city of
PUEBLO
colorado

**Background Paper for Proposed
Ordinance**

COUNCIL MEETING DATE: **May 23, 2022**

TO: President Heather Graham and Members of City Council

VIA: Marisa Stoller, City Clerk

FROM: Mayor Nicholas A. Gradisar

SUBJECT: AN ORDINANCE AMENDING SECTION 1 (a) OF CHAPTER 6 OF TITLE 6 OF THE PUEBLO MUNICIPAL CODE TO RECOGNIZE JUNETEENTH AS A CITY HOLIDAY

SUMMARY:

Attached is an Ordinance which makes Juneteenth a City holiday.

PREVIOUS COUNCIL ACTION:

Not applicable to this Ordinance.

BACKGROUND:

On January 1, 1863, President Abraham Lincoln signed the Emancipation Proclamation which declared the end of slavery in those states which had seceded from the Union. Approximately two and a half years later, on June 19, 1965 (two months after the end of the Civil War) news of the proclamation reached the port city Galveston, Texas. Before that date, local slave owners ignored the emancipation order and prevented dissemination of the news.

Juneteenth is a colloquial word combining June and nineteenth. Officially known as Emancipation Day and also called Juneteenth Independence Day and Freedom Day, Juneteenth is the oldest known celebration commemorating the end of slavery in the United States.

On June 17,2021, President Biden signed legislation which made Juneteenth a federal holiday. It is also a state holiday in Colorado and several other states.

FINANCIAL IMPLICATIONS:

With the exception of police and fire personnel and other essential workers, all City employees will receive 8 hours of holiday pay. With respect to City employees who are protected by collective bargaining agreements, provided the Mayor receives appropriate waivers from each collective bargaining unit:

- Members of the International Brotherhood of Police Officers Local 537 will receive an additional 8 hours of vacation pay in lieu of the Juneteenth holiday.

- Members of the International Association of Fire Fighters Local No. 3 will receive an additional 12 hours of personal holiday leave in lieu of the Juneteenth holiday.

- Members of the Pueblo Area Government Employees who are "essential staff" (e.g. Dispatch and Code Enforcement) will receive an additional 8 hours of vacation pay in lieu of the Juneteenth holiday.

BOARD/COMMISSION RECOMMENDATION:

Not applicable to this Ordinance.

STAKEHOLDER PROCESS:

Not applicable to this Ordinance.

ALTERNATIVES:

City Council has the option of not recognizing Juneteenth as a City holiday.

RECOMMENDATION:

Approve the Ordinance.

Attachments:
Proposed Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 1 (a) OF CHAPTER 6 OF TITLE 6 OF THE PUEBLO MUNICIPAL CODE TO RECOGNIZE JUNETEENTH AS A CITY HOLIDAY

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that: (brackets indicate matter being deleted, underscoring indicates new matter being added)

SECTION 1.

Section 1 (a) of Chapter 6 of Title 6 of the Pueblo Municipal Code is hereby amended and restated, to read as follows:

Sec. 6-6-1. – Holidays.

(a)   Designation. The following days are hereby declared holidays for all City officers and employees, with the exception of police and fire-fighting personnel:

      (1)   The first day of January (New Year's Day).

      (2)   The third Monday in January (Martin Luther King**, Jr.** Day).

      (3)   The third Monday in February (Presidents' Day).

      (4)   The last Monday in May (Memorial Day).

      (5)   The nineteenth day of June (Juneteenth Day).

      (6) [(5)]   The fourth day of July (Independence Day).

      (7) [(6)]   The first Monday of September (Labor Day).

      (8) [(7)]   The second Monday in October (Columbus Day).

      (9) [(8)]   The fourth Thursday of November (Thanksgiving Day).

      (10) [(9)]   The day after Thanksgiving.

      (11) [(10)]   The twenty-fifth day of December (Christmas Day).

(12) **[**(11)**]** Personal day (to be used anytime with departmental approval).

(13) **[**(12)**]** Personal day (to be used anytime with departmental approval).

When any holiday listed above falls on Saturday, the preceding Friday shall be observed as the holiday; when the holiday falls on Sunday, the following Monday shall be observed as a holiday. For those employees scheduled to work on the Sunday holiday, that day shall be considered the holiday. For those employees scheduled not to work on Sunday or Monday, the preceding Saturday shall be considered the holiday. In addition to the above, any day may be designated as a holiday by proclamation of the Mayor upon approval by City Council.

SECTION 2.

For the purposes of all collective bargaining agreements with the Pueblo Association of Government Employees, International Association of Fire Fighters Local 3 and the International Brotherhood of Police Officers Local 537 ("Labor Agreements"), each Labor Agreement is amended on and after the effective date of this Ordinance to recognize Juneteenth Day (June 19th) as a holiday, and such holiday shall be construed and applied consistent with the terms of the Labor Agreement. Employees who are not entitled to holidays under their Labor Agreement shall receive the following benefits:

(a) Members of the International Brotherhood of Police Officers Local 537 will receive an additional 8 hours of vacation pay in lieu of the Juneteenth holiday.

(b)   Members of the International Association of Fire Fighters Local No. 3 will receive an additional 12 hours of personal holiday leave in lieu of the Juneteenth holiday.

(c)   Members of the Pueblo Area Government Employees who are "essential staff" (e.g. Dispatch and Code Enforcement) will receive an additional 8 hours of vacation pay in lieu of the Juneteenth holiday (the "Amendment").

SECTION 3.

The officers and staff of the City are authorized to perform any and all acts consistent with this Ordinance which are necessary or desirable to implement this change to the Pueblo Municipal Code.

SECTION 4.

This Ordinance is subject to and conditioned upon the Pueblo Association of Government Employees, International Association of Fire Fighters Local 3 and the International Brotherhood of Police Officers Local 537 approving the Amendment in writing prior to passage and approval of this Ordinance. If such condition precedent is satisfied, 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