

ALAMOSA CITY COUNCIL
Regular Meeting Agenda
ZOOM VIDEO WEBINAR
300 Hunt Avenue, Alamosa, CO
September 2, 2020

Mission Statement: We are committed to providing balanced, effective and efficient public services for our residents, visitors and businesses by cultivating a vibrant, resilient and livable city.

Any person needing reasonable accommodation to attend or participate in a public meeting, please contact the Alamosa City Clerk's office by telephone (719) 589-2593, by email cityclerk@ci.alamosa.co.us, in person at 300 Hunt Avenue, or by mail at POB 419, Alamosa, CO 81101.

Zoom Webinar Link: <https://us02web.zoom.us/j/88343257202>

Dial-in Number: US: +1 408 638 0968 | Webinar ID: 883 4325 7202

7:00 PM - Regular Meeting

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

II. ROLL CALL

III. AGENDA APPROVAL

IV. CITIZEN COMMENT

Alamosa City Council welcomes your comments. Citizens wishing to speak may obtain and complete a speaker card through the City Clerk at the start of the meeting.

- A. Audience Comments
- B. Follow-Up

V. CONSENT CALENDAR A

The Consent Calendar allows multiple actions with one motion. Consent Calendar A contains routine items which have been recommended for action by staff or advisory boards. Council may remove a consent calendar item for separate consideration.

C.7.a. Minutes of Meeting August 19, 2020

C.7.b. Appointment of Andrea Bachman to the Historic Preservation Advisory Committee

C.8.a. Motion authorizing the Mayor to sign Form 5280-1 for the Alamosa Regional Airport

C.3.a. Reallocate Police Department HVAC funds.

VI. REGULAR BUSINESS

C. Business Brought Forward by City Staff

1. Parks and Recreation

- a. Recreation Center and Trail Update

2. Fire

- a. Public Hearing and Second Reading, Ordinance No. 20-2020, An Ordinance Approving an Intergovernmental agreement with Alamosa County and the San Luis Valley Regional Airport for Mutual Aid in the Provision of Aircraft Rescue and Firefighting Services at the San Luis Valley Regional Airport

3. City Manager/Legal

- a. Public Hearing and second reading, Ordinance No. 21-2020, an ordinance approving an intergovernmental agreement with Water Activity Enterprise Special Improvement District No. 6 of the Rio Grande Water Conservation District to cover the City's municipal wells in the district's annual replacement plan(s) pending approval of the City's plan for augmentation

D. Request for Future Agenda Items Brought Forward by Council Members

- 4. Request for a Motion to relieve City Staff from enforcing the health mandate to wear masks outdoors.

E. Committee Reports

F. Staff Announcements

COUNCIL COMMENT

ADJOURNMENT

**ALAMOSA CITY COUNCIL
COUNCIL COMMUNICATION**

Subject/Title:

Minutes of Meeting August 19, 2020

ATTACHMENTS:

Description	Type
▢ Minutes of Meeting August 19, 2020	Minutes

ALAMOSA CITY COUNCIL
Regular Meeting Minutes
ZOOM VIDEO WEBINAR
300 Hunt Avenue, Alamosa, CO
August 19, 2020

Zoom Link: <https://us02web.zoom.us/j/88582636863>

Dial In Number: US +13462487799 Webinar ID: 885 8263 6863

6:30 PM - Work Session: Board Applicant Interview

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Regular Meeting of the Alamosa City Council was held virtually via Zoom Webinar and called to order on the above date by Mayor Ty Coleman at 7:00 p.m. The Pledge of Allegiance was recited.

II. ROLL CALL

Present at roll call: Mayor Ty Coleman, Councilors Charles Griego, David Broyles, Liz Hensley, Kristina Daniel, Jan Vigil, and Michael Carson. A quorum was declared. Also present: City Manager Heather Brooks, City Attorney Erich Schwiesow, and City Clerk Holly Martinez.

III. AGENDA APPROVAL

Councilor Broyles moved, seconded by Councilor Griego to approve the agenda as presented. The motion carried unanimously.

