



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, JUNE 24, 2024 - 7:00 PM
MINUTES**

A. CALL TO ORDER

President Aliff called the meeting to order at 7:05 p.m.

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

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

Council Members Present via Zoom: None.

Council Members Absent: None.

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

E. OATH OF OFFICE

Councilor Brett Boston was sworn in as City Councilor At-Large

F. SPECIAL RECOGNITIONS

F1 PROCLAMATION PRESENTATION: "CECILIA 'C.C.' WOOD DAY - JUNE 24, 2024" - CECILIA 'C.C.' WOOD, MISS PUEBLO COUNTY SCHOLARSHIP PAGEANT DIRECTOR

G. PUBLIC FORUM

- Kathy Nicolls - The state of our City & Council
- Dave DeCenzo - Economic Growth
- Elvis Martinez - City Council/Crime Spree
- Marty Harvey - Taking pride in City
- Ken Danti - BHE Rate Request

- Velma Campbell - BHE Rate Request

H. COUNCIL MEMBER AND MAYOR COMMENTARY

Mayor Graham congratulated new Councilor Brett Boston. She also informed Council of a July 2nd 10 a.m. tour of the tennis facility slated for renovation. End of year 2023 grants: 99 submitted, 46 denied, 53 awarded, totaling \$27M in funds for the City.

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

I. REVIEW AND APPROVAL OF AGENDA

Councilor Martinez, seconded by Councilor Flores, moved to move M5 to the Regular Agenda, to continue R5 to the July 8, 2024 agenda, and approve the agenda as distributed.

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

J. READING AND APPROVAL OF MINUTES

Councilor Martinez, seconded by Councilor Gomez, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **June 10, 2024**, the Minutes of the Special Meeting dated **June 13, 2024**, and the Minutes of the Special Meeting dated **June 17, 2024** as distributed.

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

J1 CITY COUNCIL MEETING MINUTES JUNE 10, 2024

J2 SPECIAL CITY COUNCIL MEETING MINUTES FOR JUNE 13, 2024

J3 SPECIAL CITY COUNCIL MEETING MEETING JUNE 17, 2024

K. CONSENT AGENDA

L. COMMUNICATIONS

M. RESOLUTIONS

M1 A RESOLUTION AMENDING RESOLUTION NO. 15635, CHANGING THE AWARD AMOUNT OF THE CONSTRUCTION CONTRACT 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), FROM \$14,244,873.00 TO \$14,246,653.00

This Resolution was assigned as 15666.

M2 A RESOLUTION AWARDING AN AGREEMENT FOR PROFESSIONAL

CONSULTING SERVICES IN THE AMOUNT OF \$49,470.00 TO TERRACON CONSULTANTS, INC., A DELAWARE CORPORATION, AUTHORIZED TO DO BUSINESS IN COLORADO, FOR PROJECT NO. 24-075 SPECIAL INSPECTION AND MATERIALS TESTING - HARP CHANNEL EXTENSION AND BOATHOUSE, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as 15667.

- M3 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-24-14) TO THE HARP FOUNDATION, A COLORADO NONPROFIT CORPORATION, FOR THE USE OF ALAN HAMEL AVENUE BETWEEN SOUTH UNION AVENUE AND SANTA FE AVENUE AND MAIN STREET BETWEEN "D" STREET AND CITY CENTER DRIVE TO FACILITATE THEIR ANNUAL ROLLIN' 4TH OF JULY FIREWORKS CELEBRATION**

This Resolution was assigned as 15668.

- M4 A RESOLUTION CONFIRMING THE APPOINTMENTS BY THE MAYOR OF AMANDA MARASCOLA TO COMPLETE A FIVE-YEAR TERM EXPIRING JULY 1, 2027, IN THE PUBLIC HOUSING RESIDENT POSITION AND DAVID KOCHIS TO SERVE A FIVE-YEAR TERM EXPIRING JULY 1, 2029, ON THE HOUSING AUTHORITY OF THE CITY OF PUEBLO BOARD OF DIRECTORS**

This Resolution was assigned as 15669.

