



**Background Paper for Proposed  
Resolution**

**COUNCIL MEETING DATE:** July 25, 2022

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

**CC:** Mayor Nicholas A. Gradisar

**VIA:** Marisa Stoller, City Clerk

**FROM:** Andra Ahrens, Interim Wastewater Director

**SUBJECT:** A RESOLUTION AUTHORIZING PAYMENT OF FUNDS IN THE AMOUNT OF TWO MILLION DOLLARS (\$2,000,000) FROM PROJECT NO. CI2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES OF CONSTRUCTING SEWER INFRASTRUCTURE WITHIN THE CITY, FROM WEST 11<sup>TH</sup> STREET TO WEST 21<sup>ST</sup> STREET, AS AUTHORIZED BY SECTION 603(c)(1)(D) OF THE AMERICAN RESCUE PLAN ACT AND FINAL RULE 31 CFR 35.6

**SUMMARY:**

This Resolution provides funding in the amount of \$2 million for upgrading a sanitary main sewer line, from W. 11<sup>th</sup> Street to W. 21<sup>st</sup> Street as authorized by Section 603(c)(1)(D) of the American Rescue Plan Act ("ARPA") and Final Rule 31 CFR 35.6.

**PREVIOUS COUNCIL ACTION:**

By Ordinance No. 9931, approved on May 17, 2021, the City Council established Project No. CI2113 and budgeted and appropriated up to \$36.7 million in funds which were expected to be distributed to the City under ARPA for covered costs and eligible expenses to be incurred during the period which began on March 3, 2021 until December 31, 2024 (to be expended by December 31, 2026).

**BACKGROUND:**

Under the U.S. Treasury Department's Final Rule effective April 1, 2022, recipients of Coronavirus State and Local Fiscal Recovery Funds ("CSLFRF") may use said funds for necessary investments in sewer infrastructure projects.

Master plans for continued development in the western and northern quadrants of the City require the construction of a new sewer main from W. 11<sup>th</sup> Street to W. 21<sup>st</sup> Street in order to transport generated wastewater flows from that area to the City's wastewater treatment facility. Construction of the new main is necessary to accommodate present wastewater needs and future growth and development within a collection basin that includes an undeveloped subdivision and multiple unsubdivided properties.

**FINANCIAL IMPLICATIONS:**

\$2 million in ARPA funds will be used to install the new main. The new sewer line to be installed will be located between W. 11<sup>th</sup> Street and W. 21<sup>st</sup> Street. The project cost estimate is based on engineering design, material, equipment, labor, and other associated project costs for upgrading the main.

**BOARD/COMMISSION RECOMMENDATION:**

Not applicable to this Resolution.

**STAKEHOLDER PROCESS:**

Not applicable to this Resolution.

**ALTERNATIVES:**

City Council could decide not to support or fund this sewer infrastructure project.

**RECOMMENDATION:**

Approval of the Resolution.

**Attachments:**

Proposed Resolution

RESOLUTION NO. 14947

A RESOLUTION AUTHORIZING PAYMENT OF FUNDS IN THE AMOUNT OF TWO MILLION DOLLARS (\$2,000,000) FROM PROJECT NO. CI-2113 - AMERICAN RESCUE PLAN ACT, FOR PURPOSES OF CONSTRUCTING SEWER INFRASTRUCTURE WITHIN THE CITY, FROM WEST 11<sup>TH</sup> STREET TO WEST 21<sup>ST</sup> STREET, AS AUTHORIZED BY SECTION 603(c)(1)(D) OF THE AMERICAN RESCUE PLAN ACT AND FINAL RULE 31 CFR 35.6

RECITALS

The following recitals are incorporated in and made a part of this Resolution:

WHEREAS, on March 11, 2021, President Biden signed the U.S. Senate-amended H.R. 1319 (P.L. 117-2) known as the American Rescue Plan Act (hereinafter "ARPA"); and

WHEREAS, the U.S. Treasury issued the Final Rule to implement ARPA in Title 31, Part 35 of the Code of Federal Regulations ("CFR") which became effective April 1, 2022; and

WHEREAS, under the Final Rule, recipients may use Coronavirus State and Local Fiscal Recovery Funds ("CSLFRF") for sewer infrastructure projects; NOW, THEREFORE,

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

SECTION 1.

The City Council finds and concludes that the sewer infrastructure project approved hereby qualifies for funding under the U.S. Environmental Protection Agency's Clean Water State Revolving Fund.

SECTION 2.

Funds in the amount of Two Million Dollars (\$2,000,000.00) are hereby authorized for payment from Project No. CI2113 – American Rescue Plan Act, for purposes of designing and constructing a sanitary sewer main from W. 11<sup>th</sup> Street to W. 21<sup>st</sup> Street. Pursuant to COLO. CONST. Art. X, Sec. 20, none of the funds authorized for payment hereby shall be transferred to the City of Pueblo's Wastewater Enterprise or any other City Enterprise.

SECTION 3.

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

SECTION 4.

This Resolution shall become effective immediately upon final passage.

INTRODUCED July 25, 2022

BY: Vicente Martinez Ortega  
MEMBER OF CITY COUNCIL

APPROVED:   
PRESIDENT OF CITY COUNCIL

ATTESTED BY:   
CITY CLERK