



**REGULAR CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS – CITY HALL
#1 CITY HALL PLACE**

**MONDAY, NOVEMBER 27, 2023
7:00 PM**

Individuals Requiring Special Accommodations Should Notify the City’s ADA Coordinator at (719) 553-2295 by Noon on the Friday Preceding the Meeting.

A. CALL TO ORDER

President Heather Graham

B. INVOCATION

Pastor Jim Urie, Praise Assembly

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

E. SPECIAL RECOGNITIONS

E1 Proclamation Presentation: "Robert "Bob" Jagger Day - November 27, 2023" - Bob Jagger, Deputy City Attorney

E2 Proclamation Presentation: "Maria Subia Day - October 19, 2023" - Maria Subia, Retired Director of East Side Child Care Center

F. PUBLIC FORUM

G. COUNCIL MEMBER AND MAYOR COMMENTARY

H. REVIEW OF AGENDA

I. APPROVAL OF AGENDA

Motion to Amend the Agenda or Motion to Approve the Agenda as distributed.

J. READING AND APPROVAL OF MINUTES

Motion to dispense with the reading and approve the Minutes of the Regular Meeting dated November 13, 2023, as distributed.

K. CONSENT AGENDA

All items listed in this portion of the agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilperson so requests; in which event, the item will be removed from the Consent Agenda and considered under the Regular Agenda. Unless otherwise indicated, titles are self-explanatory.

L. COMMUNICATIONS

L1 Minutes of the Planning and Zoning Commission Regular Meeting for 10/11/2023

M. RESOLUTIONS

- M1 A Resolution awarding a construction contract in the amount of \$498,751.17 to Weathercraft Co., for Project No. 23-139, Roof Retrofit - Human Resources/Heritage Building, setting forth \$100,000.00 for contingencies, and authorizing the Purchasing Agent to execute same
- M2 A Resolution awarding an agreement for Professional Engineering Services in the amount of \$99,000.00 to 3 Rocks Engineering LLC, a Colorado Limited Liability Company, for Project No. 23-107 Design of Street Expansion of Bandera Parkway and authorizing the Purchasing Agent to execute same
- M3 A Resolution awarding a construction contract in the amount of \$82,997 to Central States Roofing Company, for Project No. 23-138, Roof Replacement - Fleet Building Utility Well, setting forth \$20,000 for contingencies, and authorizing the Purchasing Agent to execute same
- M4 A Resolution awarding an agreement for professional consulting services in the amount of \$69,180.00 to American Environmental Consulting, LLC., a Colorado Limited Liability Company, for Project No. 23-101 Consultant for Evaluation of Landfill Operation Alternatives and authorizing the Purchasing Agent to execute same
- M5 A Resolution awarding an Agreement for Professional Consulting Services to Capital Success Group, LLC, a Colorado Limited Liability Company, in the maximum amount of \$54,000 for certain professional analysis, reporting, presentation, tracking, communications, outreach, and related services during the 2024 State Legislative Session
- M6 A Resolution transferring \$33,394.14 from account Project No. CI1502 - Roof Replacements to account Project No. CI2327 - Whitlock Plant Outflow Repairs, awarding Contract Amendment No. 1 in the amount of \$43,453.14 to Parker Excavating, Inc., for Project No. 23-110, Whitlock Plant Outflow Emergency Culvert Repairs, and authorizing the Purchasing Agent to execute same
- M7 A Resolution transferring \$10,000 in the SouthPointe Special Improvement Maintenance District Budget from the "Projects to be Determined" Operating Budget Line Account into the "Repair & Maintenance" Operating Budget Line Account
- M8 A Resolution Approving Amendment No. 1 to the Agreement for Professional Engineering Services Between the City of Pueblo, a Colorado Municipal Corporation, and EV Studio, LLC, a Colorado Limited Liability Company, in the Amount of \$17,060.00 for 23-002, Engineering Design of Mineral Palace Greenhouse, and Authorizing the Purchasing Agent to Execute Same
- M9 A Resolution Awarding Contract Amendment No. 1 in the Amount of \$12,375.18 to and Tony J. Beltramo & Sons, Inc., a Colorado Corporation, for Project No. 23-094, Asphalt Improvements - S. Prairie Avenue (Farabaugh to Prairie Hawk), and Authorizing the Purchasing Agent to Execute Same
- M10 A Resolution approving a Professional Services Agreement between the City of Pueblo, a Colorado Municipal Corporation, and Multistudio, Inc, relating to Project 23-081A, unified development code for planning department and authorizing the Purchasing Agent to execute same
- M11 A Resolution confirming the appointment by the Mayor of Dianne Danti and Nicholas Sheppard to complete a two-year term expiring December 31, 2024 on the Community Commission on Housing and Homelessness

