



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE
MONDAY, FEBRUARY 9, 2026 - 5:30 PM**

MINUTES

A. CALL TO ORDER

President Aliff called the meeting to order at 5:30 p.m.

B. INVOCATION

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Council Members Present: Mark Aliff, Brett Boston, Roger Gomez, Joe Latino, Ted Hernandez, Dianne Danti, Selena Ruiz-Gomez.

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

F. PUBLIC FORUM

- Ken Danti - Energy
- Elvis Martinez - Thank you, Crime, Special Privledges
- Dario Castro - Recycle and Waste disposal
- Dave DeCenzo - Demographics

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 Boston, seconded by Councilor Latino, moved to approve the agenda as distributed.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 7-0.

J. READING AND APPROVAL OF MINUTES

J1 CITY COUNCIL MINUTES 01/26/2026

Councilor Boston, seconded by Councilor Latino, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **January 26, 2026** as distributed.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 7-0.

K. CONSENT AGENDA

City Clerk Stoller read the consent agenda into the record.

L. COMMUNICATIONS

M. RESOLUTIONS

M1 A RESOLUTION APPROVING AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE AN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$151,110 BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND BROWN AND CALDWELL, INC., A CALIFORNIA CORPORATION, FOR DEVELOPMENT OF A STRATEGIC ASSET MANAGEMENT PLAN

This Resolution was assigned as 16241.

M2 A RESOLUTION RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT IN THE AMOUNT OF \$146,924.68 WITH MILLER PIPELINE, LLC., FOR EMERGENCY SANITARY SEWER POINT REPAIR AT 38 WILLIAM WHITE BLVD, PROJECT NO. 24-033 (WWAN03) AND APPROVING THE PURCHASING AGENT'S EXECUTION OF THE SAME

This Resolution was assigned as 16242.

M3 A RESOLUTION AWARDED A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$145,150 TO GSG ARCHITECTURE, INC., A WYOMING CORPORATION REGISTERED TO DO BUSINESS IN COLORADO, FOR PROJECT NO. 25-059 DESIGN FOR LIMITED REMODEL OF FIRE STATIONS #3 AND #5 AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as 16243.

M4 A RESOLUTION AWARDED A PROFESSIONAL SERVICES AGREEMENT IN THE AMOUNT OF \$44,600 TO GALLOWAY & COMPANY, LLC, A DELAWARE LIMITED LIABILITY COMPANY REGISTERED TO DO BUSINESS IN COLORADO, FOR PROJECT NO. 26-013 FIRE STATION COMMISSIONING SERVICE AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

This Resolution was assigned as 16244.

- M5 A RESOLUTION TRANSFERRING FUNDS IN THE AMOUNT OF \$25,000.00 FROM PROJECT ACCOUNT CD2511, HOMEOWNER REHAB, TO PROJECT ACCOUNT CD2512, ABATEMENT OF DANGEROUS BUILDINGS**

This Resolution was assigned as 16245.

- M6 A RESOLUTION APPROVING CONTRACT AMENDMENT NO. 1 IN THE AMOUNT OF \$18,705 TO CEDAR RIDGE LANDSCAPE, INC., FOR PROJECT NO. 25-077, DRONE PAD AND FENCING - FIRE STATION NOS. 4 AND 8, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 16246.

- M7 A RESOLUTION RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT IN THE AMOUNT OF \$6,488.85 WITH PARKER EXCAVATING, INC., FOR EMERGENCY SANITARY SEWER POINT REPAIR AT 315 E. EVANS AVE., PROJECT NO. 24-033 (WWAN03) AND APPROVING THE PURCHASING AGENT'S EXECUTION OF THE SAME**

This Resolution was assigned as 16247.

- M8 A RESOLUTION RATIFYING THE JOINT PUEBLO-BOONE APPOINTMENT OF MEMBERS AND CONFIRMING THE MAYOR'S APPOINTMENT OF MEMBERS TO SERVE ON THE SOUTHERN COLORADO BUILDING COMMISSION (SCBC)**

This Resolution was assigned as 16248.

