



**REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS - CITY HALL  
#1 CITY HALL PLACE  
TUESDAY, May 28, 2019 7:00 P.M.**

**Individuals Requiring Special Accommodations Should Notify the City Clerk's Office (719) 553-2669 by Noon on the Friday Preceding the Meeting.**

- A. CALL TO ORDER: President Dennis E. Flores
- B. INVOCATION: Pastor Richard Conley, Trinity Life Center
- C. PLEDGE OF ALLEGIANCE
- D. ROLL CALL
- E. SPECIAL RECOGNITIONS
  - E.1. Proclamation Presentation: "Dave Cardinal Day" – May 28, 2019, Dave Cardinal, Former Member Pueblo Memorial Airport Advisory Committee
  - E.2. Proclamation Presentation: "Pueblo Parks & Rec Fest" - Amanda Cesar, Recreation Supervisor, Department Of Parks And Recreation
  - E.3. Proclamation Presentation: "Shriners International Awareness Day, June 6, 2019" - Glenda Terrill – Al Kaly Shriners, Pueblo
  - E.4. Certificate Of Appreciation - Vietnam Memorial And Sister City Plaza Clean-Up - Donna Phillips, Representative Keller-Williams
- F. PUBLIC FORUM
- G. COUNCIL MEMBER COMMENTARY
- H. REVIEW OF THE AGENDA
  - Review Agenda page by page.
- I. APPROVAL OF THE AGENDA
  - Required Council Action:** Motion to Amend the Agenda or Approve the Agenda as distributed.
- J. READING AND APPROVAL OF MINUTES
  - Required Council Action:** Motion to dispense with the reading and approve the Minutes of the Regular Meeting dated **Monday, May 13, 2019** as distributed.
  - Documents:
    - [05-13Minutes.pdf](#)
- 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

##### L.1. MINUTES OF THE PLANNING AND ZONING COMMISSION REGULAR MEETING FOR 04/10/2019

Documents:

[P and Z Minutes 04-10-2019 Signed.pdf](#)

#### M. RESOLUTIONS

##### M.1. A RESOLUTION ADOPTING THE 2019 CITY OF PUEBLO THREE MILE ANNEXATION PLAN FOR THE PURPOSES OF ANNEXATION AS REQUIRED BY THE MUNICIPAL ANNEXATION ACT OF 1965 AND RESCINDING ALL ANNEXATION MASTER PLANS PREVIOUSLY ADOPTED

Documents:

[Resolution\\_14212.pdf](#)  
[P\\_Z Report.pdf](#)

##### M.2. A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT TO THE GREATER PUEBLO CHAMBER OF COMMERCE FOR THE USE OF THE ALLEY WAY BETWEEN SOUTH UNION AVENUE AND SOUTH VICTORIA AVENUE, FROM WEST B STREET TO WEST C STREET

Documents:

[Resolution\\_14213.pdf](#)  
[Revocable Permit.pdf](#)

##### M.3. A RESOLUTION CONFIRMING THE APPOINTMENT BY THE MAYOR OF LAURA GETTS AND NINA VETTER AS MEMBERS OF THE ELECTRIC UTILITY COMMISSION

Documents:

[Resolution\\_14214.pdf](#)

##### M.4. A RESOLUTION APPOINTING A MEMBER TO THE PUEBLO MEMORIAL AIRPORT ADVISORY COMMITTEE

Documents:

[Resolution\\_14215.pdf](#)

##### M.5. A RESOLUTION APPOINTING A MEMBER TO THE SANGRE DE CRISTO ARTS AND CONFERENCE CENTER BOARD OF TRUSTEES

Documents:

[Resolution\\_14216.pdf](#)

#### N. ORDINANCES – FIRST PRESENTATION

##### N.1. AN ORDINANCE AMENDING APPROPRIATIONS AND COMPILING PREVIOUS AMENDMENTS TO THE GENERAL FUND, SPECIAL REVENUE FUNDS, ENTERPRISE FUNDS, INTERNAL SERVICE FUNDS, DEBT SERVICE FUNDS, AND

CAPITAL PROJECT FUNDS FOR THE FISCAL YEAR 2018 AND AMENDING THE BUDGET FOR THE YEAR 2018

Documents:

[Ordinance\\_N-1.pdf](#)

- N.2. AN ORDINANCE APPROVING AND ACCEPTING SUPPLEMENTAL FUNDS FROM THE COLORADO DEPARTMENT OF LOCAL AFFAIRS DEFENSE COUNSEL FIRST APPEARANCE GRANT AND BUDGETING AND APPROPRIATING FUNDS INTO PROJECT PS1814

