

Council Goals

Envision a safe, flourishing downtown that provides a strong commercial tax base

Strive to be active stewards of existing aging infrastructure

Recognize importance of experience, well trained, and community minded staff

Ensure its electorate is well informed of on-going successes and future plans

Envision a safe, secure community for its families and youth

Promote redevelopment of existing businesses and neighborhoods and increase quality of life for all its residents



AGENDA

REGULAR MEETING LA JUNTA CITY COUNCIL

La Junta, Colorado
June 2, 2025
6:00 PM
Council Chambers
Municipal Building
601 Colorado Avenue

CALL TO ORDER (Mayor Ayala)

INVOCATION (Mayor Ayala)

PLEDGE OF ALLEGIANCE (Mayor Ayala)

ROLL CALL (City Clerk)

Council Members

Supervisors

Others

Ramirez

Velasquez

Stoker

Ayala

Ochoa

Pantoya

Rikhof

MINUTES OF PREVIOUS MEETINGS (Mayor) (Action)

Regular Meeting May 19, 2025

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

COMMUNITY EVENT ANNOUNCEMENTS (Council Members)

REPORTS

A. Property Management Fund Audit (Brock Hinkhouse) (Update)

B. Conley Road Project (Martin Montoya) (Update)

UNFINISHED BUSINESS

A. Second Reading/AN ORDINANCE AMENDING SECTION 10.12.080 OF THE LA JUNTA MUNICIPAL CODE TO ALIGN WITH THE AMENDED ENFORCEMENT TIMELINE FOR JUNK VEHICLE VIOLATIONS (City Attorney) (Action)

B. Second Reading/AN ORDINANCE AMENDING CHAPTER 8.08 OF THE LA JUNTA MUNICIPAL CODE CONCERNING WEEDS, RUBBISH, AND LITTER TO CLARIFY DEFINITIONS (City Attorney) (Action)

NEW BUSINESS

A. 2024 Audit Presentation (Hancock & Froese & Co.)

B. First Reading/AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS TO THE SANITATION FUND FOR THE CALENDAR YEAR 2025 (City Attorney) (Action)

C. Committee/Board Reports

D. City Manager Comments

E. Governing Body Comments

1. Rules of Ethics (Discussion)

F. ADJOURN

CITY COUNCIL MEETING – May 19, 2025

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

CALL TO ORDER: The regular meeting of the City Council of the City of La Junta, Colorado, was called to order by Mayor Ayala on Monday, May 19, 2025, 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:

Damon Ramirez, Ward 1
Paul Velasquez, Ward 1
Jeremiah Stoker, Ward 2
Joe Ayala, Mayor
Chandra Ochoa, Ward 2
Maureen Rikhof, Ward 3

Absent: Lisa Pantoya, Ward 3

Also present: Michael Hart, City Manager
Erin Harris, City Attorney
Melanie Scofield, City Clerk
Martin Montoya, Director of Engineering
Randal LaRue, La Junta
Kathy DelRio, La Junta
Nancy Harrington, La Junta
Thomas Martin, La Junta
Charley Henschel, La Junta
John Morgan, La Junta
Angela Martinez, La Junta
Robert Fowler, La Junta
Betty Lopez, Swink
Jack Clifton, La Junta
Sam Lopez, Swink
Nancy Bennett, La Junta
Douglas Golding, La Junta
Gary Reed, Rocky Ford
Thomas Martinez, La Junta
Angela Ayala, La Junta
Adrian Hart, SECO News
Bette McFarren, RF Gazette



Subject to approval at the
June 2, 2025
City Council Meeting



PROCLAMATION: Mayor Ayala proclaimed the month of May 2025 as National Historic Preservation Month.

Betty Lopez, United Methodist Church of La Junta (601 San Juan Avenue): The building has been there since 1913 and we're so pleased to have this designation from the City of la Junta. We found out this week that we have been listed on the National Register of Historic Places and the Colorado State Register of Historic Properties.

CITY COUNCIL MEETING – May 19, 2025

MINUTES OF PREVIOUS MEETING: Mayor Ayala asked if there were any corrections or additions to the minutes of the Regular City Council Meeting of May 5, 2025. Hearing none, the mayor asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE MAY 5, 2025 MINUTES AS PUBLISHED: Rikhof

SECOND: Velasquez

DISCUSSION: There was no discussion

VOTE: The motion carried 6-0 (Pantoya absent)

