



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

**MONDAY, SEPTEMBER 9, 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 Nick Shults, Bethany Lutheran Church
- 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 and Special Meetings dated August 14th, 26th, 2024, as distributed.

J1 City Council Special Meeting Minutes 08/14/2024

J2 City Council Meeting Minutes 08/26/2024

K. PUBLIC HEARINGS

K1 Public Hearing for the purpose of receiving public testimony as it pertains to certain legislative findings and approving the West Pueblo Urban Renewal Plan and the Colorado Smelter Urban Renewal Plan

REQUIRED COUNCIL ACTION: Open the Hearing, Receive Public Testimony, and Close the Hearing. Reference Items R17 and R18

L. 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.

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$903,508.35 to Fortis General Contracting, for Project No. 24-055, Mineral Palace Greenhouse Construction, setting forth \$126,224.00 for contingencies, and authorizing the Purchasing Agent to execute same
- M2 A Resolution approving Contract Amendment No. 1 in the amount of \$298,114.97 to Pyramid Construction, Inc., for Project No. 24-030, Asphalt and Utility Improvements – Dillon Drive (RR Bridge to Eagleridge Boulevard), and authorizing the Purchasing Agent to execute same
- M3 A Resolution awarding a public transportation route study contract in the amount of \$200,000 to develop a potential commuter shuttle to the Pueblo Airport Industrial Complex aimed at providing efficient workforce transportation benefitting economically disadvantaged individuals
- M4 A Resolution transferring \$78,231.26 to Project No. CD2014 for the Mitchell Park gazebo installation. The funds shall be transferred from Project No. CD2018
- M5 A Resolution transferring \$903.20 to Project No. HO1650 for sewer repairs and related restoration to Nancy's Place Youth Transitional Housing at 2105 Norman Ln. The funds shall be transferred from Project No. HO2150
- M6 A Resolution ratifying PACOG's joint appointment of Jean Latka to the Community Services Advisory Commission (CSAC)
- M7 A Resolution ratifying PACOG's joint appointment of Dan White to the Plumbing Boards of Appeals - Contractor position
- M8 A Resolution confirming the appointment by the Mayor of Josh Allison to complete a three-year term expiring on September 30, 2025 on the Pueblo Memorial Airport Advisory Committee.
- M9 A Resolution ratifying the PCCLD Selection Committee's joint appointment of Jessi Ones to the Pueblo City-County Library District Board of Trustees
- M10 A Resolution authorizing the issuance of a revocable permit (REV-24-23) to the Pueblo Farmers Market, LLC, for the use of Alan Hamel Avenue from Main Street to driveway at HARP to host a Farmers Market and Movie on the Riverwalk
- M11 A Resolution authorizing the issuance of a revocable permit (Rev-24-26) to The P.L.A.C.E. (Pueblo's Legacy and Community Experience) Project for the use of the public right-of-way along Clemson Avenue from Lehigh Avenue to Fordham Circle for the purpose of facilitating a community block party
- M12 A Resolution authorizing the issuance of a revocable permit (REV-24-27) to The Walter Brewing Company for the use of a portion of Oneida Street to host their 3rd Annual Oktoberfest event
- M13 A Resolution approving and authorizing the execution of a contract for specialized transportation relocation study update to Stantec Corp
- M14 A Resolution amending the Pueblo Municipal Code, Appendix A - Legislative Procedures and Rules of Council to create a policy and procedure for Council Members' proposed

