



**Background Paper for Proposed Ordinance**

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

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

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

**VIA:** Marisa Stoller, City Clerk

**FROM:** Greg Pedroza, Director of Aviation

**SUBJECT:** AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE UNITED STATES FOREST SERVICE AND THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, FOR THE RELEASE OF THE FIRE FIGHTING RELOAD BASE, ALSO KNOWN AS THE TANKER BASE RELOAD PIT, CONSISTING OF TWO STORAGE TANKS, PUMPING MECHANISMS, AND ASSOCIATED ELECTRICAL UTILITIES, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

**SUMMARY:**

This Ordinance approves an Agreement with the United States Forest Service ("USFS") for the transfer of the Fire Fighting Reload Base, also known as the tanker base reload pit, ("Base") at the Pueblo Memorial Airport to the City of Pueblo.

**PREVIOUS COUNCIL ACTION:**

Not applicable to this Ordinance.

**BACKGROUND:**

The USFS installed the Base in 2005 to aid the USFS with fire-fighting services in the region and is used to reload airplanes with fire retardant during the fire season. The USFS no longer needs the Base and further wishes to disclaim all interest in the Base. With regards to the installation and use of the Base, there was a mutual understanding and agreement between the parties that the USFS had the right to use the Base as long as it needed the Base and in accordance with law and subject to reasonable regulation and involvement by the City.

**FINANCIAL IMPLICATIONS:**

Not applicable to this Ordinance.

**BOARD/COMMISSION RECOMMENDATION:**

Not applicable to this Ordinance.

**STAKEHOLDER PROCESS:**

Not applicable to this Ordinance.

**ALTERNATIVES:**

If this Ordinance is not approved, the Base will remain the property of the USFS and will go unused.

**RECOMMENDATION:**

The Department of Aviation recommends approval of this Ordinance.

**Attachments:**

Proposed Ordinance

Agreement between the United States Forest Service and City of Pueblo

ORDINANCE NO. 10133

AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE UNITED STATES FOREST SERVICE AND THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, FOR THE RELEASE OF THE FIRE FIGHTING RELOAD BASE, ALSO KNOWN AS THE TANKER BASE RELOAD PIT, CONSISTING OF TWO STORAGE TANKS, PUMPING MECHANISMS, AND ASSOCIATED ELECTRICAL UTILITIES, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

WHEREAS, the United States Forest Service (“USFS”) installed the Fire Fighting Reload Base (“Base”) in 2005 to aid the USFS with fire-fighting services in the region and is used to reload airplanes with fire retardant during the fire season; and

WHEREAS, the USFS no longer needs the Base and further wishes to disclaim all interest in the Base; NOW, THEREFORE,

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

SECTION 1.

The Agreement between the United States Forest Service and the City of Pueblo (“Agreement”) regarding the Fire-Fighting Reload Base at the Pueblo Municipal Airport, a copy of which is attached hereto and made a part hereof by reference, after having been approved as to form by the City Attorney, is hereby approved.

SECTION 2.

The Mayor is hereby authorized to execute the Agreement in the name and on behalf of the City of Pueblo, where the Mayor may execute the Agreement by electronic signature and such electronic signature shall be attributable to the Mayor and the City of Pueblo.

SECTION 3.

Upon the effective date of this Agreement, the Base will remain at the Pueblo Memorial Airport and become the sole property of the City at no cost to the City, USFS disclaiming all further interest in the Base. All ownership, control, and possession of the Base will transfer in full to City upon execution of this Agreement, and USFS will have no further right to use or interest in the Base.

SECTION 4.

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

**SECTION 5.**

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 March 14, 2022.

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

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

**Action by the Mayor:**

Approved on March 30, 2022.

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