

ALAMOSA CITY COUNCIL

Regular Meeting Minutes

Council Chambers
300 Hunt Avenue, Alamosa, CO
September 2, 2015

As a full service municipal government, our mission is to enhance the quality of life for our residents, visitors, and businesses. We strive to provide balanced business, employment, recreational, and residential opportunities.

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.

7:00 PM - Regular Meeting

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Regular Meeting of the Alamosa City Council was called to order on the above date by Mayor Josef Lucero at 7:02 p.m. The Pledge of Allegiance was recited.

II. ROLL CALL

Present at roll call: Mayor Josef Lucero, Councilors Greg Gillaspie, Jan Vigil, Charles Griego, Ty Coleman, and Michael Stefano. Also present: City Manager Heather Brooks, City Attorney Erich Schwiesow, and City Clerk Holly Martinez.

III. AGENDA APPROVAL

Councilor Griego moved and seconded by Councilor Vigil 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

Elvie Ray Conley introduced himself to City Council. He is a candidate for the Ward Three seat in the 2015 Election.

Christopher Hall and Jermaine Stafford of Rocky Mountain SER spoke in regards to the youth programs that they would like to bring to the City of Alamosa.

Senator Crowther spoke in regards to some of the issues that are going on in the

State right now and asked for comments, questions, and concerns from anyone. He also mentioned that Representative Vigil and himself will be at Homelake Cemetery for the dedication of the expansion on September 11 at 1:00 p.m.

B. Follow-Up

Councilors Coleman, Greigo, Stefano, and Mayor Lucero thanked Rocky Mountain SER for everything they are doing for the youth.

Council thanked Senator Crowther for all the work he has done and having the town hall meetings he has had to keep everyone informed. They also thanked him for being present at the meeting.

V. CEREMONIAL ITEMS

None.

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

C.7.a. Approve Minutes of Meeting August 5, 2015

VII. REGULAR BUSINESS

A. Presentations from Outside Agencies

1. Alamosa Christmas Light Parade

Dawn Honeycutt gave a recap of the Rodeo and how well it did this year. She also presented information to Council on the next project coming up, which is the Alamosa Christmas Light Parade. This will be held Saturday, December 18, 2015 at 6:30 p.m.

The Christmas Light Parade will cost about \$1,000 - \$1,200. Ms. Honeycutt stated that it would be able to be paid for by Sponsors and the Round-Up funds but wanted to come to Council to see what their recommendation would be and if they would be able to help with some of the funding. She requested if they did, she would request the help of \$500.00.

Council further discussed the request and stated they support the event but there is no money left in their sponsorship fund, however, they will look at the funds during budget discussion and get back to Ms. Honeycutt at a further

date regarding the request.

B. Business Brought Forward by City Staff

1. Public Works

- a. Public Hearing and Final Reading, Ordinance No. 9-2015, An Ordinance Amending Section 2-184(e) of Article VI, Chapter 2 of the Code Of Ordinances of the City of Alamosa, Modifying Bidding Procedures

Pat Steenburg reviewed this Ordinance with Council. This ordinance failed to pass when it was first brought to City Council and upon further analysis, the change to this Ordinance now has the preference at a 7 percent preference to bidders located within Alamosa County and a 3 percent preference to bidders outside of Alamosa County but still within the remaining five counties in the San Luis Valley.

Councilor Coleman clarified that this would be helpful to staff when it comes to making the decisions regarding bidding.

Councilor Griego thanked staff for the change and appreciates how it was changed.

Councilor Vigil thanked Pat and staff for listening and changing this Ordinance.

Mayor Lucero also commented regarding this Ordinance and see this as a positive measure.

Mayor Lucero opened the hearing at 7:44 p.m. and asked for those wishing to speak on the matter.

Dan McCann spoke in favor of the Ordinance.

Georgia Cook thanked Council for considering this Ordinance.

There being no one else wishing to speak, the hearing closed at 7:47 p.m.