Documents:

[Ordinance\\_N-2.pdf](#)  
[DCFA Award.pdf](#)

- N.3. AN ORDINANCE BUDGETING AND APPROPRIATING ADDITIONAL FUNDS IN THE AMOUNT OF \$19,500.00 TO PROJECT NUMBER PS1810

Documents:

[Ordinance\\_N-3.pdf](#)  
[Allocation letter.pdf](#)

- N.4. AN ORDINANCE APPROVING AND ADOPTING THE CITY OF PUEBLO'S 2019-2020 ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND THE HOME INVESTMENT PARTNERSHIP ACT GRANT (HOME), AUTHORIZING THE MAYOR OF THE CITY OF PUEBLO TO SUBMIT THE APPLICATION TOGETHER WITH ALL REQUIRED AND NECESSARY CERTIFICATIONS, ASSURANCES, AND DOCUMENTATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, AND APPROPRIATING AND BUDGETING CDBG AND HOME FUNDS THEREFORE

Documents:

[Ordinance\\_N-4.pdf](#)  
[Attachment 1.pdf](#)  
[CDBG Application.pdf](#)  
[HOME Application.pdf](#)  
[AP Certification.pdf](#)  
[CDBG Assurances.pdf](#)  
[HOME Assurances.pdf](#)  
[Lobby Certification.pdf](#)  
[Template of Subrecipient Agreement.pdf](#)  
[Dept Certification.pdf](#)

- N.5. AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, FOR THE RELEASE OF LOT 39 IN THE PUEBLO MEMORIAL AIRPORT INDUSTRIAL PARK SUBDIVISION 3RD FILING, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Documents:

[Ordinance\\_N-5.pdf](#)  
[Release Agreement.pdf](#)  
[Request Letter.pdf](#)

- N.6. AN ORDINANCE APPROVING AN AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, FOR THE

RELEASE OF LOT 51 IN THE PUEBLO MEMORIAL AIRPORT INDUSTRIAL PARK  
SUBDIVISION 3RD FILING, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Documents:

[Ordinance\\_N-6.pdf](#)  
[Release Agreement.pdf](#)  
[Release Request Letter.pdf](#)

- N.7. AN ORDINANCE APPROVING A CONTRACT, TAP M086-072 (20192) BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE STATE OF COLORADO, THE COLORADO DEPARTMENT OF TRANSPORTATION RELATING TO THE TRAILHEAD AND TRAIL MAINTENANCE AND OPERATION FOR THE ARKANSAS RIVER TRAIL PHASE 4 PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Documents:

[Ordinance\\_N-7.pdf](#)  
[Contract.pdf](#)

- N.8. AN ORDINANCE APPROVING THE JESIK SUBDIVISION PLAT

Documents:

[Ordinance\\_N-8.pdf](#)  
[P\\_Z Report.pdf](#)

- N.9. AN ORDINANCE AMENDING TITLE XI AND TITLE XVII OF THE PUEBLO MUNICIPAL CODE, AND ASSOCIATED RETAIL MARIJUANA RULES AND REGULATIONS, RELATING TO REQUIRED PERMITS AND ARCHITECTURAL REQUIREMENTS FOR MARIJUANA LICENSES

Documents:

[Ordinance\\_N-9.pdf](#)  
[P\\_Z Report.pdf](#)

- N.10. AN ORDINANCE AMENDING CHAPTER 10 OF TITLE XI AND CHAPTER 11 OF TITLE XI OF THE PUEBLO MUNICIPAL CODE RELATING TO MEDICAL AND RETAIL MARIJUANA LICENSES

Documents:

[Ordinance\\_N-10.pdf](#)

- N.11. AN ORDINANCE AMENDING SECTION 7-6-3 OF TITLE VII, SECTION 9-2-4 AND SECTION 9-12-1 OF TITLE IX AND CHAPTER 3 OF TITLE XI OF THE MUNICIPAL CODE TO REFLECT CHANGES TO THE COLORADO REVISED STATUTES

Documents:

[Ordinance\\_N-11.pdf](#)

- N.12. AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OR OPERATION OF ANY BUSINESS WHICH CULTIVATES, PROCESSES, MANUFACTURES, PREPARES, OR PACKAGES HEMP OR HEMP RELATED PRODUCTS

**Removed from Agenda**

Documents:

[Ordinance\\_N-12.pdf](#)

- N.13. AN ORDINANCE APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND FAIRFIELD AND WOODS, P.C., A COLORADO CORPORATION AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

Documents:

[Ordinance\\_N-13.pdf](#)  
[Agreement.pdf](#)

O. APPROVAL OF CONSENT AGENDA

- O.1. I Move To Receive And File The Minutes Of The Planning And Zoning Commission, Approve All Resolutions Set Forth In The Consent Agenda; Pass The Ordinances Of The Consent Agenda, Setting The Public Hearings For Monday, June 10, 2019, And Order The Ordinances To Be Published BY TITLE.

