



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, NOVEMBER 11, 2024 - 7:00 PM
MINUTES**

A. CALL TO ORDER

President Aliff called the meeting to order at 7:27 p.m.

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

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

Council Members Present via Zoom: Brett Boston.

Council Members Absent: None.

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

E. SPECIAL RECOGNITIONS

E1 PROCLAMATION PRESENTATION: "LAW ENFORCEMENT RECORDS PERSONNEL WEEK - NOVEMBER 4-8, 2024" - JENNA INGO, RECORDS MANAGER & PUEBLO POLICE DEPARTMENT RECORDS DIVISION STAFF

E2 PROCLAMATION PRESENTATION: "PUEBLO CRASH RESPONDER SAFETY WEEK - NOVEMBER 18-22, 2024" - ANDREW HAYES, DIRECTOR OF PUBLIC WORKS; CHRIS NOELLER, POLICE CHIEF; KEITH NOVAK, DEPUTY FIRE CHIEF

F. PUBLIC FORUM

- Bret Verna - Bathhouse/Budget
- Carmen Arteaga - Budget
- Maria Arteaga - Monies

- Abbie Krause - 2025 Budget
- Mary Ellen Bureiago - Sangre de Cristo funding
- Anne Casey - Pueblo Zoo

G. COUNCIL MEMBER AND MAYOR COMMENTARY

Mayor Graham shared how the City was down 4.9% in sales tax in the month of September, even with large events like ChileFest and the State Fair. She also updated Council on the Shelter's new management and that it is open and helping individuals.

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

H. REVIEW OF AGENDA

The agenda was reviewed page by page.

I. APPROVAL OF AGENDA

Councilor Maestri, seconded by Councilor Gomez, moved to move item M5 to the regular agenda and to approve the agenda as amended.

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

J1 CITY COUNCIL MINUTES 10/28/2024

Councilor Maestri, seconded by Councilor Flores, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **October 28, 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.

K. CONSENT AGENDA

City Clerk Marisa Stoller read the Consent Agenda into the record.

L. COMMUNICATIONS

M. RESOLUTIONS

M1 A RESOLUTION AWARDED AN AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES IN THE AMOUNT OF \$400,000 TO DIEXSYS, LLC., A COLORADO LIMITED LIABILITY COMPANY, FOR PROJECT NO. 24-012 CONSULTANT FOR PUEBLO AREA COMPREHENSIVE SAFETY ACTION PLAN AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as 15806.

M2 A RESOLUTION APPROVING AMENDMENT NO. 1 TO THE AGREEMENT FOR ADDITIONAL PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND BROWN AND CALDWELL, INC., IN THE AMOUNT OF \$160,874 FOR PROJECT NO. 18-087 WASTEWATER DEPARTMENT ENGINEER OF RECORD – STOCKYARD

**ROAD 60- AND 66-INCH PIPELINE CIPP REHABILITATION, AND
AUTHORIZING THE PURCHASING AGENT TO EXECUTE THE SAME**

This Resolution was assigned as 15807.

- M3 A RESOLUTION APPROVING AN AGREEMENT IN THE AMOUNT OF \$149,500 TO CONFLUENCE, INC., FOR DESIGN SERVICES AND SETTING FORTH \$25,500 IN CONTINGENCY FOR THE MASTER PLAN FOR CITY PARK AND ARKANSAS RIVER CORRIDOR PROJECT, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE THE SAME**

This Resolution was assigned as 15808.

- M4 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$136,693.50 TO DOUG VAUGHN, LLC FOR PROJECT NO. 24-096, ADA CURB RAMPS - PHASE 2 (CDBG), SETTING FORTH \$60,000.00 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 15809.

- M6 A RESOLUTION AUTHORIZING THE TRANSFER OF PREVIOUSLY BUDGETED AND APPROPRIATED FUNDS IN THE AMOUNT OF \$35,788.15 FROM PROJECT ACCOUNT WW9999 TO WW2305 AND APPROVING AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE AMENDMENT NO. 1 OF THE AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND SHORT-ELLIOTT-HENDRICKSON, INC., IN THE AMOUNT OF \$35,788.15 FOR 23-046, DESIGN OF FUTURE WASTEWATER PRETREATMENT BUILDING.**

This Resolution was assigned as 15810.

- M7 A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$26,830 TO CEDAR RIDGE LANDSCAPE, INC., FOR PROJECT NO. 24-130, BRADFORD PARK - BASKETBALL COURT CONCRETE AND FENCING IMPROVEMENTS (CDBG), SETTING FORTH \$5,000 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 15811.