- M9 A RESOLUTION AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$370,162.00 TO H.W. HOUSTON CONSTRUCTION, LLC, FOR PROJECT NO. 26-001, BUILDING REMODEL - 650 DITTMER, SETTING FORTH \$55,000.00 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 16249.

- M10 A RESOLUTION APPROVING A RELEASE OF A PUBLIC UTILITY EASEMENT WITH RESPECT TO RPB-24-03**

This Resolution was assigned as 16250.

N. ORDINANCES – FIRST PRESENTATION

- N1 AN ORDINANCE APPROVING AND ACCEPTING A GRANT AGREEMENT FOR THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, FROM THE PUEBLO URBAN RENEWAL AUTHORITY, AUTHORIZING THE MAYOR TO EXECUTE THE SAME, ESTABLISHING PROJECT NO. CI2610, BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$91,000.00 TO PROJECT NO. CI2610 FOR THE BENEDICT PARK LIGHTING PROJECT**

- N2 AN ORDINANCE APPROVING A JOINT FUNDING AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE U.S. GEOLOGICAL SURVEY, UNITED STATES DEPARTMENT OF THE INTERIOR, TO CONTINUE THE COLLECTION OF HYDROLOGIC DATA**

ALONG FOUNTAIN CREEK AND THE ARKANSAS RIVER AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT.

N3 AN ORDINANCE APPROVING A MODIFICATION TO THE SUPPLEMENTAL ENVIRONMENTAL PROJECT (SEP) AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT FOR THE PURPOSE OF DEVELOPING A HOUSEHOLD HAZARDOUS WASTE PROGRAM, AND AUTHORIZING THE MAYOR TO EXECUTE THE MODIFICATION

N4 AN ORDINANCE APPROVING THE ST. CHARLES INDUSTRIAL PARK, FILING NO. 4 SUBDIVISION

N5 AN ORDINANCE APPROVING AN 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 WITH THE HUMANE SOCIETY OF THE PIKES PEAK REGION, A COLORADO NON-PROFIT CORPORATION RELATING TO THE OPERATION OF THE PUEBLO ANIMAL SHELTER AND THE ENFORCEMENT OF LOCAL ANIMAL CONTROL ORDINANCES AND AUTHORIZING THE MAYOR TO EXECUTE SAID CONTRACT

N6 AN ORDINANCE AMENDING CHAPTER 4 OF TITLE XIV OF THE PUEBLO MUNICIPAL CODE RELATING TO AND ESTABLISHING CRITERIA, STANDARDS, RULES AND REGULATIONS FOR THE APPROPRIATION AND EXPENDITURE OF FUNDS IN THE 1992-2026 SALES AND USE TAX CAPITAL IMPROVEMENT PROJECTS FUND

O. APPROVAL OF CONSENT AGENDA

Councilor Boston, seconded by Councilor Latino, moved to approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for February 23, 2026, and Order the Ordinances to be published BY TITLE.

Roll Call – **Ayes:** President Aliff, Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 7-0.

P. REGULAR AGENDA

Q. RESOLUTIONS

Q1 A RESOLUTION AWARDDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$7,907,540.00 WITH INSITUFORM TECHNOLOGIES, LLC DBA C&L WATER SOLUTIONS, AND SETTING FORTH \$2,372,262.00 FOR

CONTINGENCIES, FOR PROJECT NO. 25-070A (WWAN02) STOCKYARD ROAD CIPP – 60-INCH AND 66-INCH PIPELINE CIPP REHABILITATION AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE THE SAME

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

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

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 16251.

Q2 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2026 GENERAL FUND BUDGET TO BOYS & GIRLS CLUBS OF PUEBLO COUNTY IN THE AMOUNT OF \$1,500 TO SPONSOR THE 2026 CHAMPIONS OF YOUTH DINNER AND AWARDS CEREMONY AT 5:30 PM AT THE PUEBLO CONVENTION CENTER ON MARCH 12, 2026

A staff report and detailed review of the Resolution was given by Katie Hester, City Council Admin.

