



**BACKGROUND PAPER FOR PROPOSED
ORDINANCE**

COUNCIL MEETING DATE: August 8, 2022

TO: President Heather Graham and Members of City Council

CC: Mayor Nicholas A. Gradisar

VIA: Marisa Stoller, City Clerk

FROM: Chris Noeller, Chief of Police

SUBJECT: AN ORDINANCE APPROVING AND ACCEPTING AN AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS, REGARDING REIMBURSEMENT OF POLICE PERSONNEL OVERTIME AND OTHER EXPENSES ACCRUED WHILE WORKING JOINT OPERATIONS

SUMMARY:

U.S. Department of Justice, Bureau of Alcohol, Tobacco, and Firearms has provided an agreement to the Pueblo Police Department to reimburse overtime and other associated expenses by police personnel pertaining to joint operations

PREVIOUS COUNCIL ACTION:

On October 25, 2021 in Ordinance No. 10030, City Council approved a Memorandum of Understanding with ATF continuing the Violent Crime/NIBIN Task Force through September 30, 2026.

BACKGROUND:

ATF and the Pueblo Police Department has a long-standing Task Force with the mission of, proactively and reactively, targeting Armed Violent Offenders and NIBIN investigations which focus on intelligence-led policing techniques and target those responsible for committing violent crime in Pueblo, Colorado. Additionally, PPD TFOs assist ATF with violent crime investigations outside the Pueblo, Colorado area when necessary.

Since the establishment of this Task Force, the Pueblo Police Department has dedicated two officers to the Task Force. The Task Force has investigated hundreds of cases involving the illegal use of firearms, explosives, and violent crime resulting in successful State and Federal prosecutions.

FINANCIAL IMPLICATIONS:

Participation in the reimbursement program and approval of the Agreement will significantly decrease the overtime costs and other expenses the Police Department must pay from its regular budget which result from PPD personnel working joint operations.

BOARD/COMMISSION RECOMMENDATION:

None.

STAKEHOLDER PROCESS:

There is no stakeholder process required for this grant.

ALTERNATIVES:

The alternative is to refuse the Agreement leaving the City of Pueblo responsible for all costs associated with conducting joint operations.

RECOMMENDATION:

Approval of the Ordinance.

Attachments:

Memorandum of Agreement between the City of Pueblo and U.S. Department of Justice, Bureau of Alcohol, Tobacco, and Firearms

ORDINANCE NO. _____

AN ORDINANCE APPROVING AND ACCEPTING AN AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE U.S. DEPARTMENT OF JUSTICE, BUREAU OF ALCOHOL, TOBACCO, AND FIREARMS, REGARDING REIMBURSEMENT OF POLICE PERSONNEL OVERTIME AND OTHER EXPENSES ACCRUED WHILE WORKING JOINT OPERATIONS

WHEREAS, the City Council of Pueblo has the authority on behalf of the City of Pueblo, including its Police Department, to accept an Agreement with the U.S. Department of Justice, Bureau of Alcohol, Tobacco, and Firearms ("ATF"); and

WHEREAS, the Agreement will provide reimbursement for police overtime and other expenses related to joint operations with ATF; and

WHEREAS, acceptance of the funding for the purposes for which it has been made is in the best interest of the City and will benefit the health, welfare, and safety of the citizens of the City; NOW, THEREFORE,

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

SECTION 1.

The Agreement between the City on Pueblo on behalf of the Pueblo Police Department and the U.S. Department of Justice, Bureau of Alcohol, Tobacco, and Firearms to reimburse overtime and other associated expenses by police personnel pertaining to joint operations, a copy of which is attached hereto, having been approved by the City Attorney, is hereby approved.

SECTION 2.

The Mayor is hereby authorized to execute the Agreement on behalf of the City of Pueblo, and the City Clerk shall 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 Agreement to implement the transactions 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