



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

**MONDAY, OCTOBER 28, 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** Reverend Scott Schurle, Central Christian Church
- C. PLEDGE OF ALLEGIANCE**
- D. ROLL CALL**
- E. SPECIAL RECOGNITIONS**
 - E1 Proclamation Presentation: "Code Compliance Month - October 2024" - Karen Willson, Code Enforcement Manager & Code Enforcement Division Staff
 - E2 Proclamation Presentation: "Pueblo Water Day: 150th Anniversary - October 31, 2024" - Seth Clayton, Executive Director of Pueblo Water
- 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 October 15, 2024, as distributed.

 - J1 City Council Minutes October 15, 2024
- K. PUBLIC HEARINGS**
 - K1 Proposed 2025 Annual Budget

This Public Hearing is held for the purpose of receiving public testimony as it pertains to the 2025 Proposed Annual Budget per the requirements of Section 7-9 of the Charter for the City of Pueblo. ***Required Council Action:*** Open the Hearing, Receive Public Testimony, and Close the Hearing. **Council discussion is not required and there is no**

Council action at this time.

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 ratifying the award of an emergency construction contract in the amount of \$143,275.00 to Miller Pipeline LLC, an Indiana limited liability company authorized to do business in the State of Colorado, for Project No. 23-040 (SWAN03) - for emergency storm sewer point repair on 14th and Court and approving a change order in the amount of \$23,415.00 for additional work and materials, and authorizing and approving the Purchasing Agent's execution of the same
- M2 A Resolution awarding a construction contract in the amount of \$39,156.06 to Nunez Construction, Inc for Project No. 24-094, Mitchell Park Shelter Installation, setting forth \$7,831.21 for contingencies, and authorizing the Purchasing Agent to execute same
- M3 A Resolution ratifying the award of an emergency construction contract in the amount of \$22,487.00 to Russ Grading & Excavating LLC, a Colorado limited liability company, for Project No. 23-040 (SWAN03) - for emergency storm sewer point repair at the intersection of Evans Avenue and Washington Street and approving a change order in the amount of \$75,978.91 for additional work and materials, and authorizing and approving the Purchasing Agent's execution of the same
- M4 A Resolution adopting the 2024 Pueblo County Hazard mitigation plan
- M5 A Resolution tabling final action on the petition for the annexation area commonly known as the Pueblo Recreation Resort No. 1 Annexation for an additional period of not more than 180 days.
- M6 A Resolution tabling final action on the petition for the annexation of the area commonly known as the Pueblo Recreation Resort No. 2 Annexation for an additional period of not more than 180 days
- M7 A Resolution confirming the appointment by the Mayor of Anna Jones & Joe Treanor to complete a four-year term expiring August 30, 2027, on the ADA Advisory Committee

N. ORDINANCES – FIRST PRESENTATION

- N1 An Ordinance adding Section 304 of Chapter 1 of Title XI of the Pueblo Municipal Code adding the offense of Interference with a City Employee
- N2 An Ordinance amending Sections 402 and 403 of Chapter 1 of Title XI of the Pueblo Municipal Code amending the class of offense for damaging, defacing or destruction of property and amending the class level for said offenses.
- N3 An Ordinance amending zoning restrictions to Rezone 2.39-Acres from I-3, Heavy Industrial Zone District; S-1, Government Use Zone District; and S-3, Flood Plain District Zone District to I-3, Heavy Industrial Zone District and to Rezone 2.72-Acres from S-1, Government Use Zone District to I-2, Industrial Zone District

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 November 11, 2024, and Order the Ordinances to be published BY TITLE.