- Elvis Martinez appeared to speak in person regarding this resolution

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

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 16252.

Q3 A RESOLUTION AMENDING SECTIONS 13 AND 14 OF APPENDIX A LEGISLATIVE PROCEDURES AND RULES OF COUNCIL RELATING TO THE LOCATION OF CITY COUNCIL WORK SESSIONS

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

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

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 7-0.

This Resolution was assigned as 16253.

Q4 A RESOLUTION FROM THE CITY OF PUEBLO IN SUPPORT OF COLORADO HOUSE BILL 26-1071, CONCERNING ALLOWING A LOCAL GOVERNMENT TO LOCATE AN AUTOMATED VEHICLE IDENTIFICATION SYSTEM ON AN INTERSTATE HIGHWAY

A staff report and detailed review of the Resolution was given by Police Chief Chris

Noeller.

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

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Hernandez, Councilor Danti. **Nays:** President Aliff, Councilor Latino, Councilor Ruiz-Gomez. Motion Passed 4-3.

This Resolution was assigned as 16254.

Q5 A RESOLUTION FROM THE CITY OF PUEBLO IN OPPOSITION TO COLORADO HOUSE BILL 26-1037, DECLARING THE BILL HARMFUL TO PUBLIC SAFETY, MUNICIPAL GOVERNANCE, AND HOME RULE AUTHORITY AND CALLING UPON THE COLORADO GENERAL ASSEMBLY TO VOTE NO THEREON

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

Councilor Boston, seconded by Councilor Latino, moved to approve the Resolution.

Councilor Ruiz-Gomez, seconded by Councilor Hernandez, moved to postpone this Resolution to February 23, 2026.

Roll Call - **Ayes:** Councilor Ruiz-Gomez. **Nays:** President Aliff, Councilor Boston, Councilor Hernandez, Councilor Danti, Councilor Gomez, Councilor Latino. Motion Failed 1-6.

The original motion was voted upon.

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Hernandez, Councilor Danti. **Nays:** Councilor Gomez, Councilor Latino, Councilor Ruiz-Gomez. Motion Passed 4-3.

This Resolution was assigned as 16255.

Q6 A RESOLUTION FROM THE CITY OF PUEBLO IN OPPOSITION TO COLORADO SENATE BILL 26-071, KNOWN AS THE "SURVEILLANCE ACCOUNTABILITY AND FREEDOM ENSURED (SAFE) ACT," AND CALLING UPON THE COLORADO GENERAL ASSEMBLY TO VOTE NO THEREON

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

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

Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Gomez, Councilor Hernandez, Councilor Danti. **Nays:** Councilor Latino, Councilor Ruiz-Gomez. Motion Passed 5-2.

This Resolution was assigned as 16256.

Q7 A RESOLUTION FROM THE CITY OF PUEBLO IN OPPOSITION TO COLORADO SENATE BILL 26-070, COMMONLY KNOWN AS THE "PEEPS ACT," DECLARING THE BILL HARMFUL TO PUBLIC SAFETY, MUNICIPAL GOVERNANCE, AND HOME RULE AUTHORITY AND URGING THE COLORADO GENERAL ASSEMBLY TO VOTE NO THEREON

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

Councilor Boston, seconded by Councilor Latino, moved to approve the Resolution.


Roll Call - **Ayes:** President Aliff, Councilor Boston, Councilor Gomez, Councilor Hernandez, Councilor Danti. **Nays:** Councilor Latino, Councilor Ruiz-Gomez. Motion Passed 5-2.

This Resolution was assigned as 16257.

R. ADJOURN

President Aliff adjourned the meeting at 7:11 p.m.

Respectfully submitted for the final time,



Marisa Stoller
City Clerk

RESOLUTION NO. 15782

A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$100,000.00 TO ROCKIES ENVIRONMENTAL AND DEMOLITION SERVICES, FOR PROJECT NO. 24-053, ABATE AND DEMOLISH - 519 WEST 11TH STREET (CDBG), SETTING FORTH \$12,500.00 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

WHEREAS, bids for Project No. 24-053 - Abate and Demolish - 519 West 11th Street (CDBG) have been received and examined; AND,

WHEREAS, the proposal of Rockies Environmental and Demolition Services, was the lowest of those bids determined to be responsive; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF PUEBLO, that

SECTION 1.

