



**BACKGROUND PAPER FOR PROPOSED  
ORDINANCE**

**COUNCIL MEETING DATE:** February 14, 2022

**TO:** President Heather Graham and Members of City Council

**CC:** Nicholas A. Gradisar, Mayor

**VIA:** Marisa Stoller, City Clerk

**FROM:** Andrew Hayes, Director of Public Works

**SUBJECT:** AN ORDINANCE APPROVING AMENDMENT #2 TO THE INTERGOVERNMENTAL AGREEMENT, TAP M086-082 (22971) BETWEEN PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE STATE OF COLORADO, THE COLORADO DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE MAYOR TO EXECUTE SAME

**SUMMARY:**

This Ordinance approves Amendment #2 to the Intergovernmental Agreement (“IGA”), TAP M086-082 between Pueblo, a Colorado Municipal Corporation (“City”) and the State of Colorado, Colorado Department of Transportation (“CDOT”) relating to the Northern Avenue Streetscape / Trail Phase III Project.

**PREVIOUS COUNCIL ACTION:**

Ordinance 9600 dated November 25, 2019, transferred funds in the amount of \$125,000 from the 2019 Highway User Tax Fund (“HUTF”) balance to Project HU1601 and budgeted and appropriated \$125,000 for the Traffic Signal Northern and Prairie Project.

Ordinance 9666 dated February 24, 2020, established project PL2003, which approved an IGA between City of Pueblo and CDOT, transferred \$125,000 from project HU1601 to project PL2003, and budgeted and appropriated funds in the amount of \$625,000 for the Northern Avenue Streetscape / Trail Phase III Project.

Resolution 14465 dated August 24, 2020, approved an agreement for professional engineering services between the City of Pueblo and Short Elliott Hendrickson, Inc., in the amount of \$63,037.19, related to the Northern Avenue Streetscape / Trail Phase III Project.

Ordinance 9977 dated August 9, 2021, approved an amendment to the Intergovernmental Agreement (“IGA”), TAP M086-082 between Pueblo, a Colorado Municipal Corporation (“City”) and the State of Colorado, Colorado Department of Transportation (“CDOT”) relating to the Northern Avenue Streetscape / Trail Phase III

Project.

**BACKGROUND:**

The Northern Avenue Streetscape / Trail, Phase III Project will continue the trail/shared use path along the north side of Northern Avenue between Cambridge Avenue and Prairie Avenue and upgrade the signal at Northern and Prairie Avenue. Over the last eight years the City has redeveloped the trail system and constructed the landscaped center medians along Northern Avenue between Pueblo Boulevard (State Highway 45) and Cambridge Avenue.

The purpose of Amendment #2 to the Intergovernmental Agreement (IGA) is to allocate \$34,000 for Right-of-Way acquisition. During the initial design of the traffic signal replacement at the southwest corner of South Prairie Avenue and West Northern Avenue, it was determined that a permanent easement and/or property acquisition is necessary for the appropriate placement of the traffic signal pole.

**FINANCIAL IMPLICATIONS:**

This amendment does not propose any changes in funding.

**BOARD/COMMISSION RECOMMENDATION:**

None.

**STAKEHOLDER PROCESS:**

None.

**ALTERNATIVES:**

Currently, there are no alternatives for completing the improvements without the funding from the State of Colorado CDOT TAP grant.

**RECOMMENDATION:**

Approve the Ordinance.

**Attachments:**

City-State of Colorado IGA Amendment #2 for the Northern Avenue Streetscape / Trail, Phase III Project

ORDINANCE NO. 10121

AN ORDINANCE APPROVING AMENDMENT #2 TO THE INTERGOVERNMENTAL AGREEMENT, TAP M086-082 (22971) BETWEEN PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE STATE OF COLORADO, THE COLORADO DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE MAYOR TO EXECUTE SAME

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

The Amendment #2 to the Intergovernmental Agreement, TAP M086-082 (22971) between Pueblo, a Colorado Municipal Corporation, and State of Colorado for the use and benefit of Department of Transportation, a copy of which is attached hereto ("Amendment"), having been approved as to form by the City Attorney, is hereby approved.

SECTION 2.

The Mayor is authorized to execute and deliver the Amendment in the name of the City and the City Clerk is directed to affix the seal of the City thereto and attest same.

SECTION 3.

The officers and staff of the City are authorized to perform any and all acts consistent with the intent of the Ordinance and Amendment to implement the policies and procedures described therein.

SECTION 4.

This Ordinance shall become effective on the date of final action by the Mayor and City Council.

**Action by City Council:**

Introduced and initial adoption of Ordinance by City Council on February 14, 2022 .

Final adoption of Ordinance by City Council on February 28, 2022 .

  
\_\_\_\_\_  
President of City Council

**Action by the Mayor:**

Approved on March 2, 2022.

Disapproved on \_\_\_\_\_ based on the following objections:

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*Hilda Leavins*

\_\_\_\_\_  
Mayor

**Action by City Council After Disapproval by the Mayor:**

Council did not act to override the Mayor's veto.

Ordinance re-adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_

Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
President of City Council

ATTEST

*Lygia*

\_\_\_\_\_  
City Clerk