Councilor Griego moved, second by Councilor Coleman to finally adopt Ordinance No. 9-2015. The motion carried unanimously.

2. Police

- a. Public Hearing, Ordinance No. 12-2015, AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE ALAMOSA SCHOOL DISTRICT TO PROVIDE A SCHOOL RESOURCE OFFICER FROM THE ALAMOSA POLICE DEPARTMENT TO THE ALAMOSA SCHOOL DISTRICT

Chief Oakes reviewed this Ordinance with Council. This ordinance is to enter into the intergovernmental agreement with the Alamosa School District to provide a school resource officer from the Alamosa Police Department in the Alamosa schools.

Mayor Lucero opened the hearing at 7:53 p.m. and asked for those wishing to speak on the matter.

Kristina Daniel spoke in support of the way the Alamosa Police Department and the Alamosa District work together for this.

There being no one else wishing to speak, the hearing closed at 7:55 p.m.

Councilor Griego moved, seconded by Councilor Vigil to finally adopt Ordinance No. 12-2015. The motion carried unanimously.

3. City Manager/Legal

- a. Authorize Construction of Office for City Attorney

Heather Brooks presented information to Council. When City Hall was designed and constructed, it was purposefully designed to handle future staffing growth needs. After meeting with the City Attorney, staff feels that it is warranted to construct an office for the performance of his duties and identified a location that can best meet these needs. This will be by dividing the existing break room in half. There is a rough estimate of \$12,000 and will be taken from the non-department budget and most likely come from the general fund balance.

Councilor Vigil moved, seconded by Councilor Gillaspie to authorize staff to add an office for the City Attorney with an estimated cost of \$12,000. The motion carried unanimously.

- b. Public Hearing and Second Reading, Ordinance No. 13-2015 Suspending the 180 Day Limit on Transient Dealers Licenses for Sales and Delivery of Food and/or Beverages for a Period of Three Months to Allow Consideration of an Amendment to the Existing Ordinance Concerning Such Licenses

Heather Brooks reviewed the Ordinance with Council. This ordinance suspends the 180 day limit on transient dealers licenses for sales and delivery of food and/or beverages for a period of three months to allow consideration of an amendment to the existing ordinance concerning

such licenses.

Mayor Lucero opened the hearing at 8:08 p.m. and asked for those wishing to speak on the matter.

Jeff Woodward spoke in favor of this ordinance.

There being no one else wishing to speak, the hearing closed at 8:16 p.m.

Councilor Gillaspie moved, seconded by Councilor Vigil to finally adopt Ordinance No. 13-2015. The motion carried unanimously.

C. Committee Reports

None.

D. Staff Announcements

Heather Brooks informed Council that in regards to the Christmas Light Parade is if it was something that they wanted to vote on, then it would not be something that would be discussed at the budget work sessions. The request was for this year and it would impact the current budget, not the 2016 budget. Council agreed to have it be discussed at the next regular meeting.

Heather Brooks also informed Council that at the next meeting there will several items related to the SID that they have been working on and also let them know they are getting ready to issue a request for proposals to hire firm to come in and review the utility rates.

Pat Steenburg gave an update regarding 8th street.

COUNCIL COMMENT

Councilor Griego reminded everyone about the KaBOOM! build project on September 12, 2015.

Councilor Gillaspie reminded everyone about the Early Iron event this weekend.

Councilor Vigil also spoke in regards to the KaBOOM! build project.

Councilor Coleman thanked staff for the work that is being done on the streets and asked Pat to explain how the streets are chosen to be worked on. He also encouraged the citizens to come out and participate in the Early Iron event and also invited everyone to come and support the first Alamosa High School Football game.

Mayor Lucero thanked Pat for the traffic management for 8th street and all the good work he is doing.

EXECUTIVE SESSIONS

Councilor Griego moved, seconded by Councilor Vigil to move into executive session (8:38 p.m.) pursuant to C.R.S. §24-6-402(4)(f) for Personnel Matters - Evaluation of City Manager and also pursuant to C.R.S. §24-6-402(4)(a) to discuss the purchase or acquisition of water rights. The motion carried unanimously.

