Project No. 24-052, Concrete Improvements - West 29th Street Phase 1 (I-25 to High Street), setting forth \$82,769.59 for contingencies, and authorizing the purchasing agent to execute same
- M2 A Resolution awarding a construction contract in the amount of \$108,193.49 to Finsterwald Landscaping and Irrigation for Project No. 24-054, Concrete Improvements - Bonforte Boulevard, setting forth \$32,806.51 for contingencies, and authorizing the Purchasing Agent to execute same
- M3 A Resolution ratifying an emergency construction contract in the amount of \$92,526.71 with Parker Excavating, Inc. for emergency sanitary sewer point repair at 118 E Adams Ave, Project No. 20-059 (WWAN03) and approving the Purchasing Agent's execution of the same
- M4 A Resolution awarding a construction contract in the amount of \$88,354.25 to A-1 Chipseal Co., for Project No. 24-046, Asphalt Preservation - Elmwood Golf Course Parking Lot, setting forth \$8,645.75 for contingencies, and authorizing the Purchasing Agent to execute same
- M5 A Resolution ratifying the award of an emergency construction contract in the amount of \$39,967.07 to Russ Grading & Excavating LLC, for Project No. 23-040 (SWAN03) - Emergency Storm Sewer Point Repair at the Intersection of Northern Avenue and Lake Avenue, approving a change order in the amount of \$3,034.90 for additional work and materials, and authorizing and approving the Purchasing Agent's execution of same
- M6 A Resolution awarding a construction contract in the amount of \$22,495.00 to Corejo Materials, for Project No. 24-063, Asphalt Crack Repairs - Pueblo Motorsports Park, setting forth \$2,505.00 for contingencies, and authorizing the Purchasing Agent to execute same
- M7 A Resolution approving Amendment No. 2 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 \$20,680.00 for 22-095, Architectural Consultant for Design of City Park Tennis Court Restrooms, and authorizing the Purchasing Agent to execute same
- M8 A Resolution ratifying an emergency construction contract in the amount of \$13,534.90 with Parker Excavating, Inc. for emergency sanitary sewer point repair at 109 Stanford Ave, Project No. 20-059 (WWAN03) and approving the Purchasing Agent's execution of the same
- M9 A Resolution ratifying an emergency construction contract in the amount of \$12,103.47 with Parker Excavating, Inc. for emergency sanitary sewer point repair at 1016 N. Elizabeth St., Project No. 20-059 (WWAN03) and approving the Purchasing Agent's execution of the same
- M10 A Resolution ratifying an emergency construction contract in the amount of \$7,051.39 with Parker Excavating, Inc. for emergency sanitary sewer point repair at 2104 Wyoming Ave, Project No. 20-059 (WWAN03) and approving the Purchasing Agent's execution of the same
- M11 A Resolution authorizing the issuance of a revocable permit (REV-24-12) to the Colorado State Fair for the use of the public right-of-way along Small Avenue between Scranton

Avenue and Euclid Avenue for the purpose of the annual Colorado State Fair Parade.

M12 A Resolution ratifying PACOG's joint appointment of Mark Kleven to the Building Board of Appeals - General Contractor Position

M13 A Resolution ratifying PACOG's joint appointment of Larry Moore to the Electrical Board of Appeals - Journeyman Position and Seth Boutilier to the Electrical Board of Appeals - Electric Utility Employee Position

M14 A Resolution ratifying PACOG's joint appointment of Steve Girodo to the Mechanical Board of Appeals - Journeyman Position

M15 A Resolution ratifying PACOG's joint appointment of Ken Gulley to the Plumbing Board of Appeals - Journeyman Position and Lance Harvey to the Plumbing Board of Appeals - Contractor Position

M16 A Resolution approving an Environmental Covenant Deed Restriction on certain portion of the Lake Minnequa Expansion Project

N. ORDINANCES – FIRST PRESENTATION

N1 An Ordinance approving and accepting a Grant Agreement between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado Department of Natural Resources, Colorado Parks and Wildlife, for a LWCF Grant Play Fair Park, authorizing the Mayor to execute the same, Establishing Project No. CI2441 - Minnequa Lake Trail, budgeting and appropriating funds in the amount of \$875,000 to Project No. CI2441 - Minnequa Lake Trail, and authorizing payment in the amount of \$875,000 from Project No. CI2113 - American Rescue Plan Act as authorized by section 603(C)(1) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6

N2 An Ordinance accepting a grant from the Robert Hoag Rawlings Foundation in the amount of \$182,000 to support the construction of the City Park Tennis Complex Clubhouse and Restrooms, approving the grant agreement and authorizing the Mayor to execute the same, establishing Project No. CI2439, and budgeting and appropriating funds in the amount of \$182,000 to Project No. CI2439

