

STATE OF COLORADO)
COUNTY OF OTERO) SS
CITY OF LA JUNTA)

*Subject to approval at
the January 17, 2023
City Council Meeting*

CALL TO ORDER: A regular meeting of the City Council of the City of La Junta, Colorado, was called to order by Mayor Ayala on Tuesday, January 3, 2023, at 6:00 p.m. in the Council Chambers of the Municipal Building.

INVOCATION: Mayor Ayala gave the invocation.

PLEDGE OF ALLEGIANCE: Mayor Ayala led everyone in the Pledge of Allegiance.

ROLL CALL: The following Council Members were present:

Elaine McIntyre, Ward 2
Joe Ayala, Mayor
Edward Vela, Ward 3
Lisa Pantoya, Ward 3

Absent: Damon Ramirez, Ward 1
 Paul Velasquez, Ward 1
 Chandra Ochoa, Ward 2

Also present: Rick Klein, City Manager
 Bill Jackson, Asst. City Manager
 Phil Malouff Jr., City Attorney
 Melanie Scofield, City Clerk
 Paula Mahoney, Admin. Asst.
 Cynthia Nieb, Director of ED/UR
 Nancy Bennett, Urban Renewal
 Daniel Horton, Urban Renewal
 Gary Cranson, UB Commissioner
 Julie Worley, La Junta
 Bette McFarren, RF Gazette

MINUTES OF PREVIOUS MEETING: Mayor Ayala asked if there were any corrections or additions to the minutes of the Regular City Council Meeting of December 19, 2022. Council Member Vela had a change to his last statement on the governing body comments, it should read: “based on the information provided thus far, it’s a no.” After hearing no other corrections or additions, the mayor asked for a motion to approve the minutes as amended.

MOTION TO ACCEPT THE DECEMBER 19, 2022 MINUTES AS AMENDED: McIntyre

SECOND: Pantoya

DISCUSSION: There was no further discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

CITIZEN PARTICIPATION FOR NON-AGENDA ITEMS (5-minute time limit per person):

1. Daniel Horton, Urban Renewal, shared accomplishments for the last year:
 - Provided the cash match for six rehabilitation projects in the downtown commercial buildings spawning four new businesses.
 - Work has mitigated blight and contributed to the local sales and helped produce/contribute to the property tax base.
 - Re-writing the URA grant/loan applying making sure that the language is correct.
 - Welcomed a new authority member, Mr. Randall Roberson.

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- Will be holding interviews next week for potential authority members.

Certified Local Government accomplishments:

- Passed the first quadrennial review with flying colors. The diversity and depth of our board, education, and outreach projects, groundbreaking quality of our downtown history building survey and successful grants and projects were called out as well as our staff leadership.
- The City of La Junta was chosen to host Colorado Preservation Inc. this year on August 25-27. This will be a main attraction for us this year. Hoping to start new things and generate some revenue, getting people more excited about what's going on around us.
- We are a finalist in the People's Choice Awards for our downtown historic survey preservation project.

NEW BUSINESS**A. Annual Resolutions for the year 2023**

1. **A Resolution Concerning Posting of Open Meetings.** Resolution No. R-1-2023 was presented for Council's consideration as follows:

WHEREAS, public cannot exercise its right to attend open meetings unless sufficient notice is provided to its citizens; and

WHEREAS, the Open Meetings Law requires the public to receive full and timely notice of any meetings held; and

WHEREAS, the Open Meeting statute (24-6-402) provides in part as follows:
Any meetings at which the adoption of any proposed policy, position, resolution, rule, regulation, or formal action occurs or at which a majority or quorum of the body is in attendance, or is expected to be in attendance, shall be held only after full and timely notice to the public. In addition to any other means of full and timely notice, a local public body shall be deemed to have given full and timely notice if the notice of the meeting is posted in a designated public place within the boundaries of the local public body no less than twenty-four hours prior to the holding of the meeting. The public place or places for posting such notice shall be designated annually at the local public body's first regular meeting of each calendar year. The posting shall include specific agenda information where possible.

BE IT THEREFORE RESOLVED that the City Council of the City of La Junta, the Board of Utility Commissioners, the Planning Commission of the City of La Junta, the Airport Advisory Board, the Urban Renewal Authority, the Tourism Board, and any other advisory boards which have been created by Ordinance and which are required by ordinances of the City of La Junta to comply with the open meetings law shall comply with this Resolution.

BE IT FURTHER RESOLVED that notice of the meetings shall be issued by the Clerk of the City of La Junta.

BE IT FURTHER RESOLVED that designated place for posting of the meetings shall be the main foyer of the City Building, located at 6th and Colorado, La Junta, Colorado.

MOTION TO ADOPT RESOLUTION NO. R-1-2023: McIntyre

SECOND: Vela

DISCUSSION: For statutory requirements, the foyer of the Municipal Building and the local newspaper are used for postings even though it is also shared on the website and social media.

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

2. **A Resolution Designating Official Depositories for Various City Funds.** City Manager Klein explained that flexibility is needed when investing in order to maximize city funds. Local banks will be considered but are unable to do much with current rates. The language of this resolution needs to be changed. Resolution No. R-2-2023 was presented for Council's consideration as follows:

BE IT RESOLVED by the City Council of the City of La Junta that the following are hereby designated as official depositories for the various funds for the City of La Junta for the calendar year 2021:

1. The Colorado Bank & Trust Company of La Junta;
2. State Bank and Trust Company of La Junta;
3. TBK Bank;
4. First National Bank of Las Animas and La Junta;
5. U.S. Bank.

Whenever investment circumstances exist that prohibit banks from accepting City funds as deposits without requiring deposit fees be paid by the City, the City Manager or his designee, is authorized to locate other financial institutions; provided however that all funds be maintained in a federally insured account and all funds must be fully insured by the FDIC.