ordinances

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance transferring \$503,915.07 from WW9999 to WWAN03, for Project No. 20-059 (WWAN03) 2021-2023 Sanitary Sewer Point Repair - 250 William White Blvd Project and authorizing the Purchasing Agent to execute the same.
- N2 An Ordinance approving the transfer, budget and appropriation of \$48,000 from the Airport Improvement Trust Fund to Project Account APAN03 – Vehicles & Equipment for the purpose of purchasing equipment from the Denver International Airport Surplus Sale
- N3 An Ordinance approving a Memorandum of Understanding between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado, Office of Public Safety Communications to continue the established cooperative relationship related to the City's participation in the State Digital Trunked Radio System and the co-location of State equipment installed on city-owned towers and facilities, and authorizing the Mayor to execute same
- N4 An Ordinance approving and adopting a 2024 addendum to the Pueblo Regional Comprehensive Plan for the physical development of Pueblo, a Colorado Municipal Corporation
- N5 An Ordinance amending zoning restrictions to rezone approximately 1.4-acres located at 1003 Liberty Lane from R-1, Single-Family Zone District to R-5, Mixed Residential and Office Zone District
- N6 An Ordinance amending zoning restrictions to rezone approximately 14.08-acres generally located west of Jerry Murphy Road and north of Bluestem Boulevard from R-2, Single Family Residential Zone District, to S-1, Government Use Zone District
- N7 An Ordinance approving Fire Station No. 8 Subdivision
- N8 An Ordinance amending zoning restrictions to rezone .48-acres of land at 3002 South Prairie Avenue from R-2, Single Family Residential Zone District to I-2, Industrial Zone District
- N9 An Ordinance vacating a portion of a drainage easement located 1315 East 7th Street
- N10 An Ordinance vacating a portion of a drainage easement located in Lot 1, Block 2, North Vista, Highlands, Filing No. 2
- N11 An Ordinance approving the North Vista Highlands, Filing No. 9, a Special Area Plan subdivision located south of Home of Heros Parkway and west of Walking Stick Boulevard
- N12 An Ordinance approving a Special Area Plan for the North Vista Highlands, Filing No. 9
- N13 An Ordinance amending the fiscal year 2024 Staffing Ordinance by converting eight (8) full-time vacant Firefighter positions to three (3) Assistant Fire Chief positions and five (5) Fire Lieutenant positions within the authorized staffing of the Fire Department
- N14 An Ordinance amending the fiscal year 2024 Staffing Ordinance by adding one (1) full-time Fire Lieutenant position to the authorized staffing of the Fire Department
- N15 An Ordinance approving a Memorandum of Understanding by and between the City of Pueblo, a Colorado Municipal Corporation and the Colorado State Patrol, "BATTLE", Beating Auto Theft Through Law Enforcement Team
- N16 An Ordinance approving and accepting a grant agreement and applicable conditions

pertaining thereto with the Colorado Department of Transportation (CDOT) for the "A Step Towards Reducing Traffic Fatalities" grant, in the amount of \$76,000, from October 1, 2024 through September 30, 2025, establishing project number PS2408, budgeting and appropriating funds into project PS2408, and authorizing Mayor Graham to execute same

N17 An Ordinance approving an Agreement to Purchase and Sale of Real Estate between The Bishop of Pueblo, a Corporation Sole, and the City of Pueblo, a Colorado Municipal Corporation, for the purchase of Eastwood Subdivision – Blocks 28 and 33 Rearrangement of Property Boundaries in the amount of \$120,000.00 to be paid from Project No. CI2113 – American Rescue Plan Act, as authorized by Section 603(A) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35 and authorizing the Mayor to execute the same

N18 An Ordinance amending Article 6, Chapter 1, of title XI of the Pueblo Municipal Code to allow for the lawful concealed carry of firearms within Pueblo City Hall

N19 An Ordinance approving an amendment to the Animal Services Contract between the City of Pueblo, a Colorado Municipal Corporation and Pueblo County, a Political Subdivision of the State of Colorado, and the Humane Society of the Pikes Peak Region, a Colorado non-profit corporation dated January 1, 2023 to increase the compensation by \$100,000 to help offset the costs of an increased need for services; budgeting and appropriating \$100,000 to the non-departmental account; and authorizing the Mayor to execute said amendment

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 September 23, 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 The Pueblo Choral Society in the amount of \$2,500 to sponsor the 4th Annual Old Fashioned Christmas on December 13, 2024, at Memorial Hall

Q2 A Resolution authorizing payment from the Council Contingencies account in the 2024 general fund budget to Latino Chamber Development Foundation in the amount of \$1,000 to sponsor the 17th Annual Latino Lifetime Achievement Award Ceremony on Thursday, September 19, 2024, at 11:30 am in the Occhiato Ballroom on the CSU Pueblo campus

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 June 10, 2024 by Councilor Regina Maestri*

R2 An Ordinance approving and accepting Airport Improvement Program (AIP) Grant Agreement No. 3-08-0046-051-2024 from the United States of America acting through the Federal Aviation Administration for funds in the amount of \$239,529 for costs related to the Construct Hangar and Rehabilitate Taxilane (Phase I Design) project at the Pueblo Memorial Airport, budgeting and appropriating \$239,529 to Project No. AP1804 – South T-Hangar #1, and authorizing the Mayor to execute same - *Introduced August 26, 2024 by Councilor Dennis Flores*

R3 An Ordinance approving Lease NO. GS-08P-LCO00780 between the City of Pueblo, a

Colorado Municipal Corporation, and the United States of America to lease space at the Pueblo Memorial Airport for use by the Transportation Security Administration (TSA), and authorizing the Mayor to execute same - *Introduced August 26, 2024 by Councilor Dennis Flores*