N3 An Ordinance approving and accepting an OEDIT Grant from the State of Colorado Outdoor Recreation Industry Office for the funding of the City of Pueblo Outdoor Recreation Administrator, establishing Project No. CI2438, and budgeting and appropriating funds in the amount of \$100,000 to Project No. CI2438

N4 An Ordinance establishing Project No. LT2409 - Elizabeth Street Parkway Outdoor Basketball Courts Mural Project, and budgeting and appropriating funds in the amount of \$10,000 to Project No. LT2409

N5 An Ordinance amending Section 6-5-16 of Chapter 5, of Title VI of The Pueblo Municipal Code relating to the FY 2024 Classification and Pay Plan by amending the pay scale for Tax Compliance Technician

N6 An Ordinance amending Chapter 12 of Title XVI by introducing "Article III - Grading Permit"

N7 An Ordinance approving an Easement Agreement between the City of Pueblo, a Colorado Municipal Corporation, and Pueblo County, a political subdivision of the State of Colorado, relating to the construction, operation, and maintenance of a limited access roadway, fencing, trail, trailhead, drainage, and other associated improvements within the Honor Farm Park and Open Space, and approving the Mayor to execute the Easement Agreement on behalf of the City

N8 An Ordinance rescinding Resolution 15594, accepting funds in the amount of \$200,000.00

from Pueblo Urban Renewal Authority, for the HARP Channel Extension and Boathouse Construction Project, and budgeting and appropriating said funds to Project Account CI2432 - Const. HARP Extension and Boathouse.

- N9 An Ordinance approving a lease agreement between the City of Pueblo, a Colorado Municipal Corporation, and Goodrich Corporation, a New York Corporation, authorized to do business in the state of Colorado, for the premises known as Lot 8, Lot 11, and Parcel G, William White Boulevard, Pueblo, Colorado
- N10 An Ordinance amending Pueblo Municipal Code Title XI, Chapter 1 to add a new section 612 regulating scheduled commercial passenger transportation within the City of Pueblo, and providing penalties therefor
- N11 An Ordinance creating Section 408 of Chapter 1 of Title XI of the Pueblo Municipal Code adding the offense of possession of theft tools and providing penalties therefor
- N12 An Ordinance extending the term of the current Collective Bargaining Agreement between the City of Pueblo and the International Association of Firefighters Local No. 3 for a one-year period commencing January 1, 2025, through December 31, 2025, and authorizing the Mayor to execute same
- N13 An Ordinance approving a purchase agreement between the City of Pueblo, a Colorado Municipal Corporation and Musco Sports Lighting LLC, A Colorado Corporation in the amount of \$649,894 for new lighting equipment for the City Park Ballfields 3 and 4 and the Mineral Palace Park Pickleball Courts, authorizing the City of Pueblo's purchasing agent to execute the Purchasing Agreement, creating Project No. CI2440, and budgeting and appropriating \$649,894 to Project No. CI2440

O. APPROVAL OF CONSENT AGENDA

I move to approve all Resolutions Set Forth in the Consent Agenda; Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for May 28, 2024, and Order the Ordinances to be published BY TITLE.

P. REGULAR AGENDA

Q. RESOLUTIONS

- Q1 A Resolution Confirming the appointment of Nelson Dunford to the Position of Municipal Court Judge
- Q2 A Resolution amending the legislative procedures and rules of the Pueblo City Council by creating a policy regarding payment from the Council Contingencies Account
- Q3 A Resolution awarding a construction contract in the amount of \$14,244,873.00 to H.W. Houston Construction, for Project No. 23-048A, Construction of Boathouse and Channel Extension for Historic Arkansas Riverwalk of Pueblo Phase IV (HARP Phase IV), setting forth \$452,225.00 for contingencies, and authorizing the Purchasing Agent to execute same
- Q4 A Resolution awarding a construction contract in the amount of \$1,115,764.00 to Miller Pipeline, LLC, and setting forth \$223,153.00 for contingencies, for Project No. 24-057 (WWAN01) 2024 Court Street Sanitary Sewer Rehabilitation Project and authorizing the Purchasing Agent to execute the same
- Q5 A Resolution establishing two projects in Fund 456- Fire Stations. Project CI2434 - Pumper Fire Apparatus for \$900,000, and Project CI2435 - Fire Station No. 6, 8, and 11, for \$33,550,000 plus any future funds already budgeted and appropriated.