- M6 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF ROBERT ESSER TO SERVE A FOUR-YEAR TERM EXPIRING JULY 1, 2028, ON THE RETAIL & MEDICAL MARIJUANA LICENSING AUTHORITY**

This Resolution was assigned as 15670.

N. ORDINANCES – FIRST PRESENTATION

- N1 AN ORDINANCE APPROVING AND ACCEPTING A 2023 COLORADO DIVISION OF CRIMINAL JUSTICE, OFFICE OF ADULT AND JUVENILE ASSISTANCE, COMMUNITY INITIATIVE TO REDUCE VIOLENCE GRANT IN THE AMOUNT OF \$131,660, RATIFYING THE PRIOR SIGNATURE OF THE MAYOR TO EXECUTE THE GRANT AWARD LETTER AND RELATED DOCUMENTS, ESTABLISHING PROJECT NUMBER CI2219, AND BUDGETING AND APPROPRIATING THE GRANT FUNDS OF \$131,660 TO SAID PROJECT**

- N2 AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE STATE OF COLORADO BY AND THROUGH THE COLORADO DEPARTMENT OF TRANSPORTATION, RELATING TO THE OPERATION AND MAINTENANCE OF CERTAIN STATE-OWNED DRAINAGE, IRRIGATION, AND LANDSCAPING IMPROVEMENTS LOCATED ON THE EAST SIDE OF I-25 GENERALLY BETWEEN E. 22ND STREET AND E. 26TH STREET, AND APPROVING THE MAYOR TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT ON BEHALF OF THE CITY**

N3 AN ORDINANCE APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PUEBLO, THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT TO MONITOR FOR SARS-COV-2 AND OTHER PATHOGENS OF CONCERN AND AUTHORIZING THE MAYOR TO EXECUTE SAME

N4 AN ORDINANCE APPROVING AND ACCEPTING A 2024 HIGH INTENSITY DRUG TRAFFICKING AREAS (HIDTA) PROGRAM, SUB-RECIPIENT AWARD, AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF GRANT AWARD LETTER AND RELATED DOCUMENTS

N5 AN ORDINANCE CALLING A SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, DIRECTING THAT THE SPECIAL MUNICIPAL ELECTION BE CONDUCTED AS PART OF A COORDINATED ELECTION, ADOPTING FOR USE AT THE SPECIAL MUNICIPAL ELECTION THE REQUIREMENTS AND PROCEDURES OF THE UNIFORM ELECTION CODE OF 1992 EXCEPT TO THE EXTENT THE UNIFORM ELECTION CODE OF 1992 CONFLICTS WITH A SPECIFIC PROVISION OF THE CHARTER OF THE CITY OF PUEBLO, AND SUSPENDING FOR SUCH PURPOSES THE PUEBLO ELECTION CODE AND ALL ORDINANCES AND RESOLUTIONS OF THE CITY IN CONFLICT THEREWITH

O. APPROVAL OF CONSENT AGENDA

P. REGULAR AGENDA

M5 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF ABEL CHAVEZ TO SERVE A FIVE-YEAR TERM EXPIRING JULY 1, 2029, ON THE BOARD OF HEALTH

This item was moved to the Regular Agenda.

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

Councilor Flores, seconded by Councilor Gomez, moved to postpone the Resolution to July 8, 2024.

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

Q. RESOLUTIONS

Q1 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO PUEBLO DIVERSIFIED INDUSTRIES, INC. IN THE AMOUNT OF \$1,250 TO SPONSOR THE PUEBLO DANCING WITH THE STARZ EVENT ON JULY 13, 2024, AT THE PUEBLO CONVENTION CENTER

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

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

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

This Resolution was assigned as 15671.

Q2 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO PUEBLO SPAY & NEUTER NOW! IN THE AMOUNT OF \$1,125.00 TO SPONSOR VOUCHERS FOR HOMELESS PET OWNERS

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

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

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

This Resolution was assigned as 15672.

Q3 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO RMSER IN THE AMOUNT OF \$1,000 TO SPONSOR THE SUMMER YOUTH KICKBACK EVENTS: CREATING SAFE SPACES FOR PUEBLO'S YOUTH

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

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

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

This Resolution was assigned as 15673.