When back in Regular Session, Mayor Lucero affirmed that the Executive Sessions were held solely for the stated purpose.

1. Executive Session pursuant to CRS §24-6-402(4)(f) for Personnel Matters – Evaluation of City Manager.
2. Executive Session pursuant to C.R.S. § 24-6-402(4)(a) to discuss the purchase or acquisition of water rights.

ADJOURNMENT

The meeting adjourned immediately after the Executive Sessions.

Holly C. Martinez, City Clerk

Josef P. Lucero, Mayor

ALAMOSA CITY COUNCIL

Regular Meeting Minutes

Council Chambers
300 Hunt Avenue, Alamosa, CO
August 19, 2015

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7:00 PM - Regular Meeting

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The Regular Meeting of the Alamosa City Council was called to order on the above date by Mayor Josef Lucero at 7:01 p.m. The Pledge of Allegiance was recited.

II. ROLL CALL

Present at roll call: Mayor Lucero, Councilors Greg Gillaspie, Jan Vigil, Rusty Johnson, Ty Coleman and Michael Stefano.
Councilor Griego previously requested to be excused. Also present: City Manager Heather Brooks, City Attorney Erich Schwiesow, and City Clerk Holly Martinez.

III. AGENDA APPROVAL

Councilor Gillaspie moved, seconded by Councilor Vigil 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

Mark Hensley spoke on behalf of the SID project.

Jerry Archuleta spoke on behalf of the construction on West 7th Street.

B. Follow-Up

Heather Brooks informed Council that staff was very grateful with Mark's effort to contact the property owners and give them as many options as possible and to get Council as much information as possible. She also addressed

Mr. Archuleta's concerns explaining that the City has been trying to be very accommodating while at the same time realize that there has been private investments at the same time into the public right of way.

She also stated that the City has offered to reimburse Mr. Archuleta or pay him the \$5.05/sq. ft and for the cost the concrete and the coloring for the section that had to be taken out to help better manage the slope.

V. CEREMONIAL ITEMS

A. Introduction of Deputy Clerk, Lachelle Montano

Holly Martinez introduced Lachelle Montano, who was welcomed by Council.

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

C.7.a. Approve Minutes of Meeting August 5, 2015

C.2.a. Receive July 2015 Expenditure Report

C.8.a. Receive July 2015 Monthly Reports

C.7.b. Appoint new member to the Alamosa Housing Authority Board

VII. REGULAR BUSINESS

B. Business Brought Forward by City Staff

1. Public Works

- a. First Reading, Ordinance No. 9-2015, An Ordinance Amending Section 2-184(e) of Article VI, Chapter 2 of the Code Of Ordinances of the City of Alamosa, Modifying Bidding Procedures

Pat Steenburg presented information to Council. This is the same ordinance that was presented at a prior meeting but was not passed. The previous ordinance had a 7 percent city preference, 5 percent county preference, and 3 percent valley preference. Upon further analysis, staff is now recommending a 7 percent preference to bidders located within Alamosa County and a 3 percent preference to bidders outside of Alamosa County but still within the remaining five counties of the San Luis Valley.

Council further discussed the Ordinance.

Councilor Gillaspie moved, seconded by Councilor Coleman to approve Ordinance No. 09-2015 on first reading and set it for public hearing thereon on Wednesday, September 2, 2015 at 7:00 p.m. or as soon thereafter as the matter may be heard. The motion carried 3 to 2 with Councilors Stefano and Mayor Lucero casting the no votes.

2. Police

- a. First Reading, Ordinance No. 12-2015, AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE ALAMOSA SCHOOL DISTRICT TO PROVIDE A SCHOOL RESOURCE OFFICER FROM THE ALAMOSA POLICE DEPARTMENT TO THE ALAMOSA SCHOOL DISTRICT

Chief Oakes presented information to Council. This is a renewal of the annual agreement with the School District and the City of Alamosa Police Department to provide the School Resource Officer to the schools. The School Resource Officer's salary is split between the City and the School District, but the officer remains a full time employee of the Alamosa Police Department. The cost of the City's portion of the officer's salary is less than \$25,000.

