



**REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS – CITY HALL  
MONDAY, FEBRUARY 28, 2022 – 7:00 P.M.**

**MINUTES**

- A. CALL TO ORDER** President Heather Graham
- B. INVOCATION** Pastor Micah Aragon, Pueblo Christian Center
- C. PLEDGE OF ALLEGIANCE**
- D. ROLL CALL**

**Council Members Present:** Larry Atencio, Dennis Flores, Heather Graham, Regina Maestri, Sarah Martinez, Vicente Martinez Ortega, and Lori Winner.

**Council Members Present via Zoom:** None.

**Council Members Absent:** None.

**Administrative Staff Members Present:** Mayor Nicholas Gradisar, City Attorney Daniel Kogovsek, Chief of Staff Laura Solano, City Clerk Marisa Stoller.

**E. SPECIAL RECOGNITIONS**

- Achievement Presentation: “Student Art Calendar” – Pueblo Human Relations Commission

**F. PUBLIC FORUM**

- Deborah Martinez Martinez – Take it down
- Elvis Martinez – Update on the 150<sup>th</sup> Anniversary of Pueblo, Empty commercial building
- Steve Villegos – Columbus Statue
- Frank Cirullo - Monument
- Dave DeCenzo – Pueblo Auto Mechanics & 2035

**G. COUNCIL MEMBER AND MAYOR COMMENTARY**

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

Mayor Gradisar reported on the Pueblo West water vote postponement.

**H. REVIEW AND APPROVAL OF THE AGENDA**

The agenda was reviewed page by page. Mayor Gradisar requested that item R-11 be postponed until March 28<sup>th</sup> meeting. Ms. Martinez, seconded by Mr. Flores, moved to postpone R-11 to March 28<sup>th</sup> and to approve the agenda as modified.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

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**MINUTES**

**I. READING AND APPROVAL OF MINUTES**

Mr. Flores, seconded by Ms. Martinez, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **Monday, February 14, 2022** as distributed.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

**K. CONSENT AGENDA**

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

**L. COMMUNICATIONS**

**L-1 MINUTES OF THE PLANNING AND ZONING COMMISSION REGULAR MEETING FOR NOVEMBER 10, 2021, DECEMBER 8, 2021, JANUARY 12, 2022 AND SPECIAL MEETING JANUARY 26, 2022**

**M. RESOLUTIONS**

**M-1 RESOLUTION NO 14816 AWARDDING AN AGREEMENT FOR PROFESSIONAL DESIGN SERVICES IN THE AMOUNT OF \$83,994 TO DIBBLE & ASSOCIATES CONSULTING ENGINEERS, INC., AN ARIZONA CORPORATION, FOR PROJECT NO. 21-069 PRAIRIE AVENUE TO MINNEQUA LAKE TRAIL PROJECT AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

**M-2 RESOLUTION NO 14817 AUTHORIZING THE TRANSFER OF \$500,000 TO PROJECT ED0801, LEASE PROCEEDS ESCROW/RMS, PREVIOUSLY ESTABLISHED IN THE 1992 - 2026 SALES AND USE TAX CAPITAL IMPROVEMENTS PROJECTS FUND**

**M-3 RESOLUTION NO 14818 APPROVING AND AUTHORIZING THE MAYOR TO MAKE, EXECUTE AND DELIVER IN THE NAME OF THE CITY OF PUEBLO, FEDERAL FISCAL YEAR 2022 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS AND TO BIND THE CITY OF PUEBLO'S COMPLIANCE THEREWITH**

**M-4 RESOLUTION NO 14819 CONFIRMING THE APPOINTMENT BY THE MAYOR OF ALLISON REA TO THE COMMUNITY COMMISSION ON HOUSING AND HOMELESSNESS (CCHH)**

**N. ORDINANCES – FIRST PRESENTATION**

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**MINUTES**

- N-1 AN ORDINANCE APPROVING AND ACCEPTING THE HOME-ARP GRANT AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ("HUD"), AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT TOGETHER WITH ALL REQUIRED AND NECESSARY CERTIFICATIONS, ASSURANCES, AND DOCUMENTATION, ACCEPTING HOME-ARP GRANT FUNDS FROM HUD ON BEHALF OF THE PUEBLO CONSORTIUM IN THE AMOUNT OF \$3,090,925, AND BUDGETING AND APPROPRIATING THE HOME-ARP GRANT FUNDS – submitted for First Presentation**

Public Hearing was Set for Monday, March 14, 2022, Notice of Hearing was Ordered Published by Title.

