



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS - CITY HALL
MONDAY, APRIL 26, 2010
7:00 P.M.**

Individuals Requiring Special Accommodations Should Notify the City Clerk's Office (719) 553-2669 by Noon on the Friday Preceding the Meeting.

- A. CALL TO ORDER** President Lawrence W. Atencio
- B. INVOCATION** Reverend Kim James, Wesley United Methodist Church
- C. PLEDGE OF ALLEGIANCE**
- D. ROLL CALL**
- E. PUBLIC FORUM**
- F. SPECIAL RECOGNITIONS**
- 1. 2010 April Employee of the Month**
 - Mr. Dennis Wells, Utility Worker IV
Wastewater Department
 - 2. Plaque Presentation to City Council – In Recognition of Promoting Community Unity**
 - Mrs. Eva Montoya – Eastside Commission
 - 3. Introduction of Newly Appointed Members of Boards and Commissions:**
 - Historic Preservation Commission: Richard Cherry
 - Community Services Advisory Commission: Sandra Daff
Michael Spahr
Marvin Read
Julianne White
Gerald Gallagher
- G. COUNCIL COMMENTS**
- H. REVIEW OF AGENDA**
- I. AMENDMENTS TO AND APPROVAL OF AGENDA**

REGULAR CITY COUNCIL MEETING
APRIL 26, 2010
PAGE TWO

J. READING AND APPROVAL OF MINUTES

- **Required Council Action:** Motion to dispense with the reading and approve the Minutes of the Regular Meeting dated Monday, April 12, 2010, as distributed.

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

No Communication Items

M. RESOLUTIONS

- M-1 A Resolution Establishing Airline Incentives for New Scheduled Airline Passenger Service at Pueblo Memorial Airport
- M-2 A Resolution Authorizing the Issuance of a Revocable Permit to Angelo's Criterium de Pueblo for the Use of Union Avenue Between C Street and Grand Avenue, Victoria Avenue Between D Street and Grand Avenue and Lamkin Street Between C Street and D Street to Host a Criterium Bike Race
- M-3 A Resolution Authorizing the Issuance of a Revocable Permit to the Greater Pueblo Chamber of Commerce for the Use of Union Avenue from First Street to B Street, C Street from Victoria Avenue to Main Street, D Street from Victoria Avenue to Main Street, Grand Avenue from First Street to Main Street and from Main Street to Santa Fe Avenue to Host the 2nd Annual Wild Wild West Fest
- M-4 A Resolution Authorizing the Issuance of a Revocable Permit to the Riverwalk Senate Restaurant and Lounge, LLC for the Use of Right of Way at 219 S. Grand to Participate in the Wild Wild West Fest
- M-5 A Resolution Authorizing the Issuance of a Revocable Permit to the Greater Pueblo Chamber of Commerce for the Use of Union Avenue from Grand Avenue to B Street to Host a Car Show

N. ORDINANCES – FIRST PRESENTATION

- N-1 An Ordinance Approving a Grant Agreement 10-PUB-01 Between the State of Colorado, Acting By and Through the Department of Transportation – Aeronautics Division, and the City of Pueblo Concerning a New Training Runway Project at Pueblo Memorial Airport and Authorizing the President of the City Council to Execute Same
- Required Council Action:** Motion to Pass on First Presentation, Set the Public Hearing for Monday **May 10, 2010** and Order the Ordinance Published BY TITLE