Councilor Vigil moved seconded by Councilor Stefano to approve Ordinance No. 12-2015 on first reading and set it for public hearing thereon on Wednesday, September 2, 2015 at 7:00 p.m. or as soon thereafter as the matter may be heard. The motion carried unanimously.

3. City Clerk/Municipal Court

- a. Public Hearing, Ordinance No. 11-2015, An Ordinance Approving an Intergovernmental Agreement with Alamosa County for Conduct of the November 3, 2015 Coordinated Election.

Holly Martinez presented information to Council. This Ordinance was presented on first reading at the August 5, 2015 regular Council Meeting.

Mayor Lucero opened the public hearing at 7:31 p.m. and asked for those wishing to speak on this matter.

There being no one wishing to speak, the hearing closed at 7:31 p.m.

Councilor Gillaspie moved, seconded by Councilor Vigil to finally adopt Ordinance No. 11-2015. The motion carried unanimously.

4. City Manager/Legal

a. Direction on Special Improvement District 14-1 Close Out

Heather Brooks presented information to Council. The Special Improvement District 14-1, covering portions of the Carroll Subdivision No. 2, is almost complete. The only remaining item is to have Xcel install the streetlights. Through discussions with Xcel and legal counsel, it is clear that the City will not be able to coordinate the installation of gas and electric due to the ballot language, which did not include those items.

She stated that there are four options that can be done. One is to simply just close it out and do the next ordinances that need to be done, but this still leaves the problem of the gas and electric. The second option would be to take it to this November election to extend that language. Another option would be to get an agreement by the electors and the bank modify the bond to include the additional expenditure for gas and electric. This would require 100% approval from those parties. The last option, which staff is recommending, is to finish the existing SID per the ballot language and close out the bond. Council would then create a new SID that covers only those properties that need gas and electric. Through this, the City would fund the anticipated \$41,510 to install gas and electric and assess those costs to the individual properties to be paid over five years.

Councilor Vigil moved, seconded by Councilor Stefano to approve Option 3 and close out the SID as currently constituted, but without street lighting, and direct staff to move forward with a City-funded SID to install gas, electric, and street lighting. The motion carried 4 to 1 with Councilor Coleman casting the no vote.

b. Agreement Providing for Construction of Monroe Street with Lawrence Wilcox.

Heather Brooks provided information to Council. This item dates back to 2012 when the Planning and Zoning Commission and City Council approved the final plat and subdivision involving Michael Patterson and Lawrence Wilcox located along 8th Street and unimproved Monroe. Upon review of the situation, it was evident the City did not secure any monetary interest for the construction of the east side of Monroe. Staff notified both parties and an agreement was reached upon that also satisfies the motion Council made in 2012.

Councilor Gillaspie moved, seconded by Councilor Vigil to authorize the Mayor to sign the agreement with Mr. Wilcox, securing \$50,000 for the construction of Monroe Street. The motion carried unanimously.

c. First Reading, Ordinance No. 13-2015 Suspending the 180 Day Limit on Transient Dealers Licenses for Sales and Delivery of Food and/or Beverages for a Period of Three Months to Allow Consideration of an Amendment to the Existing Ordinance Concerning Such Licenses

Heather Brooks presented information to Council. The existing ordinance governing transient dealers, which includes mobile food units, limits the license to 180 days (6 months). This ordinance proposes a three-month suspension of the 180-day limit for sales of food and/or beverages only, not all transient dealers, and would allow time for staff to finalize the list of potential regulations and schedule a work session with City Council to more thoroughly review this issue. This suspension also allows vendors to continue their operations until a time that the matter has been more fully vetted. There are six vendors who will benefit from this three-month suspension.