M12 A Resolution authorizing the Pueblo Urban Renewal Authority to conduct a study to determine whether the proposed Bluffs area is a slum, blighted area, or a combination thereof, and to notify owners of property in the area subject of such study.

M13 A Resolution authorizing the Pueblo Urban Renewal Authority to conduct a study to determine whether the proposed North Elizabeth area is a slum, blighted area, or a combination thereof, and to notify owners of property in the area subject of such study.

N. ORDINANCES – FIRST PRESENTATION

N1 An Ordinance approving an agreement for Professional Services in the amount of \$183,710 between the City of Pueblo, a Colorado Municipal Corporation, and Arcadis U.S. Inc., for consulting, hydrologic evaluation and geotechnical analyses and authorizing the Mayor to execute the same

N2 An Ordinance approving a joint funding agreement between the City of Pueblo, a Colorado Municipal Corporation and the U.S. geological survey, to continue the collection of hydrologic data along Fountain Creek and the Arkansas River and authorizing the Mayor to execute said agreement.

N3 An Ordinance approving an agreement for Professional Engineering services in the amount of \$566,050 between the City of Pueblo, a Colorado Municipal Corporation, and Brown and Caldwell, Inc., for consulting engineering and project management services with respect to upgrading the James R. Dilorio Water Reclamation Facility's Rockwell Automation FactoryTalk View Supervisory Control and Data Acquisition (SCADA) system and authorizing the Mayor to execute the same

N4 An Ordinance approving an Amendment to the Management Agreement for the Pueblo Weisbrod Aircraft Museum between the City of Pueblo, a Colorado Municipal Corporation, and Pueblo Historical Aircraft Society, a Colorado nonprofit corporation, and authorizing the Mayor to execute the same.

N5 An Ordinance providing for The City of Pueblo departmental authorized personnel positions for the fiscal year 2024

N6 An Ordinance amending sections 6-5-16 and 6-5-18 of Chapter 5, of Title VI of The Pueblo Municipal Code relating to the classification and pay plan for fiscal year 2024.

N7 An Ordinance approving and ratifying a Supplemental Environmental Project Agreement and approving a modification to said Agreement between the City of Pueblo, a Colorado Municipal Corporation, and the Colorado Department of Public Health and Environment for the purpose of developing a Household Hazardous Waste program; authorizing the Mayor to execute the modification; accepting funds in the amount of \$378,880.00 from the Colorado Department of Public Health and Environment; and budgeting and appropriating said funds into Project Account No. PL2302 - Household Hazardous Waste Program

N8 An Ordinance approving the 2nd Amendment to the Intergovernmental Agreement between the City of Pueblo, a Colorado Municipal Corporation ("City"), and the State of Colorado, Acting by and through the Colorado Department of Transportation ("CDOT"), Project MTF M086-088 (24024)/TAP M086-091 (24079) for Prairie Avenue to Minnequa Lake Trail Project and Authorizing the Mayor to execute same

N9 An Ordinance approving the 1st Amendment to the Intergovernmental Agreement between the City of Pueblo, a Colorado Municipal Corporation ("City"), and the State of Colorado, acting by and through the Colorado Department of Transportation ("CDOT"), Project TAP M086-072 (20192) / MTF 086-089 (24054) for the Arkansas River Trail Phase 4 Project and Authorizing the Mayor to Execute Same

