



Background Paper for Proposed Ordinance

COUNCIL MEETING DATE: February 14, 2022

TO: President Heather Graham and Members of City Council

CC: Mayor Nicholas A. Gradisar

VIA: Marisa Stoller, City Clerk

FROM: Daniel C. Kogovsek, City Attorney

SUBJECT: AN ORDINANCE 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

SUMMARY:

This Ordinance approves and authorizes the Mayor to sign an Intergovernmental Agreement relating to the construction of a new Pueblo County Detention Facility and the construction of an adjacent new arterial roadway.

PREVIOUS COUNCIL ACTION:

Not applicable to this Ordinance.

BACKGROUND:

The new Detention Facility will contain approximately 182,000 square feet of space on one floor which will include secure housing, kitchen and laundry, support spaces such as administration, recreation, storage, and attendant spaces for Facility related programs. It is planned to be a modular unit design which can be expanded as needed in the future.

The current road improvement plan provides for the extension of Joe Martinez Boulevard from Purcell Boulevard in Pueblo West to Pueblo Boulevard. As currently conceived, the improvements will consist of a four lane, 3.1-mile roadway with a planned design speed of 45 MPH. It will have limited vehicular access between Purcell Boulevard and Pueblo Boulevard to facilitate the movement of traffic and to encourage its use as an alternative to Highway 50 West for access to and from the City of Pueblo.

FINANCIAL IMPLICATIONS:

Pueblo County will pay for the bulk of the costs of the project and plans to issue tax exempt bonds and/or certificates of participation to finance the costs of construction. The County has conferred with PURA concerning the creation of an Urban Renewal District with associated Tax Increment Financing (“TIF”) revenue. The District proposed by the County would encompass the entire roadway corridor and expand on the west end in Pueblo West and on the east end in the City to include existing and new commercial development. PURA has expressed support for the concept but has indicated that the taxing jurisdictions including the parties to the Intergovernmental Agreement must agree to contribute their respective incremental tax revenues to pay the County’s debt repayment obligations.

Pueblo County is requesting the preliminary consent of the parties to the IGA to the inclusion of their respective lands into the new PURA District and the contribution of their respective increased sales and property tax increment revenue to be generated from development in the District. In the attached IGA, the City gives its initial consent to the payment of its property tax TIF revenue into the TIF financing fund. However, the size of the City TIF urban renewal area (annexation will be required) and the amount of TIF incremental tax revenues, if any, pledged for the project remains to be negotiated and will be the subject of ordinances to be approved by City Council in the future. The City makes no commitment regarding the payment of the City’s sales tax TIF revenue into the TIF financing fund, but agrees to consider doing so in the future, after further study.

Section 6 (b) of the attached IGA requires Pueblo County to give full consideration to and to use best efforts, in good faith, to negotiate and execute a new Intergovernmental Agreement with the City which would apply to the housing of inmates arrested or sentenced exclusively for violations of the Pueblo Municipal Code and not involving State charges.

BOARD/COMMISSION RECOMMENDATION:

Not applicable to this Ordinance.

STAKEHOLDER PROCESS:

Not applicable to this Ordinance.

ALTERNATIVES:

A no-action alternative would severely jeopardize the construction of a new Pueblo County Detention Facility and the adjacent new arterial roadway.

RECOMMENDATION:

Approval of the Ordinance.

Attachments:

- Proposed Ordinance
- Proposed Intergovernmental Agreement

ORDINANCE NO. _____

AN ORDINANCE 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

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

SECTION 1.

The Intergovernmental Agreement, dated February 28, 2022, relating to the construction of a new Pueblo County Detention Facility and the construction of an adjacent new arterial roadway, 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, attached hereto, having been approved as to form by the City Attorney, is hereby approved.

SECTION 2.

The Mayor is hereby authorized to execute said Intergovernmental Agreement for and on behalf of the City and the City Clerk is authorized 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 this Ordinance and the attached Intergovernmental Agreement to implement the policies and procedures described herein.

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 _____.

Final adoption of Ordinance by City Council on _____.

President of City Council

Action by the Mayor:

Approved on _____.

Disapproved on _____ based on the following objections:

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

City Clerk

