

Board of County Commissioners Agenda
January 22, 2018
9:00 A.M.
(Previous Meeting January 17, 2018)

I. Pledge of Allegiance

II. Attendance/Excused:

III. Approve the minutes of January 8, 2018. *(An entire copy of the minutes has been posted and is available for public viewing in the Courthouse Rotunda.)*

IV. Approve Agenda of January 22, 2018

V. Public Comments

VI. Commissioners

A. COMMISSIONERS' COMMENTS

B. SPECIAL ISSUES OF PUBLIC INTEREST

1. Proposed Letter to U.S. Attorney General, Department of Justice

C. PROCLAMATIONS

1. "Pueblo Mentoring Celebration Day" – January 30, 2018

D. REPORTS

VII. County Attorney

(The Chair will remove any Consent Agenda item upon request by any Commissioner or assigned staff. Items removed upon request will be considered separately by the Board immediately following the action on the remaining Consent Agenda, be continued to another meeting date, or handled in a manner otherwise determined at the discretion of the Board.)

A. CONSENT AGENDA ITEMS

1. CONTRACTS/RESOLUTIONS

- a. REAPPOINTING A MEMBER TO THE PUEBLO COUNTY JUVENILE COMMUNITY REVIEW BOARD
- b. RATIFYING THE APPOINTMENTS OF THE AGENCY DESIGNEES AS MEMBERS TO SERVE ON THE PUEBLO COUNTY JUVENILE COMMUNITY REVIEW BOARD

2. **ABATEMENTS**

B. REGULAR AGENDA ITEMS

1. **CONTRACTS/RESOLUTIONS**

a. APPROVING THE MEMORANDUM OF AGREEMENT FOR A TEMPORARY EASEMENT TO THE COLORADO DEPARTMENT OF TRANSPORTATION TO ACCOMMODATE THE INSTALLATION OF AN ADA RAMP AND SIDEWALK CONSTRUCTION LOCATED AT THE SOUTHEAST CORNER OF HIGHWAY 50 C (AKA SANTA FE AVENUE) AND 2ND STREET

*Alf Randall, Director,
Engineering & Public
Works Dept.*

b. AMENDING PUEBLO COUNTY CODE, TITLE 6, CHAPTER 6.04 "ANIMAL CONTROL"

*Board of County
Commissioners*

c. APPOINTING MEMBERS TO THE PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD

*Board of County
Commissioners*

2. **ORDINANCE**

3. **OTHER ISSUES**

**Next BOCC Meeting
January 24, 2018**

THE LOCATION OF THESE PUBLIC HEARINGS AND/OR MEETINGS IS ACCESSIBLE TO THE DISABLED. ACCOMMODATIONS WILL BE MADE AT SUCH HEARINGS AND/OR MEETINGS FOR INDIVIDUALS WITH SIGHT OR HEARING IMPAIRMENTS, IF SUCH ACCOMMODATIONS ARE REQUESTED AT LEAST TWO (2) WORKING DAYS IN ADVANCE BY CONTACTING PATSY CRESSWELL AT 583-6500 OR TDD AT 583-6550.

U:\B\AGENDA\BOCC 1-22-18.DOCX

PROCLAMATION

“PUEBLO MENTORING CELEBRATION DAY”

January 30, 2018

WHEREAS: *Recognizing the need for quality mentoring and the need for a collaboration of mentoring programs serving the greater City of Pueblo, the Pueblo Mentoring Collaborative was officially organized in 2013. The collaborative was formed to bring together the variety of mentoring programs offered in Pueblo and develop a collaborative and resourceful effort in mentoring. The collaborative was organized to help address and facilitate the great need for expanded quality mentoring programs for children and adolescents in the City of Pueblo Colorado.*

WHEREAS: *The Collaborative is made up of a variety of local community service agencies which include; The Pueblo United Way, Pueblo Catholic Charities, LULAC, Southern Colorado Marriage and Family Counseling Center, Boys and Girls Club of Pueblo, Pueblo Community College, Pueblo City Fire Department, Pueblo County Department of Social Services, and many other service agencies. The Pueblo Mentoring Collaborative is funded through House Bill 1451 and overseen by the Pueblo Interagency Oversight Group. The collaborative is also actively affiliated with Mentor Colorado which is a State-wide partnership committed to improving the quality of mentoring in Colorado, and provides resources for mentoring growth and development.*

WHEREAS: *The Pueblo Mentoring Collaborative as a collaboration of local human service providers work towards empowering Pueblo's young toward their education career planning, and employment success through the dedicated involvement of local businessmen and women, educators, the Pueblo labor force, community leaders, and other community minded and interested individuals.*