- N10 An Ordinance approving and authorizing the Mayor to execute a service agreement between the United Way of Pueblo County, Colorado, Inc., establishing project no PS2308 for the DOT'S program, and budgeting and appropriating grant funds in the amount of \$14,017 for the purposes authorized by the service agreement
- N11 An Ordinance approving the transfer of funds in the amount of \$64,000.00 from the Pueblo Triple Aim Corporation to Project NO. PS2214 for use in the DOT'S program.
- N12 An Ordinance approving and authorizing the Mayor to execute a Second Amendment to the Agreement for Professional Services between the City of Pueblo, a Colorado Municipal Corporation, Tatiana Baily, Ph.D., dba Peak Analytics Consulting, and Center for Technology, Research and Commercialization dba Data-Driven Economic Strategies, a Colorado Non-profit Corporation relating to the Pueblo Monthly Economic Dashboard reports
- N13 An Ordinance amending zoning restrictions to rezone approximately three acres of land generally located at 1725 West Pueblo Boulevard from B-3, Highway and Arterial Business Zone District and A-4, Agricultural Four Zone District to B-4, Regional Business Zone District
- N14 An Ordinance approving an agreement between Pueblo School District 60, DBA Pueblo City Schools, and the City of Pueblo for the School Resource Officer Program during the period of January 1 through December 31, 2024, and authorizing Mayor Gradisar to execute same
- N15 An Ordinance making certain legislative findings and approving the North Elizabeth Hotel Urban Renewal Plan
- N16 An Ordinance making certain legislative findings and approving the Bluffs Phase 1 Urban Renewal Plan

O. APPROVAL OF CONSENT AGENDA

I move to approve all Resolutions Set Forth in the Consent Agenda; Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for December 11, 2023, and Order the Ordinances to be published BY TITLE.

P. REGULAR AGENDA

Q. RESOLUTIONS

R. ORDINANCES – FINAL PRESENTATION

- R1 An Ordinance levying and certifying the City of Pueblo property tax mill levy made in 2023 for the 2024 budget year - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R2 An Ordinance levying and certifying the Bandera Boulevard Special Improvement Maintenance District property tax mill levy made in 2023 for the 2024 budget year - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R3 An Ordinance levying and certifying the Southpointe Special Improvement Maintenance District property tax mill levy made in 2023 for the 2024 budget year - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R4 An Ordinance approving an amendment to the Cooperative Maintenance Agreement between the City of Pueblo, a Colorado Municipal Corporation, and Pueblo School District No. 60, relating to the maintenance of certain park properties, and authorizing the Mayor to execute the Same - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*