REGULAR CITY COUNCIL MEETING

APRIL 26, 2010

PAGE THREE

CONSENT AGENDA

N. ORDINANCES – FIRST PRESENTATION (Continued)

- N-2 An Ordinance Approving Amendment No. 5 to Agreement for Community Services Planning, Administration and Accountability Services Between the City of Pueblo, a Municipal Corporation and the Board of County Commissioners of the County of Pueblo
Required Council Action: Motion to Pass on First Presentation, Set the Public Hearing for Monday **May 10, 2010** and Order the Ordinance Published BY TITLE
- N-3 An Ordinance Amending the Fiscal Year 2010 Staffing Ordinance Revising Positions Within the Departments of Civil Service and Law
Required Council Action: Motion to Pass on First Presentation, Set the Public Hearing for Monday **May 10, 2010** and Order the Ordinance Published BY TITLE
- N-4 An Ordinance Amending Section 6-5-16 of Chapter 5 of Title VI of the Pueblo Municipal Code Relating to the Classification and Pay Plan (2010) for the Law Department, Removing the Position of Legal Secretary from the Department
Required Council Action: Motion to Pass on First Presentation, Set the Public Hearing for Monday **May 10, 2010** and Order the Ordinance Published BY TITLE
- N-5 An Ordinance Amending Section 1-5-2 of Chapter 5, Title I of the Pueblo Municipal Code Concerning Authority of the City Manager to Assign Duties
Required Council Action: Motion to Pass on First Presentation, Set the Public Hearing for Monday **May 10, 2010** and Order the Ordinance Published BY TITLE
- N-6 An Ordinance Budgeting and Appropriating the Amount of \$530,000 from the Sewer User Fund Reserve for Remodel of the 1938 Administration Building at the James R. Dilorio Water Reclamation Facility
Required Council Action: Motion to Pass on First Presentation, Set the Public Hearing for Monday **May 10, 2010** and Order the Ordinance Published BY TITLE
- N-7 An Ordinance Amending Section 7-3-16 of Chapter 3, Title VII, Section 7-4-5 of Chapter 4, Title VII, Section 7-5-14 of Chapter 5, Title VII, Section 11-1-103 of Chapter 1, Title XI, Section 11-4-20 of Chapter 4, Title XI, Section 11-9-5 of Chapter 9, Title XI, and Section 17-7-3 of Chapter 7 of Title XVII of the Pueblo Municipal Code, Concerning Surcharges for Certain Violations of City Ordinances Related to Public Safety and Welfare
Required Council Action: Motion to Pass on First Presentation, Set the Public Hearing for Monday **May 10, 2010** and Order the Ordinance Published BY TITLE
- N-8 An Ordinance Amending Section 7-7-1 of Chapter 7, of Title VII of the Pueblo Municipal Code Concerning Service Charges for Delivery of Solid Waste to a Solid Waste Facility
Required Council Action: Motion to Pass on First Presentation, Set the Public Hearing for Monday **May 10, 2010** and Order the Ordinance Published BY TITLE

REGULAR CITY COUNCIL MEETING

APRIL 26, 2010

PAGE FOUR

O. APPROVAL OF CONSENT AGENDA

THE FOLLOWING IS A SUGGESTED MOTION TO APPROVE THE ITEMS ON THE CONSENT AGENDA

I Move to Approve All Resolutions Set forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda on First Presentation, Set the Public Hearings for the Ordinances on First Presentation for **Monday, May 10, 2010** and Order the Ordinances of the Consent Agenda to be Published **BY TITLE**.

P. REGULAR AGENDA

Q. RESOLUTIONS

No Resolutions for Regular Agenda Were Submitted

R. ORDINANCES – FINAL PRESENTATION

R-1 **PUBLIC HEARING:** An Ordinance Amending the City of Pueblo's General Fund Budget By Increasing the Estimated Revenue for Swimming Pools By \$176,491, Transferring the Amount of \$267,604 From the Non-Departmental Contractual Payments Division, and Increasing the Parks Department Budget, Aquatics Division, By the Amount of \$444,095 – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*

Required Council Action: Motion to Approve the Ordinance on Final Presentation

R-2 **PUBLIC HEARING:** An Ordinance Approving the Contract Amendment No. 1 for the Contract ES2 M086-058 (17651) Between the State of Colorado, Department of Transportation and the City of Pueblo, a Municipal Corporation, Relating to Veteran's Pedestrian Bridge Project, Increasing Existing Project Budget PWHP08 To \$1,247,906 and Authorizing the President of City Council to Execute Same – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*

Required Council Action: Motion to Approve the Ordinance on Final Presentation

R-3 **PUBLIC HEARING:** An Ordinance Approving a Contract M086-057 (17649) Between the City of Pueblo, a Municipal Corporation, and the Colorado Department of Transportation for the Printing of Bicycle Maps and Budgeting and Appropriating Funds in the Amount of \$9,000 in Capital Project No. DT0901 and Authorizing the President of the City Council to Execute Same – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*