- M8 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-24-38) TO THE YMCA OF PUEBLO FOR THE USE OF ONE LANE OF SPAULDING AVENUE AND ONE LANE OF PARKER BLVD. FOR THEIR 2024 YMCA TURKEY TROT ON THANKSGIVING DAY**

This Resolution was assigned as 15812.

- M9 A RESOLUTION TRANSFERRING \$10,489 FROM WW9999 TO WW2404, FOR PROJECT NO. 24-103 (WW2404) PUEBLO RAPTOR CENTER ONSITE WATER TREATMENT SYSTEM REPAIR PROJECT.**

This Resolution was assigned as 15813.

- M10 A RESOLUTION APPROVING AN EASEMENT AGREEMENT FOR A PORTION OF TRACT C OF LAKE MINNEQUA RESERVATION BETWEEN THE CITY OF**

PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND BLACK HILLS ENERGY FOR THE INSTALLATION OF ABOVE GROUND CABINETS AND UNDERGROUND SERVICE LINES ALONG LAKEVIEW AVENUE

This Resolution was assigned as 15814.

M11 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-24-34) TO BIF IV INTREPID OPCO., LLC., FOR THE PURPOSE OF ALLOWING AN AUTHORIZED STRUCTURE TO BE WITHIN THE PERMITTED AREA UNTIL TERMINATION OR REVOCATION OF THIS REVOCABLE PERMIT FOR USE OF THE EXISTING W. 18TH STREET BRIDGE BETWEEN ATLANTA AVE. AND HOOPER AVE., PUEBLO, CO

This Resolution was assigned as 15815.

M12 A RESOLUTION RATIFYING PACOG'S JOINT APPOINTMENT OF LYNDSY CALDWELL TO THE COMMUNITY SERVICES ADVISORY COMMISSION (CSAC)

This Resolution was assigned as 15816.

M13 A RESOLUTION RATIFYING PACOG'S JOINT APPOINTMENT OF AMY HURTIG-SMITH TO THE BUILDING BOARD OF APPEALS - ARCHITECT POSITION

This Resolution was assigned as 15817.

M14 A RESOLUTION RATIFYING PACOG'S JOINT APPOINTMENT OF ADELIA "DAWN" TRIPP-SENA TO THE PUEBLO HUMAN RELATIONS COMMISSION

This Resolution was assigned as 15818.

M15 A RESOLUTION ADOPTING AND APPROVING THE 2025 STANDARD CONSTRUCTION SPECIFICATIONS AND STANDARD DETAILS FOR THE CITY OF PUEBLO, COLORADO

This Resolution was assigned as 15819.

M16 A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF CRYSTAL ESTRADA AND CORINNE KOEHLER TO COMPLETE A FIVE-YEAR TERM ON THE PUEBLO URBAN RENEWAL AUTHORITY OF THE CITY OF PUEBLO

This Resolution was assigned as 15820.

M17 A RESOLUTION APPROVING PAYMENT IN THE AMOUNT OF \$80,000 FROM PROJECT ACCOUNT CI2113 - AMERICAN RESCUE PLAN ACT FOR CITY-WIDE TRASH REMOVAL PROJECTS AS AUTHORIZED BY SECTION 603(C)(1)(C) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR §35.6

This Resolution was assigned as 15821.