- N-2 AN ORDINANCE ESTABLISHING COMMUNITY OUTREACH PROGRAM PROJECT NO. PS2204, APPROVING A COOPERATION AGREEMENT WITH PUEBLO TRIPLE AIM CORPORATION AND HEALTH COLORADO INC, AND ACCEPTING, BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$42,300 TO SAID PROJECT – submitted for First Presentation**

Public Hearing was Set for Monday, March 14, 2022, Notice of Hearing was Ordered Published by Title.

- N-3 AN ORDINANCE AMENDING ZONING RESTRICTIONS TO REZONE LOTS 4-8, BLOCK 1, COLLEGE ROAD SUBDIVISION, 4TH FILING, (COLLEGE ROAD SUBDIVISION 4TH FILING, REARRANGEMENT OF PROPERTY BOUNDARIES, RPB-21-12, PARCELS A, B, AND C) TOTALING 2.24-ACRES FROM B-4, CENTRAL BUSINESS DISTRICT TO B-P, BUSINESS PARK DISTRICT – submitted for First Presentation**

Public Hearing was Set for Monday, March 14, 2022, Notice of Hearing was Ordered Published by Title.

- N-4 AN ORDINANCE AMENDING SECTIONS 17-2-2, 17-4-51, 17-4-14, AND 17-10-05 OF TITLE XVII OF THE PUEBLO MUNICIPAL CODE RELATING TO MULTIFAMILY DEVELOPMENT DESIGN STANDARDS – submitted for First Presentation**

Public Hearing was Set for Monday, March 14, 2022, Notice of Hearing was Ordered Published by Title.

**O. APPROVAL OF CONSENT AGENDA**

Mr. Flores, seconded by Mr. Martinez Ortega, moved to receive and file the minutes from the Planning and Zoning Commission, approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for **Monday, March 14, 2022**, and Order the Ordinances to be published **BY TITLE**.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

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**P. REGULAR AGENDA**

**Q. RESOLUTIONS**

**Q-1 RESOLUTION NO 14820 AWARDDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$1,469,097.20 TO MARTIN MARIETTA MATERIALS, INC., AND SETTING FORTH \$220,000 FOR CONTINGENCIES, FOR PROJECT NO. 22-002 ASPHALT PAVING – PHASE 1 FOR GRAND AVENUE, HUDSON AVENUE, WEST 15TH STREET AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

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

Ms. Martinez, seconded by Mr. Flores, moved to approve the Resolution on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

**Q-2 RESOLUTION NO 14821 AUTHORIZING A TRANSFER OF FUNDS IN THE AMOUNT OF ONE THOUSAND SIX HUNDRED DOLLARS (\$1,600) FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2022 GENERAL FUND BUDGET TO THE PARKS & RECREATION DEPARTMENT FOR SPONSORSHIP OF A MEMORIAL BENCH IN MEMORY OF RENEE FRANCISCA DOMINGUEZ**

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

Mr. Flores, seconded by Mr. Martinez Ortega, moved to approve the Resolution on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

**Q-3 RESOLUTION NO 14822 AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2022 GENERAL FUND BUDGET TO THE PUEBLO CONSERVANCY DISTRICT, A COLORADO NONPROFIT CORPORATION, IN THE AMOUNT OF \$500 TO SPONSOR THE SUMMER SOLSTICE ON THE ARKANSAS RIVER CELEBRATION**

A staff report and detailed review of the Resolution was given by Councilor Lori Winner.

Ms. Martinez, seconded by Mr. Flores, moved to approve the Resolution on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

**Q-4 A RESOLUTION IN SUPPORT OF THE PRONGHORN 150 MW SOLAR PV PARK**

A staff report and detailed review of the Resolution was given by City Attorney Daniel Kogovsek.

Mr. Atencio, seconded by Mr. Flores, moved to approve the Resolution on Final Presentation.

