



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, SEPTEMBER 23, 2024 - 7:00 PM
MINUTES**

A. CALL TO ORDER

President Aliff called the meeting to order at 7:00 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. 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

- Jan Schraner - Mayor's Veto

- Christi Bynum - Abortion
- Tanya Hughes - Abortion
- Nicholas Donaldson - Homeless Shelter
- Gary Trujillo - Mayor's Veto
- Marty Harvey - Street sweeping/dead trees

G. COUNCIL MEMBER AND MAYOR COMMENTARY

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 Flores, moved to move item M23 to the regular agenda and postpone item M24 to the November 11, 2024 agenda and 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 SEPTEMBER 09, 2024

Councilor Maestri, seconded by Councilor Gomez, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **September 09, 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

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

This Resolution was assigned as 15753.

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

This Resolution was assigned as 15754.

- M3 A RESOLUTION AWARDED 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**

This Resolution was assigned as 15755.

- 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**

This Resolution was assigned as 15756.

- 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**

This Resolution was assigned as 15757.

- 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**

This Resolution was assigned as 15758.

- M7 A RESOLUTION AWARDED 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**

This Resolution was assigned as 15759.

- 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**

This Resolution was assigned as 15760.

- 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**

This Resolution was assigned as 15761.

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

This Resolution was assigned as 15762.

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

This Resolution was assigned as 15763.

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

This Resolution was assigned as 15764.

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

This Resolution was assigned as 15765.

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

This Resolution was assigned as 15766.

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

This Resolution was assigned as 15767.

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

This Resolution was assigned as 15768.

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

This Resolution was assigned as 15769.

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

This Resolution was assigned as 15770.

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

This Resolution was assigned as 15771.

M20 A RESOLUTION APPOINTING COUNCILOR MARK ALIFF TO THE FOUNTAIN CREEK WATERSHED FLOOD CONTROL & GREENWAY DISTRICT GOVERNING BOARD

This Resolution was assigned as 15772.

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

This Resolution was assigned as 15773.

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

This Resolution was assigned as 15774.

M24 A RESOLUTION SETTING AND ESTABLISHING A FEE SCHEDULE RELATED TO THE IMPOUNDMENT OF ABANDONED SHOPPING CARTS

This item was postponed to the November 11, 2024 agenda.

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

This Resolution was assigned as 15775.

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

P. REGULAR AGENDA

**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**

This item was removed from the consent agenda.

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

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

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

This Resolution was assigned as 15776.

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.**

A staff report and detailed review of the Ordinance was given by Andra Ahrens, Director of Wastewater.

PUBLIC HEARING:

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

This Ordinance was assigned as **10791.**

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

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport Director.

PUBLIC HEARING:

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

Councilor Boston, seconded by Councilor Flores, 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 **10792.**

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

A staff report and detailed review of the Ordinance was given by Lori Pinz, Information Technology Director.

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 **10793.**

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

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 Boston, 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 10794.

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

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 Gomez, seconded by Councilor Flores, 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 10795.

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

A staff report and detailed review of the Ordinance was given by Chris Noeller, Chief of Police.

PUBLIC HEARING:

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

Councilor Boston, 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 10796.

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

A staff report and detailed review of the Ordinance was given by Chris Noeller, Chief of Police.

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 10797.

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

A staff report and detailed review of the Ordinance was given by Steven Meier, Director of Parks & Recreation.

PUBLIC HEARING:

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

Councilor Latino, seconded by Councilor Flores, 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 10798.

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

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

City Attorney.

PUBLIC HEARING:

- Diane Dante appeared in person to speak against this ordinance
- Velma Campbell appeared in person to speak against this ordinance
- Elvis Martinez appeared in person to speak against this ordinance

Seeing no one else 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 Gomez, Councilor Latino, Councilor Maestri. **Nays:** Councilor Flores, Councilor Martinez. Motion Passed 5-2.

This Ordinance was assigned as 10799.

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

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 Flores, moved to approve the Ordinance on final presentation.

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

This Ordinance was assigned as 10800.

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

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 #CP24-01 dated August 14, 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 Flores, 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 10801.

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

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-24-11 dated August 14, 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 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 10802.

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

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-23-13 dated March 13, 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 10803.

S4 AN ORDINANCE APPROVING FIRE STATION NO. 8 SUBDIVISION

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 #S-23-12 dated March 13, 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 Latino, seconded by Councilor Flores, 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 10804.

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

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-24-13 dated August 14, 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 Martinez, seconded by Councilor Gomez, 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 10805.

S6 AN ORDINANCE VACATING A PORTION OF A DRAINAGE EASEMENT LOCATED 1315 EAST 7TH STREET

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 #V24-02 dated August 14, 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 Martinez, seconded by Councilor Gomez, 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 10806.

S7 AN ORDINANCE VACATING A PORTION OF A DRAINAGE EASEMENT LOCATED IN LOT 1, BLOCK 2, NORTH VISTA, HIGHLANDS, FILING NO. 2

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 #V-23-11 dated June 12, 2024, be made part of the record for this hearing. So ordered by President Aliff.

PUBLIC HEARING:

- Michael Cuppy appeared in person to speak in favor of this ordinance
- Johnathan Lieu appeared in person to speak in favor of this ordinance
- Ruth Svet appeared in person to speak in favor of this ordinance

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

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

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

This Ordinance was assigned as 10807.

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

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 #S-23-11 dated June 12, 2024, be made part of the record for this hearing, as well as the previous testimony from item S7. So ordered by President Aliff.

PUBLIC HEARING:

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

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

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

This Ordinance was assigned as 10808.

S9 AN ORDINANCE APPROVING A SPECIAL AREA PLAN FOR THE NORTH VISTA HIGHLANDS, FILING NO. 9

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 #SAP-24-04 dated June 12, 2024, be made part of the record for this hearing, as well as the testimony from item S7. So ordered by President

Aliff.

PUBLIC HEARING:

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

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

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

This Ordinance was assigned as **10809**.

T. ORDINANCE - PRESENTATION AFTER VETO

T1 ORDINANCE NO. 10778 DESIGNATING 330 SOUTH CITY PARK AVENUE, CITY PARK BATH HOUSE, AS A LOCAL HISTORIC LANDMARK

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

Councilor Boston, seconded by Councilor Maestri, moved to override the Mayor's veto and approve the Ordinance.

Roll Call - **Ayes:** Councilor Flores, Councilor Gomez, Councilor Latino. **Nays:** President Aliff, Councilor Boston, Councilor Maestri, Councilor Martinez. Motion Failed 3-4.

U. COUNCIL MEMBER CONFLICT OF INTEREST

U1 A CITIZEN FILED AN ETHICS COMPLAINT AGAINST COUNCILOR ROGER GOMEZ

Councilor Gomez recused himself for a conflict of interest.

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

Councilor Maestri, seconded by Councilor Boston, moved to accept the communication.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 6-0.

Councilor Maestri, seconded by Councilor Latino, moved to dismiss the complaint.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Flores, Councilor Latino, Councilor Maestri, Councilor Martinez. **Nays:** None. Motion Passed 6-0.

V. ADJOURN

President Aliff adjourned the meeting at 11:00 p.m.

Respectfully submitted,



Marisa Stoller
City Clerk