- R4 An Ordinance approving the La Bella Piazza Subdivision generally located South of West Pueblo Boulevard and West of Granada Boulevard - *Introduced August 26, 2024 by Councilor Dennis Flores*
- R5 An Ordinance establishing 2025 Pueblo Rural Transportation Planning Project, TP2402, and budgeting and appropriating funds in the amount of \$12,000 for said Project - *Introduced August 26, 2024 by Councilor Dennis Flores*
- R6 An Ordinance designating 330 South City Park Avenue, City Park Bath House, as a Local Historic Landmark - *Introduced August 26, 2024 by Councilor Dennis Flores*
- R7 An Ordinance approving and enacting The Collective Bargaining Agreement between The City of Pueblo and The International Brotherhood of Police Officers Local 537 commencing January 1, 2025, and authorizing The Mayor to execute same - *Introduced August 26, 2024 by Councilor Dennis Flores*
- R8 An Ordinance amending the fiscal year 2024 Staffing Ordinance by adding one (1) full-time position to the authorized staffing of the Police Department entitled Community Initiative to Reduce Violence (CIRV) Program Manager - *Introduced August 26, 2024 by Councilor Dennis Flores*
- 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 the Community Initiative to Reduce Violence (CIRV) Program Manager - *Introduced August 26, 2024 by Councilor Dennis Flores*
- R10 An Ordinance approving and authorizing the Mayor to execute an agreement between the City of Pueblo, a Colorado Municipal Corporation, and Brown and Caldwell, Inc., to render professional engineering services related to the design of the digester covers and mixing system replacement, polymer system replacement, and Phase 4 electrical improvements - *Introduced August 26, 2024 by Councilor Dennis Flores*
- R11 An Ordinance amending appropriations and compiling previous amendments to the General Fund, Special Revenue Funds, Enterprise Funds, Internal Service Funds, Debt Service Funds and Capital Project Funds for the fiscal year 2023 and amending the budget for the year 2023 - *Introduced August 26, 2024 by Councilor Dennis Flores*
- R12 An Ordinance rescinding Ordinance 10714, establishing Project No. LT2409 - Elizabeth Street Parkway Outdoor Basketball Courts Mural Project, and budget and appropriate funds in the amount of \$10,000 to Project No. CI2447 - *Introduced August 26, 2024 by Councilor Dennis Flores*
- R13 An Ordinance amending Article 73, Chapter 3, of Title XI of the Pueblo Municipal Code to amend license types to accommodate changes in Colorado Revised Statutes creating liquor licenses of Entertainment Facility License and Lodging Facility License and repealing the Lodging And Entertainment Facility License - *Introduced August 26, 2024 by Councilor Dennis Flores*
- R14 An Ordinance approving the 1st Amendment to the Intergovernmental Agreement between the City of Pueblo, a Colorado Municipal Corporation ("City"), and the State of Colorado, acting by and through the Colorado Department of Transportation ("CDOT"), Project SAR M086-094 (24468) for the Haaff Elementary Safe Routes To Schools Project, budgeting and appropriating funds in the amount of \$91,816.00 and Authorizing the Mayor to execute

same - *Introduced August 26, 2024 by Councilor Dennis Flores*

R15 An Ordinance establishing Project DT2401, West Side Connector (FHWA), approving an Intergovernmental Agreement (IGA) between the City of Pueblo, a Colorado Municipal Corporation, and the Federal Highway Administration, budgeting and appropriating funds from the RAISE Grant Program - Award Number 693JJ32440495 in the amount of \$16,834,725.00, and authorizing the Mayor to execute same - *Introduced August 26, 2024 by Councilor Dennis Flores*

R16 An Ordinance approving a memorandum of understanding between the City of Pueblo, a Colorado Municipal Corporation and Citizen Energy, LLC, a District of Columbia Limited Liability Company, regarding member agency match funding for the U.S. Department of Transportation' Charging and Fueling Infrastructure Discretionary Grant Opportunity - *Introduced August 26, 2024 by Councilor Dennis Flores*

R17 An Ordinance making certain legislative findings and approving the West Pueblo Urban Renewal Plan - *Introduced August 26, 2024 by Councilor Dennis Flores*

R18 An Ordinance making certain legislative findings and approving the Colorado Smelter Urban Renewal Plan - *Introduced August 26, 2024 by Councilor Dennis Flores*

S. COUNCIL MEMBER CONFLICT OF INTEREST

Councilor Joe Latino may ask to be excused from the meeting due to a conflict of interest with agenda item number T-1

T. COMMUNICATIONS

T1 A Citizen filed an ethics complaint against Councilor Joe Latino

U. ADJOURN