IV. CITIZEN COMMENT

Alamosa City Council welcomes your comments. Citizens wishing to speak may obtain and complete a speaker card through the City Clerk at the start of the meeting.

A. Audience Comments

Brenda Chavez spoke regarding concerns of the future of Ordinance No. 19-2020 passage.

Gretchen Bianca also spoke in regards to the same concerns regarding the future of the ordinance.

B. Follow-Up

None.

V. CEREMONIAL ITEMS

A. Introduction of Parks & Recreation Office Supervisor, Juan Lopez

Parks & Rec Director Andy Rice introduced Juan Lopez who was welcomed by Council.

B. Introduction of Communications & Project Specialist, Jasmine Husmann

City Manager Heather Brooks introduced Jasmine Husmann who was welcomed by Council.

C. 100th Anniversary of certification of the Nineteenth Amendment Proclamation

Councilor Hensley read the proclamation and Council presented it to Jan Oen, who also spoke in regards to the proclamation and thanked Council for the proclamation.

VI. CONSENT CALENDAR A

The Consent Calendar allows multiple actions with one motion. Consent Calendar A contains routine items which have been recommended for action by staff or advisory boards. Council may remove a consent calendar item for separate consideration.

Councilor Griego moved, seconded by Councilor Vigil to approve Consent Calendar A as presented. The motion carried unanimously.

C.7.a. Approve Minutes of Meeting August 5, 2020

C.8.a. Receive July 2020 Monthly Reports

VII. REGULAR BUSINESS

A. Presentations from Outside Agencies

1. ASU Presentation from Dr. Lovell and Kevin Daniel

ASU President Dr. Lovell and ASU Representative Kevin Daniel presented information on the reopening of Adams State to Council. Council thanked them for the presentation and keeping them informed.

B. Business Brought Forward by City Staff

1. Public Works

- a. Second Reading and Public Hearing, Ordinance No. 18-2020, An Ordinance Re-Zoning Tracts 3, 5 & 6 Of The Replat Of The Paterson Subdivision Located Generally West Of Highway 285 And Bounded Between West Eighth Street And West Tenth Street As Shown On The Attached Exhibit A, In The City Of Alamosa Colorado

Deacon Aspinwall reviewed this ordinance with Council.

Mayor Coleman opened the public hearing at 8:06 p.m. and asked for those wishing to speak on this ordinance.

Michael Paterson, the developer spoke regarding the reasons for his request.

Joe Madrid spoke in opposition to this ordinance stating that he lives near the apartments and his neighbors hate them.

Delzia Worley spoke in support of this ordinance stating she is in favor of working with the developer and having the city move forward with the project. She sees it from a cash flow perspective and the banks when they finance need the projects they are funding to make sense and this one does.

Aaron Miltenberger spoke stating it is important for Council to see the different perspectives sharing his personal perspective of how he is in support of the ordinance. He would like to see the Boys and Girls Club surrounded by single affordable housing and beautiful buildings.

Patty Paterson echoed her husband Michael Paterson's comments. She also stated that the Kiva development is kid friendly and dog friendly, and that they don't have a ton of college students currently living there but they do make accommodations to make the residents feel safe such as cameras up on the property and making the area feel that there is a sense of community there.

There being no one else wishing to speak, the hearing closed at 8:33 p.m.

Council further discussed this ordinance.

Councilor Griego moved, seconded by Councilor Carson to adopt Ordinance No. 18-2020 with an amendment to approve rezoning Tract 3 from CB to RH, and Tract 5 from CB to MH but to leave Tract 6 as Commercial Business. Mayor Coleman asked for clarification if the developer was in agreement to this, Mr. Paterson confirmed he agreed. The motion carried unanimously.

- b. Second Reading and Public Hearing, Ordinance No. 16-2020, an ordinance vacating that portion of Twelfth Street between Alamosa Avenue and the platted alley bordering lots 32-35, block 100, Lakeview Subdivision.

Heather Brooks reviewed this ordinance with Council.

Mayor Pro Tem Jan Vigil opened the public hearing at 9:17 p.m.