Councilor Gillaspie moved and seconded by Councilor Coleman to approve Ordinance No. 13-2015 on first reading and set it for public hearing thereon on Wednesday, September 2, 2015 at 7:00 p.m. or as soon thereafter as the matter may be heard. The motion carried unanimously.

C. Committee Reports

Councilor Vigil reported on the school board.

Councilor Stefano thanked staff for all their hard work they have done on the streets projects.

D. Staff Announcements

Heinz Bergann updated Council on upcoming events and presented the results of the KaBOOM! project. The build day will be September 12, 2015 from 8:00 a.m. to 3:00 p.m.

Holly Martinez updated Council on the standings of the election thus far. The deadline for petitions to be filed is Monday, August 24, 2015 at 5:00 p.m. and the deadline to cure is Thursday, August 27, 2015 at 5:00 p.m.

Heather Brooks updated Council that there has been 7 proposals for the update to the comprehensive plan and

they are all below budget.

She also informed Council that with the changes going on in the City Attorney's law firm, he may be looking for office space and from a City Hall perspective, it was always anticipated potentially having to build an office space.

Because the cost will likely be around \$10,000.00, it will be brought back to Council at a future agenda.

Ms. Brooks also reminded Council of upcoming dates:

- Work Session scheduled for outside funding on August 26, 2015
- Lunch is scheduled with the ASU Trustees on August 27, 2015
- Employee picnic is August 28, 2015

COUNCIL COMMENT

Councilor Vigil mentioned about the softball tournament at ASU held a couple weekends ago.

Councilor Gillaspie announced that he will not be seeking re-election for the Ward 2 seat, thanked everyone he has worked with the past 12 years on Council, and wished the best for his successor.

Councilor Stefano and Councilor Coleman thanked Councilor Gillaspie for his service and wished him the best in his endeavors.

Councilor Coleman thanked Jim and the IT Department for all the hard work they did on the installation of the police cams.

Mayor Lucero thanked Councilor Gillaspie for his years of service on Council. He also encouraged the community to run for City Council.

Councilor Gillaspie thanked Fire Chief Don Chapman for showing his office a fire extinguisher demonstration.

ADJOURNMENT

The meeting adjourned at 8:17 p.m.

Holly Martinez, City Clerk

Josef P. Lucero, Mayor

**ALAMOSA CITY COUNCIL
COUNCIL COMMUNICATION**

Subject/Title:

Approve Minutes of Meeting August 5, 2015

ATTACHMENTS:

Description		Type
D	Minutes of Meeting August 19, 2015	Cover Memo

ORDINANCE NO. 9-2015

AN ORDINANCE AMENDING SECTION 2-184(e) OF ARTICLE VI, CHAPTER 2 OF THE CODE OF ORDINANCES OF THE CITY OF ALAMOSA MODIFYING LOCAL PREFERENCE CRITERIA

WHEREAS, the purchasing agent shall solicit Alamosa and San Luis Valley firms to submit bids to the city through local advertising and other suitable methods; and

WHEREAS, it is in the best interest of the city to contract with local suppliers to maximize follow-up services such as warranty work, training, service, support, or the need for additional parts where delivery is a consideration; and

WHEREAS, the city desires to support local business enterprise so long as the quality and quantity of work required by the city maintains acceptable standards; and

WHEREAS, the existing ordinance concerning local preference criteria ties preferences to distance from City Hall rather than to location within or near the City, and such existing criteria are both difficult to apply and not directly related to the goals set forth above,

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Alamosa, Colorado:

Section 1. Section 2-184(e) of Article VI, Chapter 2 of the Code of Ordinances of the City of Alamosa, Colorado, is hereby amended to read in its entirety as follows:

The purchasing agent of the City of Alamosa shall solicit Alamosa firms and San Luis Valley firms to submit bids to the city through local advertising and other suitable methods. When any of the following considerations apply to any procurement, the purchasing agent shall give a preference to bidders based on the relation between the bidder's location and the City of Alamosa; need for the supplier to be available to provide service, need for follow-up training, service, or other support, when repairs or replacements done by the original bidder will be done under a warranty provided by the original bidder; need for additional parts where delivery is a consideration. The purchasing agent shall give preferences according to the following schedule: A preference of up to seven (7) percent for those bidders with the pertinent portion of its operations (i.e. "are located") located within Alamosa County and a preference of up to three (3) percent to those bidders who are located elsewhere in the San Luis Valley.

