



**BACKGROUND PAPER FOR PROPOSED
EMERGENCY ORDINANCE**

COUNCIL MEETING DATE: May 9, 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 EMERGENCY ORDINANCE APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT, MTF M086-087 (24023) PRAIRIE AVENUE IMPROVEMENTS, 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 Emergency Ordinance approves an Amendment to the Intergovernmental Agreement (“IGA”), MTF M086-087 (24023) between Pueblo, A Colorado Municipal Corporation (“City”) and the State of Colorado, Colorado Department of Transportation (“CDOT”) relating to the Prairie Avenue Improvements Project.

PREVIOUS COUNCIL ACTION:

Ordinance 9968, dated July 26, 2021, established project No. CI2018 for Prairie Avenue Improvements Project, approved the IGA between the City of Pueblo and CDOT, budgeted and appropriated funds in the amount of \$1,300,000.

Resolution 14705, dated September 13, 2021, approved an agreement for profession design services to SEH, Inc.

BACKGROUND:

The project will provide for the construction of improvements along the east and west sides of Prairie Avenue, between Northern Avenue and Pueblo Boulevard. Significant amounts of sidewalk are missing, do not meet current ADA standards, or are blocked by overhead electric power poles. Most of the intersections do not provide handicap ramps, or existing ramps are not to current ADA specifications. The improvements associated with this grant will bring this section of the Prairie Avenue corridor into compliance with current ADA standards. In addition, the project will reconstruct the

roadway surface drainage improvements at Prairie Avenue and Jones Avenue to lessen the side slopes of the existing double gutter pan crossing. Transit shelters are planned along the corridor as well as upgraded traffic and pedestrian signals. The work is in anticipation of the street reconstruction of Prairie Avenue.

The purpose of the Amendment to the Intergovernmental Agreement (IGA) is add a ROW phase. The ROW phase is required to use the grant money for the acquisition of temporary construction easements and permanent easements. During the initial design, it was determined that temporary construction easements and permanent easements are necessary for the construction of the improvements according to ADA requirements.

The funding for this project is a grant from CDOT from the Multimodal Option Funds, which are set to expire June 30, 2023. Upon approval of this Ordinance, CDOT will provide a unilateral option letter, which will allocate the funds for the ROW Phase. Once the option letter is executed, CDOT will begin acquisition of the required easements, which could take up to 9 months.

FINANCIAL IMPLICATIONS:

There will be no changes to the funding with this amendment.

BOARD/COMMISSION RECOMMENDATION:

None.

STAKEHOLDER PROCESS:

None.

ALTERNATIVES:

There are no alternatives for completing the project without this amendment.

RECOMMENDATION:

Approve the Emergency Ordinance.

Attachments:

City-State of Colorado IGA for the Prairie Avenue Improvements
Grant Certification

ORDINANCE NO. 10177

AN EMERGENCY ORDINANCE APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT, MTF M086-087 (24023) PRAIRIE AVENUE IMPROVEMENTS, 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 to the Intergovernmental Agreement, MTF M086-087 (24023) 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 City Council finds this Ordinance qualifies for treatment as an emergency ordinance pursuant to City Charter because of the urgency to complete the Prairie Avenue Improvements prior to the expiration of funding on June 30, 2023.

SECTION 3.

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 4.

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 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 May 9, 2022.

Final adoption of Ordinance by City Council on May 9, 2022.



President of City Council

Action by the Mayor:

- Approved on May 11, 2022.
- Disapproved on _____ based on the following objections:

Nilda Leal
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

[Signature]
City Clerk