



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

**MONDAY, SEPTEMBER 23, 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 Dr. Carl Wright, Pueblo Center of Worship and Empowerment

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation Presentation: "Pueblo Latino Veterans Legacies of Courage Day: September 28, 2024" - Gloria Gutierrez, Pueblo Latino Veterans Legacies in Courage Committee

E2 Proclamation Presentation: "Creek Week 2024: September 28-October 6, 2024" - Susan Finzel, Fountain Creek Watershed District

E3 Recognition Presentation: "Colorado State Fair Parade Float Awards" - 2024 Colorado State Fair Parade Float Committee

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 September 09, 2024, as distributed.

J1 City Council Minutes September 09, 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 08/14/2024

M. RESOLUTIONS

- M1 A Resolution to unobligate \$1,655,322.82 from fifteen separate projects in Project CI2113 – American Rescue Plan Act for the purpose of reobligating the funds as authorized by the American Rescue Plan Act and the U.S. Treasury Final Rule 31 CFR 35
- M2 A Resolution approving payment in the amount of \$170,000 From Project CI2113 - American Rescue Plan Act for additional costs associated with the Mineral Palace Park Greenhouse renovation project, as authorized by Section 603(c)(1)(C) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR §35.6
- M3 A Resolution awarding a construction contract in the amount of \$135,322.25 to Cedar Ridge Landscape, Inc., for Project No. 24-095, ADA Curb Ramps - Phase 1 (CDBG), setting forth \$62,677.75 for contingencies, and authorizing the Purchasing Agent to execute same
- M4 A Resolution approving payment in the amount of \$100,000 from Project CI2113 - American Rescue Plan Act for trail replacement along the Arkansas River and Fountain Creek, as authorized by Section 603(c)(1)(C) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR §35.6
- M5 A Resolution ratifying an emergency construction contract in the amount of \$86,294 to SS Concrete & Landscaping, LLC, for Project No. 24-105, Emergency Repairs - United Blvd., and approving the Purchasing Agent's execution of same
- M6 A Resolution authorizing the transfer of budgeted and appropriated funds in the amount of \$80,000 from Project No. CIAN13 - Vehicle Purchase to Project No. CI2448 - Fleet Fuel Site Repair
- M7 A Resolution awarding a construction contract in the amount of \$72,148.00 to Miller Pipeline, LLC and setting forth \$7,214.80 for contingencies and additional work for project no. 24-021R, Lake Minnequa water control gates-rebid and authorizing the Purchasing Agent to execute the same
- M8 A Resolution transferring \$63,069.39 from project no. SW0603, miscellaneous erosion control into project no. SW2301, Lake Minnequa water control gates and authorizing the Purchasing Agent to execute the same
- M9 A Resolution authorizing funds in the amount of \$57,344.86 from the Black Hills Energy Underground Utility Fund to be expended for the purpose of relocating overhead electric facilities underground with respect to the Fire Station #6 Project
- M10 A Resolution ratifying an emergency construction contract in the amount of \$12,136.15 with Parker Excavating, Inc. For Emergency Sanitary sewer point repair at 1243 Eilers Ave, Project No. 24-033 (WWAN03) and approving the Purchasing Agent's execution of the same
- M11 A Resolution approving a Hangar Lease Agreement between the City of Pueblo, a Colorado Municipal Corporation, and Posada, dba Alpha West, a Colorado Nonprofit Corporation, and authorizing the Mayor to execute same

- M12 A Resolution authorizing the issuance of a Revocable Permit (REV-24-28) to Grassroots Gravel for the use of the Union Avenue northbound lane on Arkansas River Bridge, B Street between Union Avenue & Mechanic Street to host a cycling event and expo
- M13 A Resolution authorizing the issuance of a Revocable Permit (REV-24-29) to the Pueblo County Government for the purpose of the installation of new EV chargers in the public parking space near the corner of W. 10th Street and Main Street
- M14 A Resolution authorizing the issuance of a Revocable Permit (REV-24-30) to Pueblo Diversified Industries for the use of Alan Hamel Drive from Santa Fe Avenue to Main Street for the purpose of hosting the Harvest Fest and 5K Walk/Run event
- M15 A Resolution authorizing the issuance of a Revocable Permit (REV-24-32) to the Colorado State University - Pueblo for the use of Troy Avenue between Alamosa Drive and Rawlings Blvd.; Rawlings Blvd. from Troy Avenue to Bartley Blvd.; Desert Flower Blvd. from Bartley Blvd. to Walking Stick Blvd.; Walking Stick Blvd. from Bartley Blvd. to Fowler Drive for the purpose of hosting a 5K Walk, Run or Roll event
- M16 A Resolution approving and accepting a Colorado Department of Law Peace Officer Standards and Training (POST) grant, September 1, 2024 through June 30, 2025, establishing project number PS2409, transferring funds not to exceed the amount of \$5,600.00 from projects-to-be-determined in the Public Safety Grants fund
- M17 A Resolution authorizing the City of Pueblo to apply for a 2024 Edward Byrne Memorial Justice Assistance Grant (JAG) and approving a Memorandum Of Understanding concerning receipt and disbursement of funds from said grant and authorizing Mayor Graham to execute same
- M18 A Resolution appointing the City Clerk as the Designated Election Official for the Special Municipal Election to be held on November 5, 2024, and directing the City Clerk to certify the content of the ballot for said election
- M19 A Resolution confirming the appointment by the Mayor of Bryan 'Kent' Shelman to serve a three-year term expiring October 1, 2027 on the Pueblo Regional Building Commission
- M20 A Resolution appointing Councilor Mark Aliff to the Fountain Creek Watershed Flood Control & Greenway District Governing Board
- M21 A Resolution preliminarily determining that the Petition for the Annexation of the 152.27-acre area commonly known as the Jackson Ranch Annexation No. 1, generally located southeast of State Highway 78 and southeast of State Highway 78 and west of the Pastora Ranch Annexation, is valid under the provisions of Colorado Revised Statutes sections 31-12-104(1)(a) and 31-12-107(1), tabling final action on the petition for a period of not more than 180 days, and referring the Petition to the Planning and Zoning Commission for review and recommendation
- M22 A Resolution preliminarily determining that the Petition for the Annexation of the 439.33-acre area commonly known as the Jackson Ranch Annexation No. 2, generally located southeast of State Highway 78 and south of the proposed Jackson Ranch Annexation No. 1, is valid under the provisions of Colorado Revised Statutes sections 31-12-104(1)(a) and 31-12-107(1), tabling final action on the petition for a period of not more than 180 days, and referring the petition to the planning and zoning commission for review and recommendation
- M23 A Resolution establishing Project Account CI2450 - Feasibility City Electric Utility, transferring budgeted and appropriated funds in the amount of \$35,525.16 from Project CI2012 - Energy Advocacy Project to Project CI2450 - Feasibility City Electric Utility and transferring funds in the amount of \$150,000.00 from Public Works Contract Services

