



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

**MONDAY, AUGUST 12, 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** David Israel, President, United Hebrew Center
- C. PLEDGE OF ALLEGIANCE**
- D. ROLL CALL**
- E. SPECIAL RECOGNITIONS**
- 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 July 22, 2024, as distributed.

J1 City Council Minutes 07/22/2024

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

L1 Minutes of the Planning and Zoning Commission Regular Meeting for 05/08/2024

L2 Minutes of the Planning and Zoning Commission Regular Meeting for 06/12/2024

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$264,735.45 to Tony J Beltramo & Sons, Inc., for Project No. 24-097, Asphalt Improvements - Cambridge Avenue and Amherst Avenue, setting forth \$53,000 for contingencies, and authorizing the Purchasing Agent to execute same
- M2 A Resolution authorizing payment of two hundred and fifty-five thousand dollars (\$255,000) from Project No. CI-2113 - American Rescue Plan Act, for the purposes of acquiring the mandatory railroad permits needed to complete the installation of fiber-optic cable network infrastructure for the new fire stations and wastewater treatment facility, as authorized by Section 603 (a) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35
- M3 A Resolution awarding a construction contract in the amount of \$130,914 to Cedar Ridge Landscape, Inc., for Project No. 24-005, Concrete Improvements - Elmwood Golf Course and Cart Path, setting forth \$19,637.10 for contingencies, and authorizing the Purchasing Agent to execute same
- M4 A Resolution approving Contract Amendment No. 1 in the amount of \$55,032.44 to A5 Construction, LLC., for Project No. 24-003, Concrete Improvements – Cheyenne Avenue (19th to 29th), and authorizing the Purchasing Agent to execute same
- M5 A Resolution approving Contract Amendment No. 1 in the amount of \$36,309.50 to Baha Construction, Inc., for Project No. 23-122, Fire Station #5 – Truck Bay Concrete Replacement, and authorizing the Purchasing Agent to execute same
- M6 A Resolution ratifying an emergency construction contract in the amount of \$3,354.06 with K.R. Swerdfeger Construction, Inc. for emergency sanitary sewer point repair at 5824 Mark Twain Ln, for Project No. 20-059 (WWAN03) and approving the Purchasing Agent's execution of the same.
- M7 A Resolution awarding a construction contract in the amount of \$232,337.20 to Martin Marietta, for Project No. 24-066, Asphalt Improvements - Granada Boulevard, setting forth \$40,000 for contingencies, and authorizing the Purchasing Agent to execute same
- M8 A Resolution authorizing the issuance of a revocable permit (REV-24-16) to American Legion 2 for the closure of the 700 block of West 9th Street between Craig Street and West Street to host their car/bike show on August 17, 2024, from 6:00 a.m. to 3:00 p.m.
- M9 A Resolution authorizing the issuance of a revocable permit (REV-24-21) to Pueblo Community College for the use of the public right-of-way along Orman Avenue between Arthur Street and Marilyn Place to host its annual Welcome Back to Campus Celebration on Monday, August 19, 2024
- M10 A Resolution ratifying PACOG's joint appointment of Daniel Henderson to the Electrical Board of Appeals - Engineer position
- M11 A Resolution ratifying PACOG's joint appointment of John Chrisman to the Plumbing Board of Appeals - Engineer position
- M12 A Resolution ratifying PACOG's joint appointment of Kennedy Pugh and Claire Schad to the Pueblo Human Relations Commission - Joint Appointments
- M13 A Resolution confirming the appointment by the Mayor of Thomas Carrigan, Alyssa Vargas-Lopez, and Shawn Vecellio to serve a three-year term expiring August 31, 2027, on the El Centro del Quinto Sol Board of Directors
- M14 A Resolution confirming the appointment by the Mayor of Erik Segall and Jennifer Horn to

complete a three-year term expiring December 31, 2024 on the Pueblo Human Relations Commission - City Appointments

- M15 A Resolution setting the date, time and place for the hearing on any objections to an abatement assessment as September 13, 2024 at 9:00 a.m. in City Council Chambers and directing the Mayor to appoint a hearings officer
- M16 A Resolution establishing a Planning Committee for Phase III improvements of the Pueblo Professional Bull Riders University and Heritage of Heroes Project – Aquatics Center and Water Park
- M17 A Resolution amending Resolution No. 15637 to update the finance account numbers assigned to the projects to construct Fire Stations 6, 8, and 11; and to procure new fire apparatus