P. REGULAR AGENDA

Q. RESOLUTIONS

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance amending Pueblo Municipal Code on Marijuana, revising 11-10-103, 11-10-201 through 11-10-204, 11-10-505, 11-11-103, 11-11-201 through 11-11-204, and 11-11-505 - *Introduced October 15, 2024 by Councilor Roger Gomez*
- R2 An Ordinance amending Pueblo Municipal Code on alcohol beverages, revising 11-3-1 through 11-3-13, 11-3-15, 11-3-26, 11-3-41, 11-3-43 through 11-3-46, 11-3-50 through 11-3-52, 11-3-61 through 11-3-63, 11-3-72, and 11-3-74 through 11-3-78 - *Introduced October 15, 2024 by Councilor Roger Gomez*
- R3 An Ordinance approving, accepting, and budgeting a Multimodal Transportation and Mitigation Option Funds Grant Award, and applicable conditions pertaining thereto, between the City of Pueblo, a Colorado Municipal Corporation, the Pueblo Area Council of Governments, and Colorado Department of Transportation establishing Project No. PT2303, budgeting and appropriating \$65,000.00, and authorizing the Mayor to execute same - *Introduced October 15, 2024 by Councilor Roger Gomez*
- R4 An Ordinance amending Section 14-4-76 of the Pueblo Municipal Code relating to sales tax exemption with respect to occasional sales by state qualifying charitable organizations and increasing the annual qualifying amount for occasional sales to make consistent with state statute - *Introduced October 15, 2024 by Councilor Roger Gomez*
- R5 An Ordinance amending Section 14-4-76 of the Pueblo Municipal Code relating to essential and nonessential articles furnished in connection with the sale of taxable food and making same consistent with the laws of the State Of Colorado - *Introduced October 15, 2024 by Councilor Roger Gomez*
- R6 An Ordinance electing to certify Abatement Assessment Roll No. 2024-1 to the County Treasurer and to have the County Treasurer collect in the same manner as other taxes - *Introduced October 15, 2024 by Councilor Roger Gomez*
- R7 An Ordinance approving an Agreement Amending Employment Agreement dated October 9, 2018 Between Key Structures, LLC, a Colorado Limited Liability Company and the City of Pueblo, A Colorado Municipal Corporation, accepting an Irrevocable Letter of Credit From FirstBank on behalf of Key Structures, LLC in the amount of \$1,225,414.71, and approving a Subordination Agreement by and between Key Structures, LLC, a Colorado Limited Liability Company, Aboda Pueblo, LLC, a Colorado Limited Liability Company, the City of Pueblo, a Colorado Municipal Corporation, and the Colorado Housing and Finance Authority (CHFA) - *Introduced October 15, 2024 by Councilor Roger Gomez*

S. QUASI-JUDICIAL PROCEEDINGS

- S1 An Ordinance approving the North Vista Highlands, Filing No. 10 Subdivision - *Introduced October 15, 2024 by Councilor Roger Gomez*
- S2 An Ordinance approving the North Vista Highlands, Filing No. 11 Subdivision - *Introduced October 15, 2024 by Councilor Roger Gomez*
- S3 An Ordinance approving the North Vista Highlands, Filing No. 12 Subdivision - *Introduced October 15, 2024 by Councilor Roger Gomez*

- S4 An Ordinance approving the North Vista Highlands, Filing No. 13 Subdivision - *Introduced October 15, 2024 by Councilor Roger Gomez*
- S5 An Ordinance designating 115 East Routt Avenue, Pueblo Divine Science Church, as a Local Historic Landmark - *Introduced October 15, 2024 by Councilor Roger Gomez*
- S6 An Ordinance amending zoning restrictions to rezone 634 Goodnight Avenue from R-2, Single-Family Residential Zone District to CCN, Commercial Charter Neighborhood Zone District - *Introduced October 15, 2024 by Councilor Roger Gomez*
- S7 An Ordinance amending zoning restrictions to rezone 3215 Lake Avenue, located south of Pueblo Boulevard and west of Lake Avenue from I-2, Industrial Zone District to R-6, Multiple Residential and Commercial Zone District - *Introduced October 15, 2024 by Councilor Roger Gomez*
- S8 An Ordinance amending zoning restrictions of the Belmont Place, Planned Unit Development to a combination of three zone districts: B-3, Highway and Arterial Business Zone District, R-2, Single Family Residential Zone District and R-5, Multiple-Residential and Office Zone District - *Introduced October 15, 2024 by Councilor Roger Gomez*
- S9 An Ordinance approving the Belmont Place Subdivision, Filing No. 1 - *Introduced October 15, 2024 by Councilor Roger Gomez*

T. EMERGENCY ORDINANCES

- T1 An Emergency Ordinance amending Ordinance No. 10582 to allow the Mayor, during declared temporary housing and shelter emergencies, to authorize the property located at 710 W. 4th Street to operate as an overnight emergency shelter and suspending ordinances and regulations of the City in conflict therewith

U. 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 number U-1

- U1 A Citizen filed an ethics complaint against Councilor Regina Maestri

V. ADJOURN