



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
MONDAY, AUGUST 8, 2022 – 7:00 P.M.**

MINUTES

- A. CALL TO ORDER** President Heather Graham
- B. INVOCATION** Councilor Dennis Flores
- C. PLEDGE OF ALLEGIANCE**
- D. ROLL CALL**

Council Members Present: Larry Atencio, Dennis Flores, Heather Graham, Regina Maestri, Sarah Martinez, Vicente Martinez Ortega, and Lori Winner.

Council Members Present via Zoom: None.

Council Members Absent: None.

Administrative Staff Members Present: Chief of Staff Laura Solano, City Attorney Daniel Kogovsek, City Clerk Marisa Stoller.

E. SPECIAL RECOGNITIONS

- Councilor Martinez presented a proclamation on “Pueblo LGBTQ+ PRIDE Day – August 21, 2022” to Tommy Farrell, President of Southern Colorado Equality Alliance

F. PUBLIC FORUM

- Ruth Taravella – Approval for Fallen Golfer Monument
- Cora – Public Health & Legacy of colonization
- Elvis Martinez – Council core values & more
- Andy Sanchez – Arts Center Coming Home Ceremony
- Nicholas Donaldson – Home of Abandon Heroes
- Rebecca Robles – MMIW-SB 22-150

G. COUNCIL MEMBER AND MAYOR COMMENTARY

Council members expressed comments regarding community-related issues and events/functions they attended.

Chief of Staff Solano reviewed the June Sales Tax report and economic dashboard.

H. REVIEW AND APPROVAL OF THE AGENDA

The agenda was reviewed page by page. Ms. Winner requested that item M-5 be moved to the regular agenda. Mr. Flores requested that item M-6 be moved to the regular agenda. President Graham requested that item Q-2 be continued to the October 10, 2022 meeting.. Ms. Martinez, seconded by Mr. Martinez Ortega, moved to move items M-5 and M-6 to the regular agenda, continue item Q-2 to the October 10, 2022 agenda and to approve the agenda as modified.

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Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner.
Motion carried unanimously.

Ms. Martinez, seconded by Mr. Atencio, moved to continue item Q-2 from October 10, 2022, to October 11, 2022, due to a holiday that Monday.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner.
Motion carried unanimously.

I. READING AND APPROVAL OF MINUTES

Ms. Martinez, seconded by Mr. Martinez Ortega, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **Monday, July 25, 2022** as distributed.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner.
Motion carried unanimously.

K. CONSENT AGENDA

City Clerk Marisa Stoller read the Consent Agenda into the record.

L. COMMUNICATIONS

L-1 NONE SUBMITTED

M. RESOLUTIONS

M-1 RESOLUTION NO 14952 RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT IN THE AMOUNT OF \$49,999 TO DOUG VAUGHN, LLC., FOR PROJECT NO. 22-068E 13TH AND OGDEN EMERGENCY CONCRETE AND ASPHALT REPAIR PROJECT AND APPROVING THE PURCHASING AGENT'S EXECUTION OF SAME

M-2 RESOLUTION NO 14953 AWARDED A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$182,399 TO TOLIN MECHANICAL AND SETTING FORTH \$36,480 FOR CONTINGENCIES, FOR PROJECT NO. 22-047, HVAC ROOF TOP UNIT REPLACEMENT FOR PUEBLO TRANSIT AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

M-3 RESOLUTION NO 14954 RATIFYING AN EMERGENCY CONSTRUCTION CONTRACT IN THE AMOUNT OF \$97,897.44 WITH PARKER EXCAVATION, INC. FOR EMERGENCY SANITARY SEWER POINT REPAIR AT 1201 FRANCISCO PROJECT NO. 20-059 (WWAN03) AND APPROVING THE PURCHASING AGENT'S EXECUTION OF SAME