Randy Gutierrez, the property owner of this request, spoke in support of this ordinance.

There being no one else wishing to speak, the hearing closed at 9:18 p.m.

Councilor Carson moved, seconded by Councilor Griego to finally adopt Ordinance No. 16-2020. The motion carried unanimously.

2. Fire

- a. First Reading, Ordinance No. 20-2020, An Ordinance Approving an Intergovernmental agreement with Alamosa County and the San Luis Valley Regional Airport for Mutual Aid in the Provision of Aircraft Rescue and Firefighting

Services at the San Luis Valley Regional Airport

Heather Brooks provided information on this ordinance to Council.

Council Carson moved, seconded by Councilor Griego to approve the ordinance on first reading and set for a public hearing on Wednesday, September 2, 2020 at 7:00 p.m. or as soon thereafter as the matter may be heard. The motion carried unanimously.

3. City Manager/Legal

- a. First reading, Ordinance No. 21-2020, an ordinance approving an intergovernmental agreement with Water Activity Enterprise Special Improvement District No. 6 of the Rio Grande Water Conservation District to cover the City's municipal wells in the district's annual replacement plan(s) pending approval of the City's plan for augmentation

Counselor Schwiesow provided information on this ordinance to Council.

Councilor Broyles moved, seconded by Councilor Carson to approve Ordinance No. 21-2020 on first reading and set for a public hearing on Wednesday, September 2, 2020 at 7:00 p.m. or as soon thereafter as the matter may be heard. The motion carried unanimously.

- b. Proclamation amending the March 18, 2020 Proclamation declaring COVID-19 local disaster emergency.

Counselor Schwiesow presented information to Council on why this proclamation is being brought forward for an amendment.

Council further discussed this item and clarified how the proclamation tied to the emergency declaration.

Councilor Carson moved, seconded by Councilor Vigil to adopt the amended proclamation. The motion carried unanimously.

- c. Second Reading and Public Hearing, Ordinance No.19-2020, an ordinance making it unlawful willfully to violate a local, state, or federal order issued for the protection of public health

Counselor Schwiesow reviewed this ordinance with Council. Police Chief Ken Anderson spoke in support of the ordinance and how it would help his department.

Mayor Pro Tem Vigil opened the public hearing at 10:02 p.m. and asked for those who wish to speak on this ordinance to do so.

Sasha Parga spoke in opposition to the ordinance stating it is a violation of rights and that masks and vaccines should be a choice to citizens. She also provided information related to what the US Surgeon General has stated on the effectiveness of masks.

Eric Gile spoke against the ordinance stating he is not anti-mask but doesn't feel

that the ordinance is needed and is an overreach.

Brad (Did not state last name) spoke in opposition to the ordinance.

Dean Lee asked for clarification on what the emergency of this ordinance was. He also spoke in opposition stating that the ordinance is no longer for health and safety and feels as if it is for more government control. He also stated the appreciates all the information provided in the beginning but believes that everything changed.

Dr. Lauren Sonderegger of Valley Wide spoke in support stating that she is speaking from a note of care and positivity and that wearing a mask is asking people to care about them and is a way to protect neighbors.

Micah Jackson spoke in opposition to this ordinance and enforcement of masks. She also stated that local government is where citizens have the most say and voice and although the ordinance may have been a good intention, feels it is meddling in affairs that are counterproductive. She also spoke stating reasons of why she is in opposition to the ordinance and that Council and the City needs to focus on education and encouragement, not enforcement.

Michael Dominguez read a statement speaking in opposition to the ordinance. He stated that the background information provided in council's communication needed to be written to speak to the facts and the ordinance was originally written with amendments for emergency powers.

Larry Brown spoke in opposition to the ordinance and stated that there should be voluntary compliance.

Ruthie Brown spoke in opposition to the ordinance stating that she is scared of it and is getting tired of being told she doesn't care about others because she doesn't wear a mask. She also stated she is sad for PD because they have far more important things to worry about than masks.