10140103-53003 to Project CI2450 - Feasibility City Electric Utility

M24 A Resolution setting and establishing a fee schedule related to the impoundment of abandoned shopping carts

M25 A Resolution amending Section 2 of Resolution No. 14990 which set a schedule of fees to be collected through Chargepoint, Inc., a Delaware Corporation, for public use of City-owned electric vehicle charging stations effective October 1, 2024

N. ORDINANCES – FIRST PRESENTATION

N1 An Ordinance establishing Project CI2449, PMJC Chiller/Boiler Replacement, transferring \$172,150 from Pueblo Police Department Wages/Police Service account 101-20-2050-20-51030 to Project CI2449, budgeting and appropriating funds in the amount of \$172,150, awarding an agreement for MEP Engineering Services in the amount of \$172,150 to Bridgers & Paxton Consulting Engineers, Inc., for 22-013 Project No.2, Design for PMJC Chiller/Boiler Replacement, and authorizing the Purchasing Agent to execute same

N2 An Ordinance amending T-Hangar and storage unit rental rates at 31501 Bryan Circle at the Pueblo Memorial Airport, in the City and County of Pueblo, and repealing Resolution 9389

N3 An Ordinance approving a Sub-Agreement for Professional Engineering Services between Dibble and Associates Consulting Engineers, Inc., an Arizona Corporation, and the City of Pueblo, a Colorado Municipal Corporation, for engineering design and related services in connection with the Rehabilitate East (North) Apron (Design) project and authorizing the Mayor to execute same

N4 An Ordinance approving a Sub-Agreement for Professional Engineering Services between Dibble and Associates Consulting Engineers, Inc., an Arizona Corporation, and the City of Pueblo, a Colorado Municipal Corporation, for engineering design and related services in connection with the Construct Hangar and Rehabilitate Taxilane (Phase 1 Design) project and authorizing the Mayor to execute same

N5 An Ordinance approving a revocable license agreement by and between the City of Pueblo, a Colorado Municipal Corporation and Clean Air Pueblo for the installation of air quality monitors on City Fire Department property

N6 An Ordinance approving and authorizing the execution of a contract for specialized Vanpool Services to the Airport and Southern Industrial Estates between the City of Pueblo and Enterprise Leasing, LLC

N7 An Ordinance amending Section 11-3-11 of the Pueblo Municipal Code regarding liquor licensing application fees

N8 An Ordinance approving a Use Permit and Rental Agreement between the City of Pueblo, a Colorado Municipal Corporation, and the Colorado State Fair Authority, a subdivision of the State of Colorado, and authorizing the Mayor to execute 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 October 15, 2024, and Order the Ordinances to be published BY TITLE.

P. REGULAR AGENDA

Q. RESOLUTIONS

R. ORDINANCES – FINAL PRESENTATION

- R1 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. - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- R2 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- R3 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- R4 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- R5 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- R6 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- R7 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- R8 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 Rearrangment 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- R9 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- R10 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 -

Introduced September 09, 2024 by Councilor Sarah Martinez

S. QUASI-JUDICIAL ORDINANCES - FINAL PRESENTATION

- S1 An Ordinance approving and adopting a 2024 addendum to the Pueblo Regional Comprehensive Plan for the physical development of Pueblo, a Colorado Municipal Corporation - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- S2 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- S3 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- S4 An Ordinance approving Fire Station No. 8 Subdivision - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- S5 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- S6 An Ordinance vacating a portion of a drainage easement located 1315 East 7th Street - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- S7 An Ordinance vacating a portion of a drainage easement located in Lot 1, Block 2, North Vista, Highlands, Filing No. 2 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- S8 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 - *Introduced September 09, 2024 by Councilor Sarah Martinez*
- S9 An Ordinance approving a Special Area Plan for the North Vista Highlands, Filing No. 9 - *Introduced September 09, 2024 by Councilor Sarah Martinez*

T. ORDINANCE - PRESENTATION AFTER VETO

- T1 Ordinance No. 10778 designating 330 South City Park Avenue, City Park Bath House, as a Local Historic Landmark

U. COUNCIL MEMBER CONFLICT OF INTEREST

Councilor Roger Gomez may ask to be excused from the meeting due to a conflict of interest with agenda item number U-1

- U1 A Citizen filed an ethics complaint against Councilor Roger Gomez

V. ADJOURN