Q4 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO THE COLORADO STATE FAIR FIESTA COMMITTEE IN THE AMOUNT OF \$500 TO SPONSOR THE NOCHE DE FIESTA ON AUGUST 3, 2024, AT THE PUEBLO CONVENTION CENTER

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

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

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

This Resolution was assigned as 15674.

R. ORDINANCES – FINAL PRESENTATION

R1 AN ORDINANCE ACCEPTING AN AMENDMENT TO AIRPORT IMPROVEMENT GRANT NO. 3-08-0046-047-2022 FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) ACTING FOR AND ON BEHALF OF THE UNITED STATES OF AMERICA ADDING \$31,059 FOR ADDITIONAL ENGINEERING AND DESIGN FOR THE REHABILITATION FOR RUNWAY 8R/26L, REMOVAL OF TAXIWAY A2, AND AIRPORT LIGHTING CONTROL MONITORING SYSTEM (ALCMS) REPLACEMENT, AND BUDGETING AND APPROPRIATING FUNDS TO PROJECT ACCOUNT AP2205

A staff report and detailed review of the Ordinance was given by John Griggs, Airport Operations and Maintenance Supervisor.

PUBLIC HEARING:

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

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

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

This Ordinance was assigned as 10727.

R2 AN ORDINANCE APPROVING AND ACCEPTING COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) AERONAUTICS DIVISION GRANT NO. 24-PUB-01 FOR FUNDS IN THE AMOUNT OF \$12,796 FOR THE EAST APRON (NORTH) REHAB PROJECT DESIGN PHASE AND THE TAXILANE REHAB AND NEW T-HANGAR PROJECT DESIGN PHASE, AUTHORIZING THE MAYOR TO EXECUTE SAME, BUDGETING AND APPROPRIATING \$6,250 TO PROJECT NO. AP1804 – SOUTH T-HANGAR #1, AND ESTABLISHING PROJECT NO. AP2401 – EAST APRON (N) TAXILANE REHAB BUDGETING AND APPROPRIATING \$13,094 TO SAID PROJECT

A staff report and detailed review of the Ordinance was given by John Griggs, Airport Operations and Maintenance Supervisor.

PUBLIC HEARING:

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

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

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

This Ordinance was assigned as 10728.

R3 AN ORDINANCE AMENDING TITLE XI, CHAPTER 4, OF THE PUEBLO MUNICIPAL CODE ABOLISHING THE REQUIREMENT THAT MINIATURE GOATS RESIDING IN THE CITY BE HORNLESS

A staff report and detailed review of the Ordinance was given by Harley Gifford, Deputy City Attorney.

PUBLIC HEARING:

- Sandra Smith appeared in person to speak in favor of this ordinance
- Cindy Smith appeared in person to speak in favor of this ordinance

Seeing no one else 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 Boston, Councilor Flores, Councilor Gomez, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 7-0.

This Ordinance was assigned as **10729.**

R4 AN ORDINANCE AMENDING THE TITLE OF CHAPTER 3 OF TITLE XV OF THE PUEBLO MUNICIPAL CODE FROM "SIGHT OBSTRUCTIONS AT INTERSECTIONS" TO "SIGHT OBSTRUCTIONS AND ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY"

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

This Ordinance was assigned as **10730.**

R5 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

This item was continued to the July 8, 2024 agenda.

R6 AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, AND CROWLEY COUNTY RELATING TO MUTUAL AID IN THE PROVISIONS OF FIRE PROTECTION AND OTHER EMERGENCY SERVICES, AND AUTHORIZING THE MAYOR TO EXECUTE 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 Boston, moved to approve the Ordinance on final presentation.

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

This Ordinance was assigned as **10731**.

R7 AN ORDINANCE APPROVING A COOPERATION AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE COUNTY OF PUEBLO RELATING TO THE PARTICIPATION IN AND CONDUCT OF THE FEDERAL HOME INVESTMENT PARTNERSHIPS PROGRAM AND PROVIDING FOR THE EXECUTION THEREOF

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 Latino, moved to approve the Ordinance on final presentation.

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

This Ordinance was assigned as **10732**.

S. ADJOURN

President Aliff adjourned the meeting at 8:39 p.m.

Respectfully submitted,



Marisa Stoller
City Clerk