P. REGULAR AGENDA

Q. RESOLUTIONS

- Q.1. A RESOLUTION AUTHORIZING PAYMENT FROM THE CITY COUNCIL CONTINGENCIES ACCOUNT IN THE 2019 GENERAL FUND BUDGET TO THE SANGRE DE CRISTO ARTS CENTER IN THE AMOUNT OF \$1,200 TO PURCHASE A TABLE FOR THE 47TH ANNIVERSARY GALA- CRUISIN' CLASSICS

Documents:

[Resolution\\_14217.pdf](#)  
[Council Contingencies.pdf](#)  
[Request.pdf](#)

- Q.2. A RESOLUTION EXPRESSING APPRECIATION TO THE COLORADO PUBLIC UTILITIES COMMISSION FOR APPROVAL OF THE BLACK HILLS ENERGY ECONOMIC DEVELOPMENT TARIFF AND SERVICE AGREEMENT WITH AX2 DATA CENTERS, INC., A COLORADO CORPORATION AND RESPECTFULLY REQUESTING THE FORTHWITH ISSUANCE OF A FORMAL WRITTEN DECISION TO ALLOW IMPLEMENTATION OF SAID TARIFF AND AGREEMENT

~~Removed from agenda~~

Documents:

[Resolution\\_Q-2.pdf](#)

R. ORDINANCES – FINAL PRESENTATION

- R.1. AN ORDINANCE APPROVING A PROFESSIONAL SERVICES AGREEMENT IN AN AMOUNT NOT TO EXCEED \$57,890 BETWEEN THE CITY OF PUEBLO AND RAFTELIS FINANCIAL CONSULTANTS, INC. FOR THE 2019 BIENNIAL WASTEWATER RATE REVIEW

Documents:

[Ordinance\\_9459.pdf](#)  
[Agreement.pdf](#)

- R.2. AN ORDINANCE ESTABLISHING AIRPORT ADVERTISING FUND PROJECT NO.

AP1903 IN THE AVIATION GRANTS FUND, ACCEPTING FUNDS IN THE AMOUNT OF \$30,782.15 FROM THE PUEBLO COUNTY COMMISSIONERS, TRANSFERRING FUNDS IN THE AMOUNT OF \$96.79 FROM THE AIRPORT ADVERTISING FUND PROJECT NO. AP1802, TRANSFERRING FUNDS IN THE AMOUNT OF \$10,000.00 FROM THE 2019 AIRPORT ADVERTISING BUDGET, AND BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$40,878.94 TO PROJECT NO. AP1903

Documents:

[Ordinance\\_9460.pdf](#)

- R.3. AN ORDINANCE ESTABLISHING THE AIRPORT WILDLIFE FENCE PROJECT NO. AP1902, BUDGETING AND APPROPRIATING \$389,013 TO PROJECT NO. AP1902, AND APPROVING A CONTRACT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND DIBBLE AND ASSOCIATES CONSULTING ENGINEERS, INC., AN ARIZONA CORPORATION, TO PROVIDE ENGINEERING SERVICES FOR SAID PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Documents:

[Ordinance\\_9461.pdf](#)

[Agreement.pdf](#)

[FAA email.pdf](#)

- R.4. AN ORDINANCE APPROVING A HANGAR LEASE AGREEMENT FOR SPACE IN HANGAR D AT PUEBLO MEMORIAL AIRPORT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND BAHR CAPITAL, INC., A COLORADO CORPORATION, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Documents:

[Ordinance\\_9462.pdf](#)

[Hangar Lease Agreement.pdf](#)

- R.5. AN ORDINANCE APPROVING A MATERIAL & EQUIPMENT WAIVER AND HOLD HARMLESS AGREEMENT RELATING TO THE DONATION OF CERTAIN EQUIPMENT FROM THE GREENWOOD VILLAGE POLICE DEPARTMENT TO THE CITY OF PUEBLO AND THE PUEBLO POLICE DEPARTMENT, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Documents:

[Ordinance\\_9463.pdf](#)

[Agreement.pdf](#)

- R.6. AN ORDINANCE AUTHORIZING AMENDMENT NO. 14 TO THE AGREEMENT FOR COMMUNITY SERVICES PLANNING, ADMINISTRATION, AND ACCOUNTABILITY SERVICES BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF PUEBLO