The City Council authorizes Project No. 24-053, Abate and Demolish - 519 West 11th Street (CDBG) to be performed, and the contract for said project is hereby awarded to Rockies Environmental and Demolition Services, in the amount of \$100,000.00.

SECTION 2.

The Purchasing Agent is hereby authorized to execute said contract on behalf of the City of Pueblo, a Colorado Municipal Corporation, and the City Clerk shall affix the seal of the City thereto and attest the same.

SECTION 3.

In addition to the amount of the bid set forth, as aforementioned, an additional amount as stipulated in this section is hereby established for contingencies and additional work.

Contingencies and Additional Work..... \$12,500.00

SECTION 4.

Funds for demolition for Project No. 24-053, in the amount of \$75,000.00 shall be from Project Account CD2211 - Abatement of Dangerous Buildings.

SECTION 5.

Funds for the remaining demolition and contingencies for Project No. 24-053, in the amount of \$37,500.00 shall be paid from project account CD1911 - Demolition Program.

SECTION 6.

The City Staff and the Officers of the City of Pueblo are authorized to perform any and all acts consistent with this Resolution to implement the policies and procedures described herein.


SECTION 7.

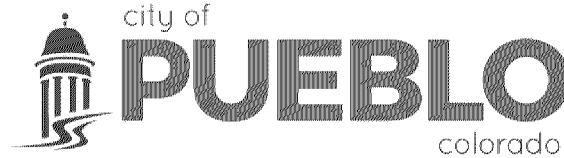
This Resolution shall become effective immediately upon passage and approval.

INTRODUCED: October 15, 2024

BY: Roger Gomez
MEMBER OF CITY COUNCIL

APPROVED: Mark Cliff
PRESIDENT OF CITY COUNCIL

ATTESTED BY: 
DEPUTY CITY CLERK



Background Paper for Proposed Resolution

COUNCIL MEETING DATE: October 15, 2024

TO: President Mark Aliff and Members of City Council

CC: Mayor Heather Graham

VIA: Marisa Stoller, City Clerk

FROM: Andrew Hayes, Public Works Director

SUBJECT: A RESOLUTION AWARDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$100,000.00 TO ROCKIES ENVIRONMENTAL AND DEMOLITION SERVICES, FOR PROJECT NO. 24-053, ABATE AND DEMOLISH - 519 WEST 11TH STREET (CDBG), SETTING FORTH \$12,500.00 FOR CONTINGENCIES, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

SUMMARY:

Attached is a Resolution awarding a Construction Contract to Rockies Environmental and Demolition Services, for Project No. 24-053, Abate and Demolish - 519 West 11th Street (CDBG).

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND:

In general, this project will consist of the abatement and demolition of 519 West 11th Street. The Resolution awards the Construction Contract to Rockies Environmental and Demolition Services.

FINANCIAL IMPLICATIONS:

Funding for the demolition, in the amount of \$75,000.00 will be paid from Project Account CD2211 - Abatement of Dangerous Buildings.

Funding for the remainder of the demolition and contingencies, in the amount of \$37,500.00 will be paid from Project Account CD1911, Demolition Program.

BOARD/COMMISSION RECOMMENDATION:

None.

STAKEHOLDER PROCESS:

None.

ALTERNATIVES:

Denial of this resolution will cancel the project.

RECOMMENDATION:

Approval of the Resolution.

ATTACHMENTS:

1. 24-053 Bid Summary

PUEBLO URBAN RENEWAL AUTHORITY BENEDICT PARK LIGHTING
GRANT AGREEMENT
CITY OF PUEBLO

SECTION I. PARTIES. This Pueblo Urban Renewal Authority Benedict Park Lighting Grant Agreement (this "Agreement") is by and between the PUEBLO URBAN RENEWAL AUTHORITY, a body corporate and politic (the "Authority"), and the CITY OF PUEBLO, a Colorado home rule municipal corporation (the "City"). The parties to this Agreement may be referred to individually in the singular and collectively in the plural, as "Party" or "Parties".