N. ORDINANCES – FIRST PRESENTATION

N1 AN ORDINANCE LEVYING AND CERTIFYING THE CITY OF PUEBLO PROPERTY TAX MILL LEVY MADE IN 2024 FOR THE 2025 BUDGET YEAR

- N2 AN ORDINANCE MAKING APPROPRIATION FOR THE GENERAL FUND, SPECIAL REVENUE FUNDS, ENTERPRISE FUNDS, INTERNAL SERVICE FUNDS, DEBT SERVICE FUNDS, AND CAPITAL PROJECT FUNDS FOR THE FISCAL YEAR 2025 AND ADOPTING THE BUDGET FOR THE YEAR 2025**
- N3 AN ORDINANCE LEVYING AND CERTIFYING THE BANDERA BOULEVARD SPECIAL IMPROVEMENT MAINTENANCE DISTRICT PROPERTY TAX MILL LEVY MADE IN 2024 FOR THE 2025 BUDGET YEAR**
- N4 AN ORDINANCE LEVYING AND CERTIFYING THE SOUTHPOINTE SPECIAL IMPROVEMENT MAINTENANCE DISTRICT PROPERTY TAX MILL LEVY MADE IN 2024 FOR THE 2025 BUDGET YEAR**
- N5 AN ORDINANCE ESTABLISHING PROJECT PS2410, THE REAL TIME CRIME CENTER PROJECT, TRANSFERRING \$1,000,000 FROM 10120502-51040 TO PS2410, BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$1,000,000 AND AUTHORIZING MAYOR GRAHAM TO EXECUTE SAME**
- N6 AN ORDINANCE APPROVING AN AGREEMENT BETWEEN AXON ENTERPRISE, INC., A DELAWARE CORPORATION, AND THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, FOR THE CONTINUATION OF VIDEO STORAGE SERVICES AND PURCHASE OF NEW BODY WORN CAMERA HARDWARE AND RELATED SERVICES AND ACCESSORIES, AND AUTHORIZING MAYOR GRAHAM TO EXECUTE SAME**
- N7 AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING BY AND BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, PUEBLO URBAN RENEWAL AUTHORITY, A BODY CORPORATE AND POLITIC OF THE STATE OF COLORADO, PUEBLO SCHOOL DISTRICT 60, AND PUEBLO CENTRAL HIGH SCHOOL FOUNDATION, A COLORADO NONPROFIT CORPORATION, FOR THE CONSTRUCTION OF A SOCCER PRACTICE FIELD AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6, AND AUTHORIZING THE PAYMENT OF TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000) FROM PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF**
- N8 AN ORDINANCE REPEALING SECTION 3, 4, 5 AND 6 OF CHAPTER 2 OF TITLE IX AND CERTAIN SECTIONS OF THE PUEBLO MUNICIPAL CODE RELATING TO CABARET LICENSES**

N9 AN ORDINANCE CREATING 11-1-612 OF THE PUEBLO MUNICIPAL CODE CREATING THE CRIMINAL CONSEQUENCES FOR MISUSE OF NATURAL MEDICINES

O. APPROVAL OF CONSENT AGENDA

Councilor Maestri, seconded by Councilor Gomez, moved to approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for November 25, 2024, and Order the Ordinances to be published BY TITLE.

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

P. REGULAR AGENDA

M5 A RESOLUTION ESTABLISHING PROJECT ACCOUNT SR2401 - STREET REPAIR UTILITY RATE STUDY, TRANSFERRING \$50,000.00 FROM PROJECT ACCOUNT SRAN01 - ANNUAL STREET REHABILITATION TO PROJECT ACCOUNT SR2401 - STREET REPAIR UTILITY RATE STUDY, AND BUDGETING AND APPROPRIATING \$50,000 TO PROJECT ACCOUNT SR2401 - STREET REPAIR UTILITY RATE STUDY, AWARDED AN AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES IN THE AMOUNT OF \$44,999 TO RAFTELIS FINANCIAL CONSULTANTS, INC., A NORTH CAROLINA CORPORATION AUTHORIZED TO DO BUSINESS IN COLORADO, FOR PROJECT NO. 24A-052 STREET REPAIR UTILITY ENTERPRISE RATE STUDY AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This item was moved to the regular agenda.

A staff report and detailed review of the Resolution was given by Andrew Hayes, Director of Public Works.

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

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

Q. RESOLUTIONS

Q1 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2024 GENERAL FUND BUDGET TO HISTORIC PUEBLO, INC. IN THE AMOUNT OF \$1,000 TO SPONSOR THE DAMON DAYS BANQUET AT THE UNION DEPOT ON FRIDAY, FEBRUARY 7, 2025

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

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 15822.

R. ORDINANCES – FINAL PRESENTATION

R1 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

A staff report and detailed review of the Ordinance was given by Carla Sikes, City Attorney.

PUBLIC HEARING:

- Elvis Martinez appeared in person to speak against this ordinance
- Elena Robatinen appeared in person to speak against this ordinance

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

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

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Maestri, Councilor Martinez. **Nays:** Councilor Gomez, Councilor Latino. Motion Passed 5-2.

This Ordinance was assigned as 10835.

R2 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.

A staff report and detailed review of the Ordinance was given by Carla Sikes, City Attorney.

PUBLIC HEARING:

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

Councilor Gomez, 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 10836.

S. QUASI-JUDICIAL PROCEEDINGS

S1 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

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development.

Mr. Hobson requested that the Planning & Zoning documents for this item, Case #Z-24-07 dated October 9, 2024, be made part of the record for this hearing. So ordered by President Aliff.

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 **10837.**

T. ADJOURN

President Aliff adjourned the meeting at 9:27 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marisa Stoller", written in a cursive style.

Marisa Stoller
City Clerk