Documents:

[Ordinance\\_9464.pdf](#)

[CSAC Amendment.pdf](#)

[Pueblo County Resolution.pdf](#)

- R.7. AN ORDINANCE APPROVING A DECLARATION OF PROTECTIVE COVENANTS FOR LOT 4, HISTORIC ARKANSAS RIVERWALK PROJECT FILING NO. 3, AS AMENDED BY REARRANGEMENT OF PROPERTY BOUNDARIES NO. RPB-19-04, COUNTY OF PUEBLO, STATE OF COLORADO AND AUTHORIZING THE MAYOR TO EXECUTE

SAID DECLARATION OF PROTECTIVE COVENANTS

Documents:

[Ordinance\\_9465.pdf](#)  
[Protective Covenants.pdf](#)

- R.8. AN ORDINANCE AMENDING ZONING RESTRICTIONS FOR PROPERTY COMMONLY KNOWN AS 1101 EAST ABRIENDO

Documents:

[Ordinance\\_9466.pdf](#)  
[P\\_Z Report.pdf](#)

- R.9. AN ORDINANCE AMENDING ZONING RESTRICTIONS FOR A 34.32-ACRE, CITY OWNED PARCEL, GENERALLY LOCATED EAST OF TROY AVENUE, SOUTH OF OAKSHIRE LANE, AND NORTH OF US HIGHWAY 50 BYPASS

Documents:

[Ordinance\\_9467.pdf](#)  
[P\\_Z Report.pdf](#)

- R.10. AN ORDINANCE APPROVING THE EAST PUEBLO HEIGHTS, 3RD FILING SUBDIVISION PLAT

Documents:

[Ordinance\\_9468.pdf](#)  
[P\\_Z Report.pdf](#)

- R.11. AN ORDINANCE AMENDING CHAPTERS 2, 4, 10, AND 15 OF TITLE XVII OF THE PUEBLO MUNICIPAL CODE RELATING TO THE ZONING CODE

Documents:

[Ordinance\\_9469.pdf](#)  
[P\\_Z Report.pdf](#)

- R.12. AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN PUEBLO, A COLORADO MUNICIPAL CORPORATION AND PUEBLO COUNTY RELATING TO THE USE OF 2016 BALLOT QUESTION 1A CAPITAL IMPROVEMENT PROGRAM PROJECT FUNDING FOR THE LAKE MINNEQUA PARK IMPROVEMENTS, AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Documents:

[Ordinance\\_9470.pdf](#)  
[InterGovernmental Agreement.pdf](#)

- R.13. AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN PUEBLO, A COLORADO MUNICIPAL CORPORATION AND PUEBLO COUNTY RELATING TO THE USE OF 2016 BALLOT QUESTION 1A CAPITAL IMPROVEMENT PROGRAM PROJECT FUNDING FOR PUEBLO ("BEULAH") MOUNTAIN PARK IMPROVEMENTS AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Documents:

[Ordinance\\_9471.pdf](#)

- R.14. AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND PUEBLO COUNTY, COLORADO, A POLITICAL SUBDIVISION OF THE STATE OF COLORADO AND THE PUEBLO AREA COUNCIL OF GOVERNMENTS, A COLORADO INTERGOVERNMENTAL AGENCY, RELATING TO THE STUDY OF THE PUEBLO STATION AREA PLAN FOR AMTRAK'S SOUTHWEST CHIEF PASSENGER TRAIN

Documents:

[Ordinance\\_9472.pdf](#)  
[Memorandum of Understanding.pdf](#)

- R.15. AN ORDINANCE AMENDING CHAPTER 4 OF TITLE XIV OF THE PUEBLO MUNICIPAL CODE RELATING TO THE SALES AND USE TAX AND EXEMPTING THEREFROM NEW LARGE-SCALE MANUFACTURING FACILITIES  
Continued to September 23, 2019 meeting

Documents:

[Ordinance\\_R-15.pdf](#)

S. COUNCIL MEMBER CONFLICT OF INTEREST

*Councilman Schilling will ask to be excused from the meeting due to a conflict of interest with agenda item number S-1.*

- S.1. AN ORDINANCE APPROVING AND ENACTING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE PUEBLO ASSOCIATION OF GOVERNMENT EMPLOYEES COMMENCING JANUARY 1, 2020 AND AUTHORIZING THE MAYOR TO EXECUTE SAME

Documents:

[Ordinance\\_9473.pdf](#)  
[Contract.pdf](#)

**ADJOURN**