WHEREAS: *The Pueblo Mentoring Collaborative is proud to co-sponsor the 2018 Mentor Appreciation Dinner alongside Friends First and Pueblo County United Way. The presentation and dinner event will be held as part of National Mentoring Month on Tuesday, January 30th, 2018 at Pueblo East High School. The annual and free event will feature a motivational guest speaker, a complete dinner, and an opportunity for networking and recruitment. The celebration will begin at 5:00 p.m. and conclude at 7:00 p.m. The celebration event is open to the public and anyone associated with or interested in mentoring is encouraged to attend.*

NOW THEREFORE, WE, the City Council of the City of Pueblo, Colorado, and the Board of County Commissioners of the County of Pueblo, Colorado, do hereby proclaim January 30, 2018 to be “Pueblo Mentoring Celebration Day” in the City and County of Pueblo, Colorado, in demonstration of our community’s support.

IN WITNESS WHEREOF, We have hereunto set our hands and caused the Seals of the City and County of Pueblo, Colorado, to be affixed this 30th day of January 2018

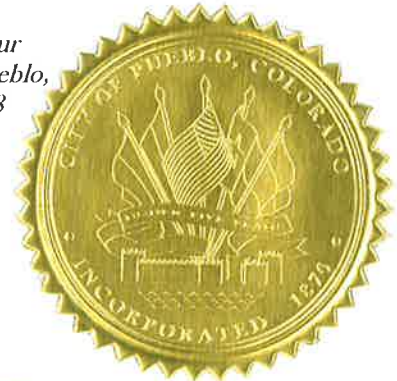


Christopher A. Nicoll
President of the City Council





Terry A. Hart
Chair of the Board of County Commissioners



RESOLUTION NO. 18-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**REAPPOINTING A MEMBER TO THE PUEBLO COUNTY
JUVENILE COMMUNITY REVIEW BOARD**

WHEREAS, by Resolution No. 99-389, dated December 28, 1999, the Board of County Commissioners of Pueblo County, Colorado, superseded Resolutions 94-309 and 96-217 and established the Pueblo County Juvenile Community Review Board, and by Resolution No. 15-267, dated November 25, 2015, the Board of County Commissioners of Pueblo County, Colorado, established the membership structure of the Pueblo County Juvenile Community Review Board; and

WHEREAS, the Review Board has a vacancy and notice of this vacancy was published in *The Pueblo Chieftain*, the Pueblo County Website, Social Media and on the Government Access Channel, and one (1) application was received; and

WHEREAS, the Board, having reviewed the aforementioned application, desires to reappoint Steve Lucero to the Pueblo County Juvenile Community Review Board for a three (3) year term, who will serve at the pleasure of the Board of County Commissioners of Pueblo County, Colorado.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that Steve Lucero is hereby reappointed for a three (3) year term ending on December 31, 2020, and the staff to the Board are hereby authorized to provide members of the Pueblo County Juvenile Community Review Board with notice of said appointment by providing them with a copy of this Resolution.

PASSED AND ADOPTED this 22nd day of January 2018, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

By: _____
Terry A. Hart, Chair

ATTEST:

By: _____
Gilbert Ortiz, County Clerk

RESOLUTION NO. 18-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**RATIFYING THE APPOINTMENTS OF THE
AGENCY DESIGNEES AS MEMBERS TO SERVE ON THE
PUEBLO COUNTY JUVENILE COMMUNITY REVIEW BOARD**

WHEREAS, by Resolution No. 99-389, dated December 28, 1999, the Board of County Commissioners of Pueblo County, Colorado, superseded Resolutions 94-309 and 96-217 and established the Pueblo County Juvenile Community Review Board, and by Resolution No. 15-267, dated November 25, 2015, the Board of County Commissioners of Pueblo County, Colorado, established the membership structure of the Pueblo County Juvenile Community Review Board; and

WHEREAS, the terms for *ex officio* members representing the 10th Judicial District Probation, Pueblo Police Department, Pueblo City Schools and Division of Youth Corrections have expired; and

WHEREAS, the Community Corrections Director has received notice from those agencies of their appointments to serve as their designees on the Pueblo County Juvenile Community Review Board; and

WHEREAS, this Board now desires to ratify the appointments of Nicole Golob, 10th Judicial District Probation, Sergeant Darren Velarde, Pueblo Police Department, Michael Bayer, Pueblo City Schools and Catania Jones, Division of Youth Corrections to serve as *ex officio* members on the Pueblo County Juvenile Community Review Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that Nicole Golob, Sergeant Darren Velarde, Michael Bayer and Catania Jones are hereby ratified as the designees appointed by their agencies to serve on the Pueblo County Juvenile Community Review Board, and the staff to the Board are hereby authorized to provide the members of the Pueblo County Juvenile Community Review Board with notice of said appointments by providing them with a copy of this Resolution.