- Q6 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 Project Fund
- Q7 A Resolution authorizing payment of eight hundred thirty-four thousand one hundred and forty-four dollars (\$834,144) from Project No. CI-2113 – American Rescue Plan Act, for the purposes of aligning all hardware and software licensing, warranty and technical support services, and certification training, and adding situational awareness cameras to the Real-Time Crime Center, as authorized by Section 603 (a) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35
- Q8 A Resolution authorizing payment from the Council Contingencies account in the 2024 general fund budget to Global Medical Response, DBA: American Medical Response in the amount of \$2,000 to sponsor the Safety Jam on Saturday, June 1, 2024, at 12:00 pm
- Q9 A Resolution authorizing payment from the Council Contingencies account in the 2024 general fund budget to American Legion Post 2, as the fiscal sponsor of Boy Scout Troop 19, in the amount of \$1,000 to sponsor Boy Scout Troop 19

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance of the City of Pueblo amending Title XI, Chapter 1, Section 405 of the Pueblo Municipal Code prohibiting the establishment, operation, use, or participation in syringe exchange or distribution programs within the City of Pueblo and providing penalties therefor - *Introduced April 22, 2024 by Councilor Regina Maestri*
- R2 An Ordinance approving an Intergovernmental Agreement between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado, acting by and through the Community Asset Enterprise/Colorado Energy Office relating to a grant to install four Direct Current Fast Charging (DCFC) electric vehicle charging stations at the Main Street Parking Garage; accepting a grant in the amount of \$445,000; establishing Project Account CI2433 - Design and Install Main Street Garage DCFC EV Chargers; transferring funds in the amount of \$400,000 from Project Account CI2408 - EV Charging Stations (Fleet) to Project Account CI2433 - Design and Install Main Street Garage DCFC EV Chargers; budgeting and appropriating a total of \$845,000.00 into Project Account CI2433 - Design and Install Main Street Garage DCFC EV Chargers; and approving the Mayor to execute the Intergovernmental Agreement on behalf of the City - *Introduced April 22, 2024 by Councilor Regina Maestri*
- R3 An Ordinance approving and authorizing the Mayor to sign a Subrecipient Agreement between the City of Pueblo, a Colorado Municipal Corporation and Catholic Charities of the Diocese of Pueblo, Inc. dba Catholic Charities of Southern Colorado, a Colorado nonprofit corporation as authorized by Section 603 (c)(1)(A) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35.6 and authorizing the payment of two hundred thousand dollars (\$200,000) from Project No. CI2113 - American Rescue Plan Act, for purposes thereof - *Introduced April 22, 2024 by Councilor Regina Maestri*
- R4 An Ordinance approving and accepting a 2024 Colorado Department of Public Safety, Division of Criminal Justice Opioid Grant in the amount of \$9,580 for synthetic opiate poisoning investigation and distribution interdiction, establishing project number PS2403, budgeting and appropriating grant funds of \$9,580 to said project, and authorizing Mayor Graham to execute the grant award letter and related documents - *Introduced April 22, 2024 by Councilor Regina Maestri*
- R5 An Ordinance creating Part 21 of Section 15-1-8 of the Pueblo Municipal Code regulating the parking in electric motor vehicle charging stations. - *Introduced April 22, 2024 by Councilor Regina Maestri*

- R6 An Ordinance creating Article IX of Chapter 1 of Title XI within the Pueblo Municipal Code, adding Sections 11-1-901 through 11-1-904 thereto, enacting provisions and prohibitions with respect to certain gaming and gambling devices, and providing penalties for the violation thereof - *Introduced April 22, 2024 by Councilor Regina Maestri*
- R7 An Ordinance amending Article 1 through 6 of Chapter 6 of Title IX within the Pueblo Municipal Code, modifying licensing and fees for coin-operated amusement devices and coin-operated music machines. - *Introduced April 22, 2024 by Councilor Regina Maestri*
- R8 An Ordinance amending the fiscal year 2024 Staffing Ordinance by converting one (1) vacant full-time Internal Auditor Position to a new classification entitled Non-Profit Compliance Coordinator within the authorized staffing levels of The Mayor's Office - *Introduced April 22, 2024 by Councilor Regina Maestri*
- R9 An Ordinance amending section 6-5-16 of Chapter 5, of Title VI of The Pueblo Municipal Code relating to the FY 2024 classification and pay plan by establishing the pay scale for Non-Profit Compliance Coordinator - *Introduced April 22, 2024 by Councilor Regina Maestri*
- R10 An Ordinance amending the fiscal year 2024 Staffing Ordinance by converting one (1) full-time vacant position entitled Food Project Coordinator to a position entitled Marketing and Social Media Specialist within the authorized staffing levels at the Mayor's Office - *Introduced April 22, 2024 by Councilor Regina Maestri*
- R11 An Ordinance amending section 6-5-16 of Chapter 5, of Title VI of the Pueblo Municipal Code relating to the FY 2024 classifications and pay plan by establishing the pay scale for Marketing and Social Media Specialist. - *Introduced April 22, 2024 by Councilor Regina Maestri*

S. QUASI-JUDICIAL PROCEEDINGS

- S1 An Ordinance vacating a utility easement within Lot 1, North Pueblo Commercial Park Filing 5
- S2 An Ordinance vacating a portion of the alley within Block 11, Mattice's Subdivision

T. ADJOURN