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance approving and accepting a Grant Agreement for the City of Pueblo from the State of Colorado Department of Public Safety, Division of Criminal Justice for the Better LED and Solar Spaces Project, authorizing the Mayor to execute the same, establishing Project Number CI2445, and budgeting and appropriating funds in the amount of \$853,413 to Project Number CI2445
- N2 An Ordinance approving and accepting Airport Improvement Program (AIP) Grant Agreement No. 3-08-0046-050-2024 from the United States of America acting through the Federal Aviation Administration for funds in the amount of \$253,073 for costs related to the Rehabilitation of East (North) Apron (Design) at the Pueblo Memorial Airport, budgeting and appropriating \$253,073 to project AP2401 – East Apron (N) Taxilane Rehab, and authorizing the Mayor to execute same
- N3 An Ordinance transferring, budgeting, and appropriating reimbursement proceeds in the amount of \$7,526.70 into the Airport Operating Budget Account No. 54070100-56012 - repair and maintenance supplies
- N4 An Ordinance approving and ratifying a Supplemental Environmental Project Agreement and approving a modification to said agreement between the City of Pueblo, a Colorado Municipal Corporation, and the Colorado Department of Public Health and Environment for the purpose of developing a Household Hazardous Waste program; authorizing the Mayor to execute the modification; accepting funds in the amount of \$378,880.00 from the Colorado Department of Public Health and Environment; and budgeting and appropriating said funds into Project Account No. PL2302 - Household Hazardous Waste Program
- N5 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 Colorado Department of Transportation, Project: BRO M086-104 (26412) Pueblo 18th Street Bridge Rehab, accepting a grant in the amount of \$448,000.00, establishing Project Account CI2446, 18th Street Rehabilitation, transferring \$112,000.00 from Project Account HUAN01, Street Resurfacing Project to Project Account CI2446, 18th Street Bridge Rehabilitation Project, budgeting and appropriating funds in the amount of \$560,000, and authorizing the Mayor to execute same
- N6 An Ordinance approving and accepting a donation of funds in the amount of \$2,000.00 for deposit into the City's General Fund from the Beulah Historical Society to the City of Pueblo, to offset costs incurred for the fabrication and installation of highway memorial signs on Colorado State Highway 78 honoring PFC Mike Hanratty
- N7 An Ordinance approving a maintenance IGA between the City of Pueblo, a Colorado Municipal Corporation; Pueblo County, a political subdivision of the State of Colorado; and

the State of Colorado by and through the Colorado Department of Transportation related to the maintenance of installed roadway improvements along the Medal of Honor Boulevard corridor, and authorizing the Mayor to execute said agreement

- N8 An Ordinance approving an intergovernmental agreement between the City of Pueblo, and Custer County relating to mutual aid in the provisions of the Fire Protection and other emergency services, and authorizing the Mayor to execute the same
- N9 An Ordinance approving and accepting a grant funding agreement and all applicable conditions pertaining thereto from the Colorado Auto Theft Prevention Authority ("CATPA") relating to the Beat Auto Theft Through Law Enforcement ("BATTLE") Team, establishing Project No. PS2405, budgeting and appropriating funds to project number PS2405, and authorizing the Mayor to execute same
- N10 An Ordinance approving and authorizing the Mayor to sign a Facility Use Agreement between the City of Pueblo, a Colorado Municipal Corporation, and the Pueblo City-County Library District, A Nonprofit Entity, for use of Certain Park Premises
- N11 An Ordinance approving Amendment No. 1 to the professional services agreement between the City of Pueblo and Gruen Gruen + Associates, LLC, a Limited Liability Corporation in the state of Illinois, in the amount of \$19,000 with \$1,610 in contingencies to update the Strategic Housing Assessment completed in September of 2021
- N12 An Ordinance submitting to the eligible electors of the City of Pueblo, Colorado at the Special Municipal Election to be held on November 5, 2024, proposed amendments to Sections 4-2, 17-2, 17-5, 17-6, 17-8, 17-9, and 17-10 of the Charter of the City of Pueblo and fixing the ballot title therefor
- N13 An Ordinance submitting to the eligible electors of the City of Pueblo, Colorado at the Special Municipal Election to be held on November 5, 2024, proposed amendments to Sections 1-5, 2-6, 2-10, 3-9, 3-18, 3-19, 3-20, 3-21, 6-1, 7-28, 8-12, and 15-6 of the Charter of the City of Pueblo and fixing the ballot title therefor
- N14 An Ordinance amending Chapters 1 and 5 of Title IX of the Pueblo Municipal Code to update and revise the business licensing application and appeal process, amend the lodging facility licensing requirements, and provide penalties for violation thereof
- N15 An Ordinance amending Chapter 6 of Title XVI of the Pueblo Municipal Code relating to and increasing sewer user charges.
- N16 An Ordinance approving an engagement agreement with Koncilja Energy Law and Policy for representation in Public Utilities Commission proceeding No. 24AL-0275E, approving the corresponding Joint Interest Agreement, and authorizing the Mayor to execute the 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 August 26, 2024, 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 2024 general fund budget to Pueblo Chamber of Commerce in the amount of \$2,500 to sponsor the 4th Annual Pueblo Chile Festival Balloon Fest on September 20–22, 2024

- Q2 A Resolution authorizing payment from the Council Contingencies account in the 2024 general fund budget to La Raza Services, Inc., DBA Servicios de La Raza in the amount of \$2,000 to sponsor the 3rd Annual Children's Day on Friday, May 17, 2024