Section 2. General Repealer. All acts, orders, ordinances, resolutions, or portions thereof in conflict herewith, are hereby repealed to the extent of such conflict.

Section 3. Recording and Authentication. This ordinance, immediately upon its passage, shall be authenticated by the signatures of the Mayor and City Clerk, recorded in the City Book of Ordinances kept for that purposes, and published according to law.

Section 4. Publication and Effective Date. This ordinance shall take effect ten (10) days after publication following final passage. Publication both before and after final passage shall be by the title of this ordinance, which Council determines constitutes a sufficient summary of the ordinance, together with the statement that the full text of the ordinance is available for public inspection and acquisition on the City's website and in the office of the City Clerk.

Section 5. Declaration of Public Interest. This ordinance is necessary to preserve the peace, health, safety, welfare, and to serve the best interest of the citizens of the City of Alamosa, Colorado.

INTRODUCED, READ AND ORDERED published the 19th day of August, 2015, and a public hearing hereon fixed for the 2nd day of September, 2015 at 7:00 p.m., or as soon thereafter as the matter may be heard.

APPROVED, AND ADOPTED after public hearing this ____ day of ____, 2015.

CITY OF ALAMOSA

By: _____ Josef Lucero, Mayor

ATTEST:

Holly Martinez, City Clerk

ALAMOSA CITY COUNCIL COUNCIL COMMUNICATION

Subject/Title:

Public Hearing and Final Reading, Ordinance No. 9-2015, An Ordinance Amending Section 2-184(e) of Article VI, Chapter 2 of the Code Of Ordinances of the City of Alamosa, Modifying Bidding Procedures

Recommended Action:

That Council conduct a public hearing and if no information is presented to the contrary approve Ordinance No. 9-2015 amending section 2-184(e) of the City of Alamosa Code of Ordinances.

Background:

The current ordinance identifies the need to provide preference to local bidders and suppliers but the criteria used to determine that preference has been problematic and difficult at times to determine. This amendment will change that criteria from distance(s) from City Hall to what staff feels is a more intuitive and logical method of determining which level of preference to provide by tying the location of the bidder to local boundaries.

This item was brought to Council previously where it failed to pass with the 7 percent city preference, 5 percent county preference, and 3 percent valley preference. Upon further analysis, staff is recommending a 7 percent preference to bidders located within Alamosa County and a 3 percent preference to bidders outside of Alamosa County but still within the remaining five counties in the San Luis Valley (Rio Grande, Conejos, Costilla, Saguache, and Mineral).

Issue Before the Council:

Does Council wish to amend Ordinance No. 9-2015 amending section 2-184(e) of the City of Alamosa Code of Ordinances, concerning contracting preference?

Alternatives:

Council can approve the ordinance or Council may decline to approve the ordinance with or without providing staff further direction.

Fiscal Impact:

No significant fiscal impact is anticipated as it is common for us to apply these preferences, this amendment will simply change the way these preferences are determined.

Legal Opinion:

The City Attorney will be present for comment.

Conclusion:

Local preference clauses are common in municipal contracting, this amendment will provide a more logical and intuitive set of criteria to determine the level of preference to apply.

ATTACHMENTS:

Description	Type
 Ordinance 9-2015	Ordinance

**ALAMOSA CITY COUNCIL
COUNCIL COMMUNICATION**

Subject/Title:

Executive Session pursuant to CRS §24-6-402(4)(f) for Personnel Matters – Evaluation of City Manager.

**ALAMOSA CITY COUNCIL
COUNCIL COMMUNICATION**

Subject/Title:

Executive Session pursuant to C.R.S. § 24-6-402(4)(a) to discuss the purchase or acquisition of water rights.