M-4 RESOLUTION NO 14955 AUTHORIZING THE CITY OF PUEBLO TO REFUND SANITARY SEWER FEES OF \$87,797 TO GOODRICH CORPORATION

M-5 MOVED TO REGULAR AGENDA

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- M-6 MOVED TO REGULAR AGENDA**
- M-7 RESOLUTION NO 14956 TRANSFERRING \$20,000 FROM THE “PROJECTS TO BE DETERMINED” ACCOUNT IN THE EXCESS COURT FINES FUND TO THE VEHICLES AND ROLLING STOCK ACCOUNT IN THE EXCESS COURT FINES FUND**
- M-8 RESOLUTION NO 14957 AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT TO ESA PUEBLO, LLC FOR THE USE OF THE NORTH ELIZABETH STREET RIGHT OF WAY AT 6020 NORTH ELIZABETH STREET FOR THE PURPOSE OF INSTALLING TREES**
- M-9 RESOLUTION NO 14958 AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT TO PAPA JOSE’S, FOR THE USE OF THE SOUTH UNION AVENUE RIGHT OF WAY TO CONTINUE USE OF THE EXISTING SIDEWALK CAFÉ AT 320 SOUTH UNION AVENUE**
- M-10 RESOLUTION NO 14959 AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT TO THE FOOD TRUCK UNION FOR THE USE OF A PORTION OF GOODNIGHT AVENUE INSIDE OF CITY PARK ON SUNDAY EVENINGS BETWEEN AUGUST 14TH AND OCTOBER 31ST TO HOST A WEEKLY FOOD TRUCK EVENT**
- M-11 RESOLUTION NO 14960 AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT TO PUEBLO COMMUNITY COLLEGE FOR THE USE OF ORMAN AVENUE IN BETWEEN HARRISON AVENUE AND ARTHUR STREET AND THEIR RIGHTS OF WAY TO HOLD A BACK-TO-SCHOOL RECRUITING EVENT ON SATURDAY, AUGUST 6, 2022**
- M-12 RESOLUTION NO 14961 AUTHORIZING THE CITY OF PUEBLO TO APPLY FOR A 2022 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) AND APPROVING A MEMORANDUM OF UNDERSTANDING CONCERNING RECEIPT AND DISBURSEMENT OF FUNDS FROM SAID GRANT AND AUTHORIZING THE MAYOR TO EXECUTE SAME**
- M-13 RESOLUTION NO 14962 APPROVING A DONATION OF PROPERTY AND RELEASE OF CLAIMS BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE CITY OF LAMAR, COLORADO RELATING TO A CRAFTO CRACK FILL MACHINE LOCATED AT THE PUEBLO MEMORIAL AIRPORT**
- M-14 RESOLUTION NO 14963 SETTING THE DATE, TIME AND PLACE FOR THE HEARING ON ANY OBJECTIONS TO AN ABATEMENT ASSESSMENT AS SEPTEMBER 16, 2022 AT 9:00 A.M. IN CITY COUNCIL CHAMBERS AND DIRECTING THE MAYOR TO APPOINT A HEARINGS OFFICER**
- M-15 RESOLUTION NO 14964 CONFIRMING THE APPOINTMENT BY THE MAYOR OF DEBORAH MACILROY TO THE ADA ADVISORY COMMITTEE**

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N. ORDINANCES – FIRST PRESENTATION

- N-1 AN ORDINANCE APPROVING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF \$158,846.98 BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND AECOM, FOR CONSULTING ENGINEERING SERVICES WITH RESPECT TO THE WEST 29TH STREET DRAINAGE IMPROVEMENTS DESIGN AND AUTHORIZING THE MAYOR TO EXECUTE SAME – *submitted for First Presentation***

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

- N-2 AN ORDINANCE APPROVING AND ACCEPTING COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) AERONAUTICS DIVISION GRANT NO. 22-PUB-01 FOR FUNDS IN THE AMOUNT OF \$18,412 FOR BOTH THE RUNWAY 8R-26L REHABILITATION DESIGN AND THE SNOW REMOVAL EQUIPMENT ACQUISITION PROJECTS, AUTHORIZING THE MAYOR TO EXECUTE SAME, BUDGETING AND APPROPRIATING \$7,725 TO PROJECT NO. AP2205 – REHAB RUNWAY 8R-26L DESIGN & CONSTRUCTION, AND BUDGETING AND APPROPRIATING \$10,687 TO PROJECT NO. AP2201 – SNOW REMOVAL EQUIPMENT (SRE) – *submitted for First Presentation***

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

- N-3 AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE PUEBLO REGIONAL BUILDING DEPARTMENT FOR THE SHARING OF COSTS RELATED TO THE PUEBLO MEANS BUSINESS WEB-PORTAL, AND AUTHORIZING THE MAYOR TO EXECUTE SAME – *submitted for First Presentation***