SECTION 2. PURPOSE. Each of the undersigned representatives of the Parties hereto hereby represent that they have full authority to bind the Authority and the City, respectively, to the terms of this Agreement.

2.1. The Authority is carrying out the Colorado Smelter Urban Renewal Plan (the "Urban Renewal Plan"), which was approved by the City Council of the City on September 9, 2024.

2.2. The City owns the real property commonly known as Benedict Park located in Pueblo, Colorado ("Benedict Park"), which is located within the boundaries of the Urban Renewal Plan. In furtherance of the Colorado Smelter Revitalization Plan adopted by the City in October 26, 2020, the City is undertaking a project to renovate Benedict Park (the "Benedict Park Project"), with the assistance of a grant from Colorado Health Foundation.

2.3. In furtherance of the Benedict Park Project, the Authority desires to assist the City with the installation of new system lighting improvements and upgrades for Benedict Park (the "Lighting Improvements").

2.4. The Authority, finding the Benedict Park Project to be within the best interest of the Authority and the health, safety and welfare of the citizens of the City and necessary to carry out the purposes of the Urban Renewal Plan, intends to provide financial assistance to the City in order to facilitate the

2.5. Lighting Improvements with the expectation that the Authority's involvement will alleviate and prevent blight, consistent with the intent and purpose of the Colorado Urban Renewal Law, C.R.S. 31-25-101, et seq., and the Urban Renewal Plan.

SECTION 3. GRANT FUNDS. The grant amount total is \$91,000.00 (the "Grant").

3.1. Disbursement. The Authority shall disburse the Grant in one payment directly to the City within 60 days after the execution of this Agreement.

3.2. Use of Grant. The City shall use the Grant solely for the Lighting Improvements.

3.3. Refund of Unused Portions of Grant. Upon the completion of the Lighting Improvements, the City shall return any unused portions of the Grant to the Authority. In the event

that the Lighting Improvements have not been completed as of December 31, 2027, any unused portions of the Grant as of that date shall be returned to the Authority.

3.4. Reports. Upon written request by the Authority, the City shall provide the Authority with a report on the City's use of the Grant and progress towards completion of the Lighting Improvements in sufficient detail to demonstrate compliance with this Agreement (each, a "Report"). Additionally, the City shall provide the Authority with a Report at the time of completion of the Lighting Improvements.

3.5. City Funds. The City shall be responsible for all aspects of the Benedict Park Project that are outside of the scope of this Agreement, including any costs associated with completing the Lighting Improvements that exceed the amount of the Grant.

SECTION 4. OBLIGATIONS OF CITY.

4.1. Quality of Construction. All Lighting Improvements shall be constructed in a good and workmanlike manner and in accordance with other planned improvements to Benedict Park in accordance with plans approved by the Pueblo Regional Building Department, and any other authority having review and approval authority over Benedict Park Project, and in accordance with all applicable laws, codes, ordinances, and design standards.

4.2. Park Improvements. The Parties acknowledge and agree that the Authority is making this Grant available to the City based on the Authority's belief that maintaining Benedict Park is critical to halting the spread of blight in the Urban Renewal Plan area. The City agrees that it will use its best efforts to complete the Benedict Park Project.

SECTION 5. REMEDIES. If any Party defaults hereunder, any non-defaulting Party may seek enforcement of the Agreement by any available remedy at law or in equity; provided, however, damages payable by the Authority shall be limited to those amounts that would have been payable under this Agreement. In no event shall either Party be liable for special, consequential, or punitive damages. In addition, any non-defaulting Party shall recover, and the defaulting Party shall pay, its reasonable costs and attorney's fees.

