



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: Andrew Hayes, Director of Public Works
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, ALONG NORTHERN AVENUE, BETWEEN BANDERA PARKWAY AND SURFWOOD LANE, AS AUTHORIZED BY SECTION 603(c)(1)(D) OF THE AMERICAN RESCUE PLAN ACT AND FINAL RULE 31 CFR 35

SUMMARY:

This Resolution provides funding in the amount of \$2 million for installing a sanitary main sewer line, 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 have been 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 on the southwest corner of the City require the construction of a new sewer main along Northern Avenue (Colorado Highway 78) 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 along the Highway 78 corridor at the southwest corner of the City.

FINANCIAL IMPLICATIONS:

\$2 million in ARPA funds will be used to install the new main. The new sewer line to be installed will be approximately 2,500 feet in length running along Highway 78 (Northern Avenue) from Bandera Parkway to an existing manhole near Surfwood Lane.

The project cost estimate is based on engineering design, material, equipment, labor, and other associated project costs for upgrading the main. The new main will be buried approximately 12 feet deep over most of its length and will be installed just to the southeast of the paved portion of the right-of-way. Unique cost drivers on the project include several utility and road crossings as well as temporary traffic control measures that will need to be implemented during construction for protection of workers on site as well as drivers on Highway 78.

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. 14948

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 ALONG NORTHERN AVENUE, BETWEEN BANDERA PARKWAY AND SURFWOOD LANE, 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) are hereby authorized for payment from Project No. CI2113 – American Rescue Plan Act, for purposes of designing and constructing a sanitary sewer main approximately 2,500 feet in length, running northeast along Northern Avenue from Bandera Parkway and connecting into an existing sanitary sewer manhole at Surfwood Lane. 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