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance creating and reserving Sections 7-3-52 through 7-3-61 for future additions to the Pueblo Municipal Code and creating a new Article V containing Sections 7-3-62 through 7-3-72 of Chapter 3 of Title VII of the Pueblo Municipal Code regulating the use and management of shopping carts within the City - *Introduced July 22, 2024 by Councilor Regina Maestri*
- R2 An Ordinance approving three Main Extension Agreements between the City of Pueblo, a Colorado Municipal Corporation, and the Board of Water Works of Pueblo, Colorado related to the extension of water mains to serve the City's three new fire stations, and authorizing the Mayor to execute said agreements - *Introduced July 22, 2024 by Councilor Regina Maestri*
- R3 An Ordinance approving a memorandum of agreement and easement agreement by and between the State of Colorado, acting by and through the Colorado State Fair Authority, and the City of Pueblo, a Colorado Municipal Corporation, relating to reconstruction and maintenance of the ADA ramp and improvements at Mesa Avenue and Prairie Avenue and authorizing execution thereof by the Mayor - *Introduced July 22, 2024 by Councilor Regina Maestri*
- R4 An Ordinance vacating a portion of Mechanic Street and Richmond Avenue and portions of a 20-foot alley in the Central Pueblo Subdivision generally located west of Santa Fe Drive and at the intersection of Mechanic Street and Richmond Avenue - *Introduced July 22, 2024 by Councilor Regina Maestri*
- R5 An Ordinance approving the Historic Arkansas Riverwalk Project, Filing No. 4 Subdivision - *Introduced July 22, 2024 by Councilor Regina Maestri*
- R6 An Ordinance approving and adopting the City of Pueblo's 2024-2025 Action Plan for the Community Development Block Grant (CDBG) and the Home Investment Partnership Act Grant (HOME), authorizing the Mayor of the City of Pueblo to submit the application together with all required and necessary certifications, assurances, and documentation to the U.S. Department of Housing and Urban Development, and appropriating and budgeting CDBG and HOME funds therefore - *Introduced July 22, 2024 by Councilor Regina Maestri*
- R7 An Ordinance authorizing assignment of a Private Activity Bond Allocation from the City of Pueblo to the Colorado Housing and Finance Authority pursuant to the Colorado Private Activity Bond Ceiling Allocation Act - *Introduced July 22, 2024 by Councilor Regina Maestri*
- R8 An Ordinance approving and accepting a Colorado Resource For Emergency And Trauma Education (CREATE) Grant establishing Project No. PS2407 for Emergency And Trauma Education Grant, and budgeting and appropriating grant funds in the amount of \$25,000, which includes a ten percent cost match of \$2,500 for the purposes authorized by the grant agreement - *Introduced July 22, 2024 by Councilor Regina Maestri*
- R9 An Ordinance approving and accepting a grant agreement and applicable conditions pertaining thereto with the State of Colorado Department of Law Peace Officer Standards and Training (POST), establishing project number PS2406, budgeting and appropriating funds into project PS2406, authorizing Mayor Graham to execute same and ratifying her signature thereto - *Introduced July 22, 2024 by Councilor Regina Maestri*
- R10 An Ordinance approving and authorizing the Mayor to execute an Intergovernmental

Agreement between the City of Pueblo, a Colorado Municipal Corporation and the County of Pueblo, a political subdivision of the State of Colorado, relating to the 2024 Special Municipal Election - *Introduced July 22, 2024 by Councilor Regina Maestri*

R11 An Ordinance submitting to the eligible electors of the City of Pueblo, Colorado at the special municipal election to be held on November 5, 2024, a proposed amendment to Sections 3-5 and 5-2 of the Charter of the City of Pueblo setting the maximum penalty for violation of the Charter and Pueblo Municipal Code and fixing the ballot title therefor - *Introduced July 22, 2024 by Councilor Regina Maestri*

R12 An Ordinance submitting to the eligible electors of the City of Pueblo, Colorado at the Special Municipal Election to be held on November 5, 2024, A proposed amendment to Article 19 – recall of elected officers, of the Charter of the City of Pueblo and fixing the ballot title therefor - *Introduced July 22, 2024 by Councilor Regina Maestri*

S. COUNCIL MEMBER CONFLICT OF INTEREST

Councilor Regina Maestri may ask to be excused from the meeting due to a conflict of interest with agenda item numbers S-1, T-1, and T-2.

S1 A Resolution approving Contract Amendment No. 1 in the amount of \$348,291.26 to Pashco Roofing, Inc. dba Colorado Front Range Roofing, for Project No. 23-100R, Roof Replacement – Streets Maintenance Facility Rebid, and authorizing the Purchasing Agent to execute same

T. COMMUNICATIONS

T1 A Citizen filed an Ethics Complaint against Councilor Regina Maestri

T2 A Citizen filed an Ethics Complaint against Councilor Regina Maestri

U. ADJOURN