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

- N-4 AN ORDINANCE APPROVING A GRANT AWARD AGREEMENT BETWEEN PUEBLO, A MUNICIPAL CORPORATION, AND STATE OF COLORADO, ACTING BY AND THROUGH THE COLORADO DEPARTMENT OF NATURAL RESOURCES, AND AUTHORIZING THE MAYOR TO EXECUTE SAME – *submitted for First Presentation***

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

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- N-5 AN ORDINANCE AMENDING ZONING RESTRICTIONS TO REZONE PARCELS 527306003 AND 527306004 FROM A-4, AGRICULTURAL FOUR ZONE DISTRICT TO I-2, INDUSTRIAL ZONE DISTRICT – *submitted for First Presentation***

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

- N-6 AN ORDINANCE AMENDING CHAPTER 1 OF TITLE X AND CHAPTER 1 OF TITLE XV OF THE PUEBLO MUNICIPAL CODE WITH REGARDS TO ELECTRIC BICYCLES, ELECTRIC SCOOTERS, AND OTHER ELECTRIC DEVICES – *submitted for First Presentation***

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

- N-7 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 – *submitted for First Presentation***

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

- N-8 AN ORDINANCE AMENDING TITLE XI OF THE PUEBLO MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 13 RELATING TO THE CREATION OF A COMMUNITY SERVICE OFFICER POSITION, AND ESTABLISHING AUTHORITY AND ENFORCEMENT POWERS IN ACCORDANCE THEREWITH – *submitted for First Presentation***

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

- N-9 AN ORDINANCE SUBMITTING TO THE ELIGIBLE ELECTORS OF THE CITY OF PUEBLO, COLORADO AT THE SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2022, A QUESTION RELATING TO THE EXTENSION OF THE ONE-FIFTH PERCENT (.2%) SALES AND USE TAX RATE FOR FIVE YEARS FOR POLICE PERSONNEL AND OPERATING COSTS AND THE ADOPTION OF ORDINANCE NO. 10260 TO IMPLEMENT THE EXTENSION – *submitted for First Presentation***

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

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N-10 AN ORDINANCE SUBMITTING TO THE ELIGIBLE ELECTORS OF THE CITY OF PUEBLO, COLORADO AT THE SPECIAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2022, THE QUESTION OF RE-ESTABLISHING THE CITY'S AUTHORITY TO PROVIDE, OR TO FACILITATE OR PARTNER OR COORDINATE WITH SERVICE PROVIDERS FOR THE PROVISION OF, "ADVANCED (HIGH-SPEED INTERNET) SERVICE," "CABLE TELEVISION SERVICE," AND "TELECOMMUNICATION SERVICE," EITHER DIRECTLY, INDIRECTLY, OR BY CONTRACT, TO RESIDENTIAL, COMMERCIAL, NONPROFIT, GOVERNMENT OR OTHER SUBSCRIBERS AND TO ACQUIRE, OPERATE AND MAINTAIN ANY FACILITY FOR THE PURPOSE OF PROVIDING SUCH SERVICES, RESTORING LOCAL AUTHORITY AND FLEXIBILITY THAT WAS REMOVED BY TITLE 29, ARTICLE 27, PART 1 OF THE COLORADO REVISED STATUTES, WITHOUT INCREASING TAXES – submitted for First Presentation

Public Hearing was Set for Monday, August 22, 2022, Notice of Hearing was Ordered Published by Title.

O. APPROVAL OF CONSENT AGENDA

Mr. Atencio, seconded by Mr. Flores, moved to approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for **Monday, August 22, 2022**, and Order the Ordinances to be published **BY TITLE**.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

P. REGULAR AGENDA

Q. RESOLUTIONS

Q-1 RESOLUTION NO 14965 AUTHORIZING PAYMENT IN AN AMOUNT NOT TO EXCEED SIX HUNDRED SIXTY THOUSAND DOLLARS (\$660,000) FROM PROJECT CI2113 - AMERICAN RESCUE PLAN ACT FOR TWO GOVERNMENT SERVICES PROJECTS AS AUTHORIZED BY SECTION 603(C)(1)(C) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6

A staff report and detailed review of the Resolution was given by Daniel Kogovsek, City Attorney.