Required Council Action: Motion to Approve the Ordinance on Final Presentation

R-4 **PUBLIC HEARING:** An Ordinance Approving a Memorandum of Understanding Between the City, Fountain Creek Watershed, Flood Control and Greenway District, Lower Arkansas Valley Water Conservancy District, and Pueblo County Relating to the Management of Grants and Project Activity on Fountain Creek and Authorizing the President of City Council to Execute Same – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*

Required Council Action: Motion to Approve the Ordinance on Final Presentation

REGULAR CITY COUNCIL MEETING

APRIL 26, 2010

PAGE FIVE

REGULAR AGENDA

R. ORDINANCES – FINAL PRESENTATION (Continued)

- R-5 **PUBLIC HEARING:** An Ordinance Approving and Accepting a Grant Agreement Between Pueblo, a Municipal Corporation, and the State of Colorado Department of Transportation, Authorizing the President of City Council to Execute the Same for the Acquisition of Three Accessible Transit Coaches – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*
Required Council Action: Motion to Approve the Ordinance on Final Presentation
- R-6 **PUBLIC HEARING:** An Ordinance Amending Section 4-7-2 of Chapter 7, Title IV of the Pueblo Municipal Code Relating to the Board-up of Vacant and Unsafe Buildings and Providing Remedies and Penalties for the Violation Thereof – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*
Required Council Action: Motion to Approve the Ordinance on Final Presentation
- R-7 **PUBLIC HEARING:** An Ordinance Amending Chapter 12, Title XVI of the Pueblo Municipal Code Relating Generally to Stormwater and Particularly to Fire Training Water and Post Construction Stormwater Requirements – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*
Required Council Action: Motion to Approve the Ordinance on Final Presentation
- R-8 **PUBLIC HEARING:** An Ordinance Amending Chapter 1 of Title III of the Pueblo Municipal Code Relating to the Pueblo Memorial Airport and Airport Industrial Park, and Providing Penalties for the Violation Thereof – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*
Required Council Action: Motion to Approve the Ordinance on Final Presentation
- R-9 **PUBLIC HEARING:** An Ordinance Changing Zoning Restrictions for 954 Acres of Land Located West of Pueblo Boulevard and South of U.S. Highway 50 West from Pueblo County A-1, Agricultural One District to City of Pueblo S-1, Government Use District Covering a Parcel of Land Commonly Known as the Honor Farm – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*
The Planning and Zoning Commission at their Regular Meeting on March 10, 2010 voted 7-0 to recommend APPROVAL.
Required Council Action: Motion to Approve the Ordinance on Final Presentation
- R-10 **PUBLIC HEARING:** An Ordinance Amending Chapter 10 of Title XVII of the Pueblo Municipal Code Relating to Multiple Tenant Signage and the Creation of High Rise Sign District Number 6 and Providing Penalties for Violation Thereof – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*
The Planning and Zoning Commission at their Regular Meeting on March 10, 2010 voted 5-2 to recommend APPROVAL with Commissioners Latka and Pelto dissenting.
Required Council Action: Motion to Approve the Ordinance on Final Presentation
- R-11 **PUBLIC HEARING:** An Ordinance Amending Chapter 4 of Title XVII of the Pueblo Municipal Code Relating to Notification Procedures for Public Hearings to Review all HARP Zoned Properties and Providing Penalties for Violation Thereof – *Introduced April 12, 2010 by Councilwoman Vera Ortegon*
The Planning and Zoning Commission at their Regular Meeting on March 10, 2010 voted 7-0 to recommend APPROVAL.
Required Council Action: Motion to Approve the Ordinance on Final Presentation

REGULAR CITY COUNCIL MEETING

APRIL 26, 2010

PAGE SIX

REGULAR AGENDA

CONFLICT OF INTEREST

*Council members Ray Aguilera and Leroy Garcia – Potential Conflict of Interest – Item R-12
Excuse from Meeting*

R. ORDINANCES – FINAL PRESENTATION (Continued)

R-12 **PUBLIC HEARING:** An Ordinance Approving an Intergovernmental Agreement by and Between the State of Colorado for the Use and Benefit of Pueblo Community College and the City of Pueblo, a Municipal Corporation – *Introduced April 12, 2010 by Councilman Chris Kaufman*

Required Council Action: Motion to Approve the Ordinance on Final Presentation

ADJOURN