- R5 An Ordinance amending Section 1-5-3 of Chapter 5 of Title I of the Pueblo Municipal Code relating to and updating departmental organization to reflect current departmental organization and directors. - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R6 An Ordinance amending section 1-5-3 of Chapter 5 of Title I of the Pueblo Municipal Code relating to departmental organization, abolishing the Department of Housing, establishing the Division of Housing under the Department of Planning and Community Development and amending Subsection 4-8-4(2) of Chapter 8 of Title IV and Section 8-1-8 of Chapter 1 of Title VIII of the Pueblo Municipal Code to make consistent therewith - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R7 An Ordinance amending the fiscal year 2023 Staffing Ordinance by adding one (1) full-time CDBG/Home & Housing Administrator position to the authorized staffing of the Planning & Community Development Department as a part of a reorganization. - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R8 An Ordinance amending Section 6-5-16 of Chapter 5, of Title VI of the Pueblo Municipal Code relating to the FY 2023 classification and pay plan by establishing the pay scale for CDBG/Home & Housing Administrator - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R9 An Ordinance accepting funds in the amount of \$25,075 from Housing Authority of the City of Pueblo, for costs associated with the asphalt overlay on Sprague Avenue, and budgeting and appropriating said funds to account Project CI2309 - Road & Street Repairs - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R10 An Ordinance approving a time extension for the recording of a vacation plat for the Bluffs Multifamily Housing Development Project and amending Ordinance Number 10322 to conform thereto - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R11 An Ordinance establishing account Project PL2306, 8th Street Bridge Rehabilitation Project, and approving an Intergovernmental Agreement ("IGA") between the City of Pueblo, a Colorado Municipal Corporation, and the State of Colorado, acting by and through the Colorado Department of Transportation ("CDOT"), Project: BRO M086-099 (25513) in the amount of \$105,000, transferring \$26,250 from account Project CI2204 to PL2306, budgeting and appropriating funds in the amount of \$131,250 and authorizing the Mayor to execute same - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R12 An Ordinance approving a Deferred Improvements Agreement between InhabX, LLC, a Colorado limited liability company, and the City of Pueblo, a Colorado Municipal Corporation, relating to the construction of public improvements incidental to a rearrangement of property boundaries and authorizing execution thereof by the Mayor - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R13 An Ordinance of the City Council of the City of Pueblo, Colorado, amended Title V of the Pueblo Municipal Code, regarding elections - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R14 An Ordinance of the City Council of the City of Pueblo, Colorado, Amending Chapter 2 Title V of the Pueblo Municipal Code, regarding campaign expenditures and disclosures - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R15 An Ordinance calling a Special Municipal Election to be held on Tuesday, January 23, 2024, and submitting to the registered electors of the City of Pueblo the candidates for the Mayoral Runoff - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*

- R16 An Ordinance approving an Agreement of Purchase And Sale of Real Property Between Community Health Center Inc., and The City Of Pueblo for the purchase of 1302 East 5th Street Pueblo, Colorado 81001 in the amount of Four Hundred Thirty Eight Thousand Two Hundred Seventy One Dollars and no cents (\$438,271) to be paid from Project No. CI-2113, American Rescue Plan Act, as authorized by Section 603 (a) of the American Rescue Plan Act and U.S. Treasury Final Rule 31 CFR 35 and authorizing the Mayor to execute the same - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R17 An Ordinance rescinding Resolution 15406, approving and accepting a grant in the amount of \$120,000 from the Colorado Department of Human Services Local Food Purchase Assistance Program on behalf of the Pueblo Food Project, budgeting and appropriating \$120,000 to Project No. CI2328, and ratifying the Mayor's signature of the grant agreement - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R18 An Ordinance approving and accepting a 2022 Colorado Division of Criminal Justice, Office of Adult and Juvenile Assistance, Project Safe Neighborhood Grant in the amount of \$152,714 for the purchase of Shotspotter, authorizing Mayor Gradisar to execute the grant award letter and related documents, establishing project number PS2315, and budgeting and appropriating the grant funds of \$152,714 to said project - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- R19 An Ordinance approving and accepting a U.S. Department of Justice 2023 Rural and Small Department Violent Crime Reduction Program Grant, Award Number 15PBJA-23-GG-05332-BSCI, and applicable conditions pertaining thereto, establishing project number PS2317, budgeting and appropriating funds not to exceed \$300,000.00 for the purchase of Shotspotter, authorizing Mayor Gradisar to execute same and ratifying his signature thereto - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*

S. COUNCIL MEMBER CONFLICT OF INTEREST

Councilor Martinez may ask to be excused from the meeting due to a potential conflict of interest with agenda item number S-1, Councilor Maestri may ask to be excused from the meeting due to a potential conflict of interest with agenda item number S-2 .

- S1 An Ordinance making appropriation for the general fund, special revenue funds, enterprise funds, internal service funds, debt service funds, and capital project funds for the fiscal year 2024 and adopting the budget for the year 2024 - *Introduced November 13, 2023 by Councilor Vicente Martinez Ortega*
- S2 A Resolution awarding a construction contract in the amount of \$599,998.87 to Colorado Front Range Roofing, for Project No. 23-100R, Roof Replacement - Streets Maintenance Facility Rebid, setting forth \$150,001.13 for contingencies, and authorizing the Purchasing Agent to execute same

T. ADJOURN