SECTION 6. NOTICES. Unless otherwise notified in writing by any Party, all notices required or permitted by this Agreement shall be in writing and shall be sufficiently given if delivered in person, by prepaid overnight express mail or express courier to any Party, or by certified mail, with postage prepaid and return receipt requested, and addressed to:

In the case of the Authority: Pueblo Urban Renewal Authority
Attn: Cherish Deeg, Interim Executive Director
115 E. Riverwalk, Suite 410
Pueblo, Colorado 81003
E-mail: cdeeg@puebloura.org

With a copy to: Brownstein Hyatt Farber Schreck, LLP
Attn: Angela Hygh

675 15th Street, Suite 2900
Denver, Colorado 80202
E-mail: ahygh@bhfs.com

In the case of the City:

City of Pueblo
Department of Parks and Recreation
800 Goodnight Avenue
Pueblo, CO 81005

With a copy to:

City of Pueblo
Law Department
1 City Hall Place
Pueblo, CO 81003

SECTION 7. ENTIRE AGREEMENT: AUTHORITY NOT A PARTNER. The respective obligations of the Parties to this Agreement constitute the only obligations of the Parties under this Agreement. Notwithstanding any language in this Agreement or any other agreement, representation or warranty to the contrary, the Authority shall not be deemed a partner or joint venture of the City, and the Authority shall not be responsible for any debt or liability of the City.

SECTION 8. ASSIGNMENT. This Agreement or any rights or interest in this Agreement may not be assigned or transferred by either Party without the prior written approval of the other Party.

SECTION 9. BINDING EFFECT. This Agreement shall be binding upon and inure to the benefit of the Parties, their personal representatives, successors and assigns, but nothing herein shall permit the assignment or transfer of this Agreement without the prior written consent of the other Party.

SECTION 10. JURISDICTION AND VENUE. In the event of litigation hereunder, the Pueblo County District Court sitting without a jury shall have exclusive jurisdiction and venue over the case.

SECTION 11. AMENDMENTS. This Agreement is the entire Agreement of the Parties as to the subject matter herein and supersedes and replaces all prior agreements with respect to the subject matter herein and may be amended only in writing fully executed by the Parties.

SECTION 12. GOVERNING LAW. This Agreement shall be construed and interpreted under the laws of the State of Colorado.

SECTION 13. ENFORCED DELAY. A Party shall not be considered in breach of, or in default in, its obligations with respect to this Agreement in the event of delay in the performance of such obligations due to causes beyond its control without its fault or negligence, including but not limited to, acts of God, acts of public enemy, acts of federal or state government, acts of the other Party, acts of third parties, acts of courts, fires, floods, epidemics, quarantine restrictions, strikes,

freight embargoes, and unusually severe weather or delays of subcontractors or materialmen due to such causes, it being the purpose and intent of this provision that if such delay occurs, the time or times for performance by the Party affected by such delay shall be extended for the period of the delay. The Party seeking the benefit of this provision shall give written notice of any such delay to the other Party within 30 days after such Party knows of such delay.

SECTION 14. NO THIRD-PARTY BENEFICIARIES. The Authority shall not be obligated or liable under the terms of this Agreement to any other person or entity not a party hereto.

SECTION 15. NO WAIVER OF IMMUNITY. Nothing contained in this Agreement constitutes a waiver of either Party's sovereign immunity or governmental immunity under any applicable state law.

SECTION 16. CONSTRUCTION OF AGREEMENT. This Agreement has been arrived at by negotiation and shall not be construed against either Party hereto, or against the Party who prepared the last draft.

[Signatures on Following Page]

IN WITNESS WHEREOF, the Parties have executed this PUEBLO URBAN RENEWAL AUTHORITY BENEDICT PARK LIGHTING GRANT AGREEMENT as of the 14th day of October, 2025.

AUTHORITY:

ATTEST:

PUEBLO URBAN RENEWAL AUTHORITY

By: _____
Secretary/Interim Executive Director

By: _____
Treasurer

[City Signature Page Follows]

CITY:

ATTEST:

CITY OF PUEBLO, COLORADO

By: _____
Marisa Stoller, City Clerk

By: _____
Heather Graham, Mayor