PASSED AND ADOPTED this 22nd day of January 2018, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

By: _____
Terry A. Hart, Chair

ATTEST:

By: _____
Gilbert Ortiz, County Clerk

RESOLUTION NO. 18-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**APPROVING THE MEMORANDUM OF AGREEMENT FOR A TEMPORARY EASEMENT
TO THE COLORADO DEPARTMENT OF TRANSPORTATION TO ACCOMMODATE THE
INSTALLATION OF AN ADA RAMP AND SIDEWALK CONSTRUCTION LOCATED AT THE
SOUTHEAST CORNER OF HIGHWAY 50 C (AKA SANTA FE AVENUE) AND 2ND STREET**

WHEREAS, the Board of County Commissioners, pursuant to C.R.S. § 30-11-107(1)(a), has power to make such orders concerning the property belonging to the County as it deems expedient; and

WHEREAS, Pueblo County is the owner of that real property described at Reception No. 790369 of the records of the Pueblo County Clerk and Recorder; and

WHEREAS, the Colorado Department of Transportation has requested the County convey a temporary construction easement on a portion of this real property to CDOT to use in Colorado Department of Transportation's Project No. STA 050A-028 for improvements to State Highway 50C (aka Santa Fe Avenue); and

WHEREAS, the Colorado Department of Transportation has offered Pueblo County compensation in the payment of \$700.00 for the easement or the option of donating the property; and

WHEREAS, the Board of County Commissioners has elected to grant the temporary easement to the Colorado Department of Transportation and sign the Memorandum of Agreement to convey the temporary easement for compensation.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that the Memorandum of Agreement for the temporary easement of a portion of real property between Pueblo County and the Colorado Department of Transportation, which is incorporated here by this reference, is hereby approved and that the Chair of the Board of County Commissioners is hereby authorized to execute the Memorandum of Agreement on behalf of Pueblo County.

PASSED AND ADOPTED this 22nd day of January, 2018, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

By: _____
Terry A. Hart, Chair

ATTEST:

By: _____
Gilbert Ortiz, County Clerk

RESOLUTION NO. 18-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**AMENDING PUEBLO COUNTY CODE, TITLE 6, CHAPTER 6.04
“ANIMAL CONTROL”**

WHEREAS, pursuant to C.R.S. §§ 30-15-101, *et seq.*, and 30-15-401(1)(e), the Board of County Commissioners of Pueblo County, Colorado, may adopt either a resolution for the control and licensing of dogs or other pet animals, or an ordinance relating to the control of unleashed or unclaimed animals within the unincorporated area of Pueblo County, Colorado; and

WHEREAS, the Board of County Commissioners enacted Resolution No. 92-396, dated September 29, 1992, for the Control and Vaccination of Dogs in the Unincorporated Area of Pueblo County, Colorado, for this purpose, which became codified as Pueblo County Code, Title 6, Chapter 6.04; and

WHEREAS, C.R.S. §30-15-101(1)(a)(VII) allows the Board of County Commissioners to adopt a resolution establishing other reasonable regulations and restrictions for the control of dogs and animals as the Board may deem necessary; and

WHEREAS, the Board of County Commissioners desires to amend the Pueblo County Code, Title 6, Chapter 6.04, to provide any Pueblo County Enforcement Agent/License Officer with authority to investigate and prosecute reports of animal neglect and abuse in Pueblo County and penalize individuals found to have committed acts of animal neglect and/or abuse in Pueblo County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado:

1. That the following definitions shall be added to Section 6.04.010 of Chapter 6.04 of the Pueblo County Code:

“Animal” shall mean all warm-blooded domesticated mammals including both male or female, whether sterilized or not sterilized.

2. Chapter 6.04 of Title 6 of the Pueblo County Code are hereby amended to include a provision concerning the Improper Care and Treatment of Animals as follows:

6.04.045 Improper care and treatment of animals.

It shall be unlawful for any person to commit or to assist another in committing any act of cruelty, harassment, abandonment or torture to any animal, or to cause such animal to be wounded, mutilated, strangled or inhumanely killed. For the purpose of this Section, act of cruelty shall include but not be limited to beating, mistreating, tormenting, overloading, overworking, neglecting, failing to adequately feed or otherwise abusing any animal. It shall also be unlawful for any person to cause, instigate or permit any dog fight or combat between animals or between animals and humans. Any person who violates this provision shall be guilty

RESOLUTION NO. 18-_____ (CONTINUED)

of a Class 1 petty offense and, upon conviction, shall be punished by a fine of not more than three hundred dollars (\$300.00), or by imprisonment in the county jail for not more than ninety (90) days, or both by such fine and imprisonment for each separate offense in conjunction with the requirements of Section 6.04.060 of Chapter 6.04 of the Pueblo County Code.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Pueblo County, Colorado that, except as amended by this Resolution, Pueblo County Code, Title 6, Chapter 6.04, as amended by any prior Resolutions of this Board, shall remain in full force and effect.