Mr. Martinez Ortega, seconded by Ms. Martinez, moved to approve the Resolution on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

M-5 RESOLUTION NO 14966 AWARDDING AN AGREEMENT FOR PROFESSIONAL SERVICES IN THE AMOUNT OF \$8,000 TO SHERIE SHAFFER TO COMPLETE WORK AS THE SUCCESSION PLANNING COORDINATOR FOR PUEBLO FOOD PROJECT IN PARTNERSHIP WITH CIVIC CANOPY

A staff report and detailed review of the Resolution was given by Laura Solano, Chief of Staff.

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Mr. Martinez Ortega, seconded by Mr. Flores, moved to approve the Resolution on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

M-6 RESOLUTION NO 14967 APPROVING A SERVICE AGREEMENT BETWEEN THE CITY OF PUEBLO AND FLAHERTY AND HOOD, P.A. IN THE AMOUNT OF \$101,250 AND SETTING FORTH \$3,750 IN CONTINGENCIES FOR CONSULTING SERVICES FOR THE PERFORMANCE OF A COMPREHENSIVE COMPENSATION STUDY AND ANALYSIS AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME

A staff report and detailed review of the Resolution was given by Marisa Pacheco, Director of Human Resources.

Ms. Martinez, seconded by Mr. Martinez Ortega, moved to approve the Resolution on Final Presentation.

Roll Call – Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega, and Winner. Motion carried unanimously.

Q-2 CONTINUED TO OCTOBER 11, 2022 AGENDA

R. ORDINANCES – FINAL PRESENTATION

R-1 ORDINANCE NO 10234 APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE PUEBLO REGIONAL BUILDING DEPARTMENT, A GOVERNMENTAL ENTITY, FOR PREMIUM PAY FOR ELIGIBLE WORKERS PERFORMING ESSENTIAL WORK, AS AUTHORIZED BY SECTION 603 ©(1)(B) OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF TWENTY-THREE THOUSAND FOUR HUNDRED FIFTY AND 74/100 DOLLARS (\$23,450.74) FROM PROJECT NO. CI2113 – AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

- Dave Vaughn appeared in person to speak in favor of this ordinance
- Arnold Montoya appeared in person to speak in favor of this ordinance

Seeing no else one wished to speak, President Graham declared the Hearing closed.

Ms. Winner, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call – Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

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R-2 ORDINANCE NO 10235 APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND SANGRE DE CRISTO HOSPICE AND PALLIATIVE CARE, A COLORADO NONPROFIT CORPORATION, AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF THIRTY-SEVEN THOUSAND FIVE HUNDRED DOLLARS (\$37,500) FROM PROJECT NO. CI2113 – AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Mr. Martinez Ortega, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call – Ayes: Atencio, Flores, Graham, Martinez, Martinez Ortega and Winner. Nays: Maestri. Motion carried 6-1.

R-3 ORDINANCE NO 10236 APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE AMERICAN GI FORUM OF PUEBLO, A COLORADO NONPROFIT CORPORATION, AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF FORTY THOUSAND DOLLARS (\$40,000) FROM PROJECT NO. CI2113 – AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

- Luis Vasquez Cortez appeared in person to speak in favor of this ordinance
- Ted Lopez appeared in person to speak in favor of this ordinance

Seeing no one else wished to speak, President Graham declared the Hearing closed.

Mr. Flores, seconded by Mr. Atencio, moved to approve the Ordinance on Final Presentation.

Roll Call – Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

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R-4 ORDINANCE NO 10237 APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE PUEBLO SYMPHONY ASSOCIATION, INC., A COLORADO NONPROFIT CORPORATION, AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF SEVENTY-FIVE THOUSAND DOLLARS (\$75,000) FROM PROJECT NO. CI2113 – AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

- June King appeared in person to speak in favor of this ordinance
- Ed Perry appeared in person to speak in favor of this ordinance
- Donna Seilheimer appeared in person to speak in favor of this ordinance

Seeing no one else wished to speak, President Graham declared the Hearing closed.

Mr. Atencio, seconded by Mr. Martinez Ortega, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-5 ORDINANCE NO 10238 APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE SENIOR RESOURCE DEVELOPMENT AGENCY, PUEBLO, INC., A COLORADO NONPROFIT CORPORATION, AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF EIGHTY-THREE THOUSAND SEVEN HUNDRED NINETY ONE DOLLARS (\$83,791) FROM PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

- Tara Marrow appeared in person to speak in favor of this ordinance

Seeing no one else wished to speak, President Graham declared the Hearing closed.

Mr. Martinez Ortega, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Martinez, Martinez Ortega and Winner. Nays: Maestri. Motion carried 6-1.