MOTION TO *TABLE* RESOLUTION NO. R-2-2023: Vela

SECOND: Pantoya

DISCUSSION: There was no further discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

3. **A Resolution Concerning Discovered or Reported Offenses against City Property.** Resolution No. R-3-2023 was presented for Council's consideration as follows:

BE IT RESOLVED by the City Council of the City of La Junta that it shall be the policy of this Council that all discovered or reported offenses against the property of this City shall be referred to the appropriate law enforcement agency in this county for such action as may be deemed proper.

MOTION TO ADOPT RESOLUTION NO. R-3-2023: Vela

SECOND: McIntyre

DISCUSSION: There was no discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

4. **A Resolution Concerning Publication of Legal Notices.** Resolution No. R-4-2023 was presented for Council's consideration as follows:

BE IT RESOLVED by the City Council of the City of La Junta that all legal notices required to be published by the ordinances of the City of La Junta shall be published in the La Junta Tribune-Democrat, a paper of general circulation within the City of La Junta.

MOTION TO ADOPT RESOLUTION NO. R-4-2023: McIntyre

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

5. **A Resolution Concerning City Enterprise Funds.** Resolution No. R-5-2023 was presented for Council's consideration as follows:

WHEREAS, the Taxpayer's bill of Rights anticipates that certain City enterprises are exempt from the provisions of the Taxpayer's Bill of Rights; and

WHEREAS, the Taxpayer's Bill of Rights defines the criteria upon which an enterprise becomes exempt from the operative provisions of the Taxpayer's Bill of Rights; and

WHEREAS, it is the belief of the City of La Junta that certain operational funds within its control are "enterprises" as defined by the Taxpayer's Bill of Rights.

BE IT THEREFORE RESOLVED AS FOLLOWS:

1. That the following City of La Junta funds are considered to be "enterprises" as used within the Tabor Amendment:
 - a. Electric Fund;
 - b. Sewer Fund;
 - c. Water Fund;
 - d. Sanitation Fund;
 - e. Property Management Fund.

MOTION TO ADOPT RESOLUTION NO. R-5-2023: Pantoya

SECOND: Vela

DISCUSSION: There was no discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

B. Board Appointments

1. La Junta Housing Authority

a. Karen Martinez (term to expire 12/31/2027)

MOTION TO APPOINT KAREN MARTINEZ TO THE LA JUNTA HOUSING AUTHORITY:
McIntyre

SECOND: Vela

DISCUSSION: There was no discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

b. Lorna Miller (term to expire 12/31/2027)

MOTION TO REAPPOINT LORNA MILLER TO THE LA JUNTA HOUSING AUTHORITY:
Pantoya

SECOND: Vela

DISCUSSION: There was no discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

2. Library Advisory Board**a. Michael Meier (term to expire 12/31/2025)**

MOTION TO REAPPOINT MICHAEL MEIER TO THE LIBRARY ADVISORY BOARD: Vela

SECOND: McIntyre

DISCUSSION: There was no discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

b. Sara Holt (term to expire 12/31/2025)

MOTION TO REAPPOINT SARA HOLT TO THE LIBRARY ADVISORY BOARD: Pantoya

SECOND: McIntyre

DISCUSSION: There was no discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

3. Senior Citizens Advisory Board**a. Barbara Rains (term to expire 12/31/2025)**

MOTION TO REAPPOINT BARBARA RAINS TO THE SENIOR CITIZENS ADVISORY BOARD: Vela

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

C. Committee/Board Reports

1. There were no committee/board reports.

D. City Manager's Comments

- The Water Department was busy thawing frozen services last week.
- Cold temperatures caused other problems with frozen services and heating units for Property Management.
- The warming shelter was open through the holiday at the Armory. A big thanks to all of the volunteers that helped staff the shelter and feed the folks staying there. Also, thank you to the citizens of La Junta that donated items to help the folks staying there.
- Need to come up with a "disaster" plan.
- Sink hole at 5th and Cimarron due to a failed storm sewer lateral.
- Mr. Malouff working on the tear down of the Gibson building and 205 Lewis.

ADDITIONAL DISCUSSION:

- Fire in the 900 block of Grace.
- Michael Ada with Jive Hyve Virtual Dispensary.
- Still need the R.O. Plant (at reduced costs) even if the Ark Valley Conduit comes through.

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E. City Attorney's Comments

1. AVRMC Joint Meeting with City Council. City Attorney Malouff recommends tabling this item until the full council is in attendance.

MOTION TO TABLE THE SCHEDULING OF THE AVRMC JOINT MEETING UNTIL THE NEXT CITY COUNCIL MEETING: McIntyre

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 4-0 (Ramirez, Velasquez and Ochoa absent)

F. Governing Body Comments

1. Council Member McIntyre:
 - Commented on how nice it looked at the cemetery with the Wreaths Across America by American Legion No. 9.
2. Council Member Vela:
 - Take note of Wallace Oil Company, they refurbished their three gas stations. They took away that Shell Station look and made it look more locally owned. Thank you, Jimmy Wallace.
3. Mayor Ayala:
 - Thanked American Legion No. 9.
 - Also thanked the T.R.Y. organization for doing the luminarias around the park.
 - Was invited to the Kiva for the Koshares winter show. David Balicki does an amazing job. It was a great performance.
 - Thanked the community in regards to the warming shelter.
4. Council Member Vela:
 - Mr. Klein will be at the Leadership Policy & Governance Academy. It's a revival for a new generation of city leaders.
5. Mayor Ayala:
 - We are waiting on the Utility Board to schedule Mr. Klein's review.

There being no further business, the meeting adjourned at 6:49 p.m.

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joe Ayala, Mayor