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Mr. Atencio, seconded by Ms. Martinez, moved to postpone this Resolution.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

**R. ORDINANCES – FINAL PRESENTATION**

**R-1 ORDINANCE NO 10116 APPROVING AND ACCEPTING A GRANT AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE STATE OF COLORADO DEPARTMENT OF LAW, ON BEHALF OF THE OFFICE OF COMMUNITY ENGAGEMENT, FOR A GRANT AWARD IN THE AMOUNT OF \$250,000 TO THE PUEBLO FOOD PROJECT, CREATING PROJECT NO. CI2207, AND BUDGETING AND APPROPRIATING \$250,000 TO PROJECT NO. CI2207 – *submitted for Final Presentation***

A staff report and detailed review of the Ordinance was given by Monique Marez, Pueblo Food Project.

**PUBLIC HEARING:**

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

Mr. Flores, seconded by Mr. Martinez Ortega, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

**R-2 ORDINANCE NO 10117 APPROVING AND ACCEPTING A GRANT FROM WALMART FOR FUNDS IN THE AMOUNT OF \$2,500 TO PROVIDE PROTECTIVE VESTS AND GLOVES FOR PARK RANGERS, AUTHORIZING THE MAYOR TO EXECUTE SAME, ESTABLISHING THE PARK RANGER VEST PURCHASE PROJECT NO. PS2201, AND BUDGETING AND APPROPRIATING \$2,500 TO PROJECT NO. PS2201 – *submitted for Final Presentation***

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 Graham declared the Hearing closed.

Ms. Martinez, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

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- R-3 ORDINANCE NO 10118 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF PUEBLO AND FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION INC. FOR THE PURCHASE OF TWO MOTORIZED POLICE BICYCLES WITH LIGHT/SIREN KITS, BAGS & ONE CARGO TRAILER, BUDGETING, APPROPRIATING GRANT FUNDS IN THE AMOUNT OF \$9,602.90 INTO PROJECT PS2202 AND RESCINDING RESOLUTION NO. 14789 – submitted for Final Presentation**

A staff report and detailed review of the Ordinance was given by Fire Chief Barb Huber.

**PUBLIC HEARING:**

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

Mr. Martinez Ortega, seconded by Ms. Maestri, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

- R-4 ORDINANCE NO 10119 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS FOR PROFESSIONAL SURVEYING SERVICES FOR SANITARY SEWER PROJECTS AND CITY-WIDE SURVEYING PROJECTS BETWEEN PUEBLO, A MUNICIPAL CORPORATION, AND BOHANNON-HUSTON, INC., CLARK LAND SURVEYING, INC., ENCOMPASS SERVICES, LLC, AND NORTHSTAR ENGINEERING AND SURVEYING, INC. – submitted for Final Presentation**

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

**PUBLIC HEARING:**

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

Mr. Martinez Ortega, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

- R-5 ORDINANCE NO 10120 ESTABLISHING PROJECT CI2206 FOR ADAMS AVENUE AND JACKSON STREET ROUNDABOUT PROJECT, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE STATE OF COLORADO, ACTING BY AND THROUGH THE COLORADO DEPARTMENT OF TRANSPORTATION, PROJECT: SHO M086-093 (24462), BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$900,000 AND AUTHORIZING THE MAYOR TO EXECUTE SAME – submitted for Final Presentation**

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

**PUBLIC HEARING:**

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

Mr. Martinez Ortega, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

**R-6 ORDINANCE NO 10121 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 – submitted for Final Presentation**

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

**PUBLIC HEARING:**

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

Mr. Martinez Ortega, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

**R-7 ORDINANCE NO 10122 APPROVING A LICENSE AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION AND ZAYO GROUP, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND GRANTING SAID ENTITY A CITY TELECOMMUNICATIONS LICENSE – submitted for Final Presentation**

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

**PUBLIC HEARING:**

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

Mr. Martinez Ortega, seconded by Ms. Maestri, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

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**R-8 ORDINANCE NO 10123 AWARDED A CONTRACT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND AECOM TECHNICAL SERVICES, INC. TO PROVIDE ENGINEERING SERVICES FOR FUTURE CITY OF PUEBLO STORMWATER UTILITY PROJECTS – submitted for Final Presentation**

A staff report and detailed review of the Ordinance was given by Jeff Hawkins, Director of Stormwater.