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R-6 ORDINANCE NO 10239 APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE COLORADO MISSION OF MERCY, INC., A COLORADO NONPROFIT CORPORATION, AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF TEN THOUSAND DOLLARS (\$10,000) FROM PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF – submitted for Final Presentation

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

- Pam Dingfeld appeared in person to speak in favor of this ordinance

Seeing no one else wished to speak, President Graham declared the Hearing closed.

Mr. Martinez Ortega, seconded by Ms. Martinez, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Martinez, Martinez Ortega and Winner. Nays: Maestri. Motion carried 6-1.

R-7 ORDINANCE NO 10240 APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND HABITAT FOR HUMANITY OF PUEBLO, INC., A COLORADO NONPROFIT CORPORATION, AS AUTHORIZED BY SECTION 603 OF THE AMERICAN RESCUE PLAN ACT AND U.S. TREASURY FINAL RULE 31 CFR 35.6 AND AUTHORIZING THE PAYMENT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000) FROM PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES THEREOF – submitted for Final Presentation

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

- Brandon Linkinstaff appeared in person to speak in favor of this ordinance
- Rosella Park appeared in person to speak in favor of this ordinance
- Elvis Martinez appeared in person to speak against this ordinance

Seeing no one else wished to speak, President Graham declared the Hearing closed.

Mr. Atencio, seconded by Mr. Martinez Ortega, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Martinez, Martinez Ortega and Winner. Nays: Maestri. Motion carried 6-1.

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R-8 ORDINANCE NO 10241 APPROVING AND ACCEPTING AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT AGREEMENT NO. 3-08-0046-046-2022 FROM THE UNITED STATES OF AMERICA ACTING THROUGH THE FEDERAL AVIATION ADMINISTRATION FOR FUNDS IN THE AMOUNT OF \$336,672 FOR COSTS RELATED TO SNOW REMOVAL EQUIPMENT ACQUISITION FOR THE PUEBLO MEMORIAL AIRPORT, AUTHORIZING THE MAYOR TO EXECUTE SAME, BUDGETING AND APPROPRIATING \$345,533 TO PROJECT NO. AP2201, AWARDED THE EQUIPMENT PURCHASE TO WAUSAU EQUIPMENT COMPANY, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport Director.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Mr. Martinez Ortega, seconded by Ms. Martinez, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-9 ORDINANCE NO 10242 APPROVING AND ACCEPTING AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT AGREEMENT NO. 3-08-0046-047-2022 FROM THE UNITED STATES OF AMERICA ACTING THROUGH THE FEDERAL AVIATION ADMINISTRATION FOR FUNDS IN THE AMOUNT OF \$292,877 FOR COSTS RELATED TO THE REHABILITATION OF RUNWAY 8R/26L (PHASE 1 - DESIGN) AT THE PUEBLO MEMORIAL AIRPORT, ESTABLISHING PROJECT NO. AP2205 - REHAB OF RUNWAY 8R-26L DESIGN AND CONSTRUCTION, BUDGETING AND APPROPRIATING \$300,585 TO SAID PROJECT, APPROVING AN AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND DIBBLE AND ASSOCIATES CONSULTING ENGINEERS, INC., FOR THE ENGINEERING DESIGN FOR SAID PROJECT, AND AUTHORIZING THE AUTHORIZING THE MAYOR TO EXECUTE SAME – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport Director.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Ms. Martinez, seconded by Mr. Martinez Ortega, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

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R-10 ORDINANCE NO 10243 APPROVING A RENTAL AGREEMENT FOR THE USE OF AN OFFICE SPACE AND THE FIRE FIGHTING RELOAD BASE AT THE PUEBLO MEMORIAL AIRPORT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE STATE OF COLORADO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF FIRE PREVENTION AND CONTROL, AND AUTHORIZING THE MAYOR TO EXECUTE SAME – submitted for Final Presentation

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport Director.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Ms. Martinez, seconded by Mr. Martinez Ortega, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-11 ORDINANCE NO 10244 APPROVING THE ASSIGNMENT OF A FUEL TANK AGREEMENT BY AND BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, SAM C. BROWN, AND TRAVELAIRE SERVICES, INC., AND AUTHORIZING THE MAYOR TO EXECUTE SAME – submitted for Final Presentation

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport Director.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Ms. Martinez, seconded by Mr. Martinez Ortega, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-12 ORDINANCE NO 10245 APPROVING THE ASSIGNMENT OF A HANGAR GROUND LEASE BY AND BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, SAM C. BROWN, AND TRAVELAIRE SERVICES, INC., AND AUTHORIZING THE MAYOR TO EXECUTE SAME – submitted for Final Presentation

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Airport Director.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Mr. Flores, seconded by Ms. Martinez, moved to approve the Ordinance on Final Presentation.