Terry Hammond spoke in opposition to the ordinance providing Council with information as to why specifically that the virus is not a serious threat.

Ryan Morgan spoke and asked Council to take into consideration that the ordinance was very broad and that they'd need to think about the enforcement of the ordinance for future councils.

Barbara Schaer spoke against the ordinance and feels it's an open ended ordinance.

Donna McDonald spoke stating she appreciates Council for listening to the people as that is who they are working for. She also spoke stating that masks still allow viruses to go through and people need to look at what we're doing when wearing masks.

Lisa Cordova spoke and agreed with the previous speakers who were against the ordinance.

Wilderness Welch spoke stating he views the ordinance as dangerous and can do damage in the future.

Brenda Chavez spoke against the ordinance citing journal references and encouraged more research of the virus and masks.

Lisa Rogers spoke agreeing with all the points that were brought up and asked Council to vote no on this ordinance.

Dr. Kris Steinberg spoke in support of the ordinance and that wearing masks helps by 85% and are very effective and asked Council to vote yes on the ordinance.

Mike Brady spoke agreeing with everyone else that spoke in opposition to the ordinance. He is against masks and gave a shout out to the Rio Grande County Mayor for not enforcing masks.

Karen Morgan spoke reiterating a lot of the previous feelings that were brought up and presented and spoke against the ordinance stating she doesn't see the point and Council should leave offenses as they are.

There being no one else wishing to speak, the hearing closed at 11:17 p.m.

Council further discussed this ordinance, coming to consensus that they believe the ordinance was done with good intent but that the emergency aspect of the ordinance caused it to muddy the waters but that the mechanism that is currently in place right now works and they'd rather use what is already in the toolbox. Council thanked everyone for all the calls, emails and text they received regarding the ordinance as they are representatives of the people and it was appreciated for them to get their insight into the ordinance.

Councilor Hensley moved, seconded by Councilor Daniel to decline to adopt Ordinance No. 19-2020 in its entirety. The motion carried unanimously.

C. Committee Reports

None.

D. Staff Announcements

None.

VIII. LOCAL LIQUOR LICENSING AUTHORITY ACTIONS

A. CONSENT CALENDAR B

The Consent Calendar allows multiple actions with one motion. Consent Calendar B contains routine items which have been recommended for action by staff or advisory boards. Council may remove a consent calendar item for separate consideration.

Councilor Daniel moved, seconded by Councilor Carson to approve Consent Calendar B as presented. The motion carried unanimously.

1. Consideration of change of location of Juanito's Mexican Restaurant, LLC hotel/restaurant liquor license from 1019 Sixth Street to 2069 First Street.

COUNCIL COMMENT

Councilor Carson spoke in regards to how he didn't appreciate some comments made during the ordinance hearing.

Councilor Broyles spoke regarding enforcement of wearing masks and how to relieve city staff from enforcing of such during special events. Ms. Brooks responded stating Councilor Carson was planning to submit a council initiated agenda item.

Councilor Daniel stated she appreciated the comments Councilor Carson made regarding staff and that it was unfair for blanket statements to be made, and that there are ways to bring the community together.

Councilor Griego thanked staff and stated that the whole intent was just to help. Thanked Councilor Daniel for her comment on the zoning.

Mayor Coleman gave thanks to Mayor Pro Tem Vigil for helping with the running of the meeting. He also reiterated the importance of city staff.

Councilor Hensley reiterated comments about staff and stated she is proud of city council. She also wished all students all the best this year and that they'll have a good semester. She also provided a report from the Marketing Board that she did not get to present under Committee reports.

Councilor Vigil spoke in appreciation of staff and stated that there needs to be teamwork and we need to stick together and is glad they have the ability to have constructive conversations. He also stated people need to have empathy for people who don't think the same way that you do; and gave comments regarding parents and K-12 education.

ADJOURNMENT

The meeting adjourned at 12:03 a.m. on Thursday, August 20, 2020.