PASSED AND ADOPTED this 22nd day of January 2018, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

BY: _____
Terry A. Hart, Chair

ATTEST:

BY: _____
Gilbert Ortiz, County Clerk

RESOLUTION NO. 18-_____

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

**APPOINTING MEMBERS TO THE PUEBLO COUNTY
LIQUOR AND MARIJUANA LICENSING BOARD**

WHEREAS, the Board of County Commissioners, by Resolution No. 05-038, dated February 9, 2015, amended the Pueblo County Code, Title 5, with the addition of Chapter 5.16 creating the Pueblo County Liquor and Marijuana Licensing Board, as amended, to act as the local licensing authority for Pueblo County, Colorado, for the licensing of dance hall, liquor and marijuana establishments as authorized by Articles 18, 43.3, 43.4, 46, 47 and 48 of Title 12, C.R.S.; and

WHEREAS, by Resolution No. 15-048, dated February 18, 2015, this Board ratified the appointments and set terms of the seven (7) members to the Pueblo County Liquor and Marijuana Licensing Board and the terms of Joseph Edmund Treanor, Carol Partin and Don DiFatta will expire on January 31, 2018; and

WHEREAS, Public Notice soliciting applications from persons interested in serving on the Pueblo County Liquor and Marijuana Licensing Board was published in The Pueblo Chieftain, on the Government Channel, Pueblo County's website, Social Media, and six (6) applications were received; and

WHEREAS, this Board has reviewed said applications and desires to appoint and/or reappoint _____, _____, and _____, as members to the Pueblo County Liquor and Marijuana Licensing Board for terms beginning on February 1, 2018 and expiring on January 31, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Pueblo County, Colorado, that _____, _____, and _____ are hereby appointed or reappointed as members to the Pueblo County Liquor and Marijuana Licensing Board for terms beginning on February 1, 2018, and expiring on January 31, 2021, and that the Staff to the Board is hereby authorized and directed to notify the aforementioned appointees of their terms by providing them with a copy of this Resolution.

PASSED AND ADOPTED this 22nd day of January 2018, in Pueblo County, Colorado.

**THE BOARD OF COUNTY COMMISSIONERS
OF PUEBLO COUNTY, COLORADO**

BY: _____
Terry A. Hart, Chairman

ATTEST:

BY: _____
Gilbert Ortiz, County Clerk

PUEBLO COUNTY LIQUOR AND MARIJUANA LICENSING BOARD

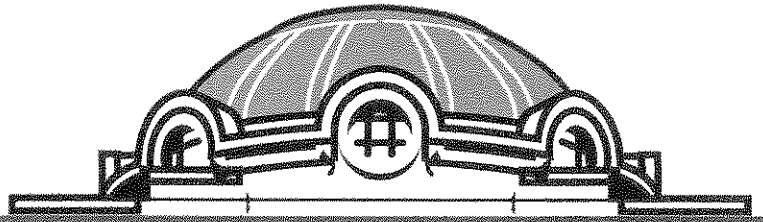
THREE (3) vacancies due to the term expirations of Joseph Treanor, Carol Partin and Don DiFatta:

Candidates:

Choose 3

- Don DiFatta (reappointment)
- Joseph Treanor (reappointment)
- Brian Anselmo Casaus (new application)
- Modesto Cartagena (new application)
- Laura Hall (new application)
- John Pinkney Pearson (new application)

Commissioner Initials



PUEBLO BOARD OF COUNTY COMMISSIONERS

TERRY A. HART
CHAIRMAN
DISTRICT 1

GARRISON M. ORTIZ
COMMISSIONER
DISTRICT 2

SAL PACE
PRO TEM
DISTRICT 3

Memo

To: Terry Hart, District 1
Garrison Ortiz, District 2
Sal Pace, District 3

From: Rochelle Cruz

Date: January 4, 2018

RE: Pueblo County Liquor and Marijuana Licensing Board

Commissioners,

The terms for three current members of the Liquor and Marijuana Licensing Board are expiring on January 31, 2018. Those members are Carol Partin, Joe Treanor, and Don DiFatta. A notice of the vacancies was advertised on December 11, 2017 in the Pueblo Chieftain, County website, Facebook, Twitter and government access channel.

A total of six applications were received for the three vacancies. Please see attached applications:

1. Brian Anselmo Casaus
2. Modesto Cartagena
3. Don DiFatta
4. Laura Hall
5. John Pinkney Pearson
6. Joseph Treanor

I am forwarding the names and applications to the County Attorney's Office for resolution to be approved at the January 17 statutory meeting, naming the three members to the board, with term running February 1, 2018 – January 31, 2021. Also attached is an overview of the applicants for your review.

Thank you.