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Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-13 ORDINANCE NO 10246 APPROVING A DEPOSIT AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION AND LEGENDS SUBDIVISION, LLC., A UTAH LIMITED LIABILITY COMPANY, STEPHANIE J. SUMMERS, DALE MAJORS, AND ALAN ROSE RELATED TO THE INSTALLATION AND CONSTRUCTION OF REQUIRED PUBLIC IMPROVEMENTS WITHIN RIVERS RUN SUBDIVISION AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Andrew Hayes, Director of Public Works.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Ms. Martinez, seconded by Mr. Martinez Ortega, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-14 ORDINANCE NO 10247 APPROVING AND ADOPTING THE 2022 PUEBLO REGIONAL COMPREHENSIVE PLAN FOR THE PHYSICAL DEVELOPMENT OF PUEBLO, A COLORADO MUNICIPAL CORPORATION – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Scott Hobson, Interim Director of Planning & Community Development. Mr. Hobson requested that all documents for Case #CP-2201 for July 13, 2022, be made part of the record for this hearing. So ordered by President Graham.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Ms. Martinez, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Martinez, and Martinez Ortega. Nays: Maestri and Winner. Motion carried 5-2.

R-15 ORDINANCE NO 10248 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AND RATIFYING THE MAYOR'S SIGNATURE TO A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE PRESIDENT AND FELLOWS OF HARVARD COLLEGE ACTING THROUGH THE BLOOMBERG HARVARD CITY LEADERSHIP INITIATIVE AT THE JOHN F. KENNEDY SCHOOL OF GOVERNMENT – *submitted for Final Presentation*

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A staff report and detailed review of the Ordinance was given by Laura Solano, Chief of Staff.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Mr. Martinez Ortega, seconded by Ms. Martinez, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-16 ORDINANCE NO 10249 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE FOUNTAIN CREEK WATERSHED, FLOOD CONTROL AND GREENWAY DISTRICT, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO AND THE FOUNTAIN CREEK WATERSHED WATER ACTIVITY ENTERPRISE RELATING TO THE PUEBLO LEVEE SYSTEM FLOODPLAIN RESTORATION PROJECT – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Mr. Martinez Ortega, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-17 ORDINANCE NO 10250 APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A LETTER OF UNDERSTANDING BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AS BUYER, AND THE UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, AS SELLER, PERTAINING TO THE CONVEYANCE OF REAL PROPERTY TO FACILITATE THE PUEBLO LEVEE RESTORATION PROJECT – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Daniel Kogovsek, City Attorney.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Ms. Martinez, seconded by Mr. Martinez Ortega, moved to approve the Ordinance on Final Presentation.

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Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-18 ORDINANCE NO 10251 AMENDING THE FISCAL YEAR 2022 STAFFING ORDINANCE BY TEMPORARILY ADDING TWO (2) FIREFIGHTER POSITIONS WITHIN THE FIRE DEPARTMENT – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Barb Huber, Fire Chief.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Mr. Martinez Ortega, seconded by Mr. Flores, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

R-19 ORDINANCE NO 10252 AMENDING CHAPTER 4 OF TITLE XI OF THE PUEBLO MUNICIPAL CODE WITH REGARDS TO WORKING GOATS AND IMPOSING NEW REQUIREMENTS IN ACCORDANCE THEREWITH – *submitted for Final Presentation*

A staff report and detailed review of the Ordinance was given by Laura Solano, Chief of Staff.

PUBLIC HEARING:

Seeing no one wished to speak, President Graham declared the Hearing closed.

Ms. Martinez, seconded by Ms. Maestri, moved to approve the Ordinance on Final Presentation.

Roll Call - Ayes: Atencio, Flores, Graham, Maestri, Martinez, Martinez Ortega and Winner. Motion carried unanimously.

ADJOURN: 10:05 p.m. President Graham Adjourned the Meeting.

Respectfully submitted,



Marisa Stoller
City Clerk