Holly C. Martinez, City Clerk

Ty Coleman, Mayor

ALAMOSA CITY COUNCIL COUNCIL COMMUNICATION

Subject/Title:

Appointment of Andrea Bachman to the Historic Preservation Advisory Committee

Recommended Action:

Appoint Andrea Bachman to serve on the Historic Preservation Advisory Committee to fill the vacancy with a term ending 6/1/2022.

Background:

Andrea Bachman recently applied to serve on the Historic Preservation Advisory Committee (HPAC). HPAC currently has one vacancy with a term ending 6/1/2022. Ms. Bachman interviewed with Council on Wednesday, August 19, 2020.

Issue Before the Council:

Does Council wish to make this appointment?

Alternatives:

1. Make the appointment
2. Do not make the appointment and continue recruitment.

Fiscal Impact:

NA

Legal Opinion:

The City Attorney will be present at the meeting for questions or comments.

Conclusion:

This action helps fill the vacancy on the Historic Preservation Advisory Committee and further Council's goal of community through citizen involvement.

ALAMOSA CITY COUNCIL COUNCIL COMMUNICATION

Subject/Title:

Motion authorizing the Mayor to sign Form 5280-1 for the Alamosa Regional Airport

Recommended Action:

Staff recommends that Council authorize the Mayor to sign Form 5280-1.

Background:

Airport Manager, Will Hickman, reached out to the City with the need to have Form 5280-1 signed. Below is information provided by Mr. Hickman.

The 5280-1 Form is the official application that an airport uses to apply for its FAA Part 139 Airport Operating Certificate. This form is necessary for both Alamosa County and the City of Alamosa to sign, since the Airport is jointly owned. In order for ALS to serve air carrier aircraft with seating above 9 passenger seats, a Part 139 Operating Certificate is required. Our 139 inspection is scheduled for September 8-10. This form must be submitted to the FAA before then.

Issue Before the Council:

Does Council wish to authorize the Mayor to sign Form 5280-1?

Alternatives:

Council can authorize the Mayor to sign the form or provide further direction to staff.

Fiscal Impact:

none

Legal Opinion:

The City Attorney will be available for any questions.

Conclusion:

This form is needed for the Alamosa Regional Airport to continue to provide service.

ATTACHMENTS:

Description	Type
Form 5280-1	Backup Material



U.S. Department
Of Transportation
**Federal Aviation
Administration**

FAA Form 5280-1, Application for Airport Operating Certificate

Paperwork Reduction Act Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The OMB Control Number for this information collection is 2120-0675. Public reporting for this collection of information is estimated to be approximately 22 hours per response, depending on complexity, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. All responses to this collection of information are mandatory under 14 CFR Part 139. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, Federal Aviation Administration, 10101 Hillwood Parkway, Fort Worth, TX 76177-1524.

ALAMOSA CITY COUNCIL COUNCIL COMMUNICATION

Subject/Title:

Reallocate Police Department HVAC funds.

Recommended Action:

Staff recommends the reallocation HVAC funds to be used for a motorized operational gate.

Background:

The City has \$27,000 allocated for the replacement and repair of the Police Department HVAC system. The Police Department has seen an increase in security concerns over the last few years. With the parking lot unsecured we have had numerous encounters with individuals looking through the squad room windows and leaving items outside the patrol/squad room door. We want to reallocate \$16,000 of those funds to install an operational gate to secure the lot and protect our officers and all equipment and vehicles from unauthorized visits.

Facilities has evaluated the HVAC unit and determined that minor changes will correct the needed issues and extend the life of the unit. The cost of the repair is estimated as less than \$5,000.

Issue Before the Council:

Does Council wish to authorize the reallocation of HVAC funds.

Alternatives:

Council can decide if it wants to reallocate the unused funds for the gate, budget for gate upgrades in 2021, or provide further direction to staff.

Fiscal Impact:

If Council approves the reallocation of funds no additional funds will be needed. The remaining \$11,000 will be used for repair of one of the HVAC units with any balance returned to the general fund.

Legal Opinion:

The City Attorney will be present for comment.

Conclusion:

If Council approves staff recommendation it will help secure the Police Department and protect both officers and equipment.