**PUBLIC HEARING:**

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

Ms. Flores, seconded by Mr. Martinez Ortega, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

**R-9 ORDINANCE NO 10124 AMENDING ZONING RESTRICTIONS TO REZONE 3004 SOUTH PRAIRIE AVENUE FROM B-3, HIGHWAY AND ARTERIAL BUSINESS DISTRICT TO BP, BUSINESS PARK DISTRICT – submitted for Final Presentation**

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development. Mr. Hobson requested the minutes of the Planning & Zoning Commission, Case Number Z 21-21, dated January 12, 2022 be made part of the record for this hearing. So moved by President Graham.

**PUBLIC HEARING:**

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

Mr. Martinez Ortega, seconded by Ms. Martinez, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

**R-10 ORDINANCE NO 10125 CHANGING THE STREET NAME OF SPAULDING AVENUE LOCATED BETWEEN WEST 11TH STREET AND WEST 31ST STREET – submitted for Final Presentation**

A staff report and detailed review of the Ordinance was given by Scott Hobson, Acting Director of Planning & Community Development. Mr. Hobson requested the minutes of the Planning & Zoning Commission, Case Number SNC 21-03, dated January 12, 2022 be made part of the record for this hearing. So moved by President Graham.

**PUBLIC HEARING:**

- Bill Crain appeared in person to speak in favor of Crain
- Ashleigh Wineas appeared via zoom to speak in favor of Sun Mountain
- Dave Decinzo appeared in person to speak in favor of Sun Mountain

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

Mr. Martinez Ortega moved to change the street name to Tava. Motion died for lack of a second.

Mr. Atencio, seconded by Mr. Martinez Ortega, moved to name the street Sun Mountain Blvd.

Roll Call - Ayes: Atencio, Flores, Graham, Martinez, Martinez Ortega and Winner. Nays: Maestri. Motion carried 6-1.

Mr. Atencio, seconded by Ms. Martinez, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Martinez, Martinez Ortega and Winner. Nays: Maestri. Motion carried 6-1.

**R-11 POSTPONED TO MARCH 28, 2022.**

**R-12 ORDINANCE NO 10126 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN ENGAGEMENT LETTER WITH SETER & VANDER WALL, P.C. TO ADVISE THE CITY OF PUEBLO REGARDING PROPOSED METROPOLITAN DISTRICT SERVICE PLANS AND RELATED LAND USE MATTERS – *submitted for Final Presentation***

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

**PUBLIC HEARING:**

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

Mr. Martinez Ortega, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

**R-13 ORDINANCE NO 10127 AMENDING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS LOCAL 537 RELATING TO TAKE-HOME VEHICLES – *submitted for Final Presentation***

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

**PUBLIC HEARING:**

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

Ms. Martinez, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

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**R-14 ORDINANCE NO 10128 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE COUNTY OF PUEBLO, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO AND THE PUEBLO URBAN RENEWAL AUTHORITY, A COLORADO URBAN RENEWAL AUTHORITY AND THE BOARD OF WATER WORKS OF PUEBLO, COLORADO, A BODY CORPORATE AND POLITIC OF THE CITY OF PUEBLO AND THE PUEBLO WEST METROPOLITAN DISTRICT, A COLORADO SPECIAL DISTRICT RELATING TO THE CONSTRUCTION OF A NEW PUEBLO COUNTY DETENTION FACILITY AND THE CONSTRUCTION OF AN ADJACENT NEW ARTERIAL ROADWAY – *submitted for Final Presentation***

A staff report and detailed review of the Ordinance was given by City Attorney Daniel Kogovsek.

**PUBLIC HEARING:**

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

Mr. Atencio, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, and Winner. Nays: Martinez Ortega. Motion carried 6-1.

**S. EXECUTIVE SESSION**

**S-1 MOTION TO CONVENE INTO EXECUTIVE SESSION**

Mr. Atencio, seconded by Mr. Flores, moved to convene into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e); and the following additional details are provided for identification purposes: To instruct negotiators regarding a proposed sale of property owned by the City of Pueblo.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

**ADJOURN: 9:16 p.m.** President Graham Adjourned the Meeting into Executive Session.

Respectfully submitted,



Marisa Stoller  
City Clerk