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

1. Thomas Martin, owns property in La Junta, resides in Rocky Ford: The vacant building is defined by significantly below standard usage. Question is I have Airbnb all across the United States, am I going to be flagged because my properties at times have low utility usage. It doesn't seem fair. I provide a service to the citizens of La Junta and also people coming here to stay. Am I going to be subject to that? Second question is about the commercial buildings. It seems like the Bradish area seems to be a hot subject with these vacancy building letters. I know Morgan & Sons uses their building quite often. It doesn't seem fair to me that he as a business owner, pay a dormancy fee. He provides a service to many of you and your vehicles. So why should he be punished. If you make these owners move out of the city and move out to the Industrial Park, are their buildings going to sit vacant and become blighted? Every city needs a plan. Every city has blighted buildings. You need to work with the citizens. Help the business owners out. Don't send them letters in the mail. Try to work with them.
2. Gary Reed, 18975 State Hwy 202, Rocky Ford: How can the city tell residential land owners what they can do with their properties? As long as that property is looking good and its maintained and not an eyesore. In Rocky ford, that guy thinks he can tell the land owners that if a place is empty and can be rented, it needs to be rented. But yet, as a landlord, we get no help from either La Junta or Rocky Ford. We send tenants down that get no help with deposits. They have to pay the full high-priced deposit. I do have properties in town, that's why I'm here and my business plan does not allow me to leave the property empty. So, none of my properties are empty but I do feel for anybody else in here that does have a property that's empty. The next thing was commercial property. Morgan and Sons has been in business in that building for 25-30 years. When I was a kid, it was a Coca-Cola bottling warehouse. It's a warehouse that you store stuff in. What's the difference between what he's using it for now? He's using it for his windows. It's an active business in town. Same with La Junta Trading Company. They got a letter saying they can't use their building they have for storing stuff in their place. Next thing is the etiquette on this council, especially at the last few meetings. The guy that was here talking about speed cameras, the retired patrolman, had some very good questions, shoved under the rug. Nothing was answered. Maureen Rikhof, at the last council meeting, same thing. It was shoved under the rug when she had valid questions. And yet, all she was told was, we need to vote for it. If there's any questions with any council member, you don't vote until everybody has all the information they need to make a good decision. Last but not least, I watched that meeting you had, the Planning Commission, and I'm very disappointed. Maureen has some very good questions relating to this and it was all pushed under the rug. Nothing was answered. It seemed to me like you guys were discounting her. I don't know how many of you guys are rental property owners and I know she is. She has some very good questions and they were not addressed at all.
3. Angela Martinez, 722 Raton Avenue: I'm attempting to move myself and my father to his other property. The biggest issue I have is I feel like I'm continuously harassed, in violation of some silly thing. Weeds do what they do, they grow. This is a weed prone area. Yes, I completely agree that they need cut. My dad presented me with this letter on one of his properties. We've been grieving the past six years. Every year, we've had a loss. I don't know if any of you have dealt with loss. But it's not easy at all. There's lots of things. You've got to plan. You've got to figure out estate, what to do with vehicles, properties. Here I am by myself. My dad's disabled. I feel like he's being targeted for these properties. I get a violation on a winter day from code enforcement saying we need to pick this area up. Vehicles, debris, whatever, in seven days. Look at the size of my property. Seven days

CITY COUNCIL MEETING – May 19, 2025

for this? It's seven in a half times a regular average property in the vicinity and I get a seven-day notice. It was 15 degrees that day, it was February, it was snowing. I have a lot of issues with that. I have since tried my best to maintain and clean up the area. I've gotten tags and registrations, and live auctioned vehicles. I've done all the things to try to appease all the silly ordinances and all of the made-up rules that try to keep the governing process in place but ultimately, I feel like I am running in an uphill battle constantly. I am one person. A small army would have a hard time dealing with all the properties and vehicles that I have to deal with. All I'm asking for is some time. I should get due process, right? That's part of it and it should be fair due process. As for vehicles, the ordinance says, fitted car covers. What does it matter? Why does it have to be a fitted car cover? I don't know if any of you have bought fitted car covers. I have bought probably twenty in the past year. They deteriorate, they're weather blown, they rip apart. Then you have to go right back and buy more. I'm trying to consolidate, limit what my dad has but some people have a hard time letting go of memories, of what was, and I think we are just a number in your game. Talk about it. Ask what's going on. Everybody has problems. I have a hard time checking on him. I have to check on my grandfather. I've got kids. I work. Where am I supposed to find this time of the day to make things happen. This is rural La Junta, we live in cow town La Junta. It's like, we are used to rural type stuff. Not downtown Denver.

REPORTS

- A. Property Management Fund Audit (City Manager Hart).** Brock and I sat down and laid out a process of what we're going to go through in order to do the audit itself. We're going to be getting into that over the next couple of weeks. I should have a preliminary report sometime in June.

UNFINISHED BUSINESS

- A. Second Reading/AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA JUNTA, COLORADO TO ADOPT RULES CONCERNING USE OF AUTOMATED VEHICLE IDENTIFICATION SYSTEMS.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON SECOND READING: Velasquez

SECOND: Ochoa

DISCUSSION: Lengthy discussion centered around the importance of having Chief Quick available to answer questions and share his vision, secondary violations, whether the handheld machine is considered an AVIS machine, further explanation of the statute, funding, etc.

FRIENDLY WITHDRAWAL OF MOTION: Velasquez

NEW BUSINESS

- A. First Reading/AN ORDINANCE AMENDING SECTION 10.12.080 OF THE LA JUNTA MUNICIPAL CODE TO ALIGN WITH THE AMENDED ENFORCEMENT TIMELINE FOR JUNK VEHICLE VIOLATIONS.** There are two parts to the towing law. One part says a vehicle may be towed within 72 hours the other part says that notice would be given within 15 days. This ordinance will sync the timeline. The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON FIRST READING: Velasquez

SECOND: Stoker

DISCUSSION: Ordinances do not show up online until they have become codified. Until that's done, you do have to look through the ordinances too if you want to be thorough. City Attorney Harris was made aware of the situation and spoke with the Municipal Judge Doug Manley and Cassie Sanchez to make sure nobody was affected.

VOTE: The motion carried 6-0 (Pantoya absent)

CITY COUNCIL MEETING – May 19, 2025

- B. First Reading/AN ORDINANCE AMENDING CHAPTER 8.08 OF THE LA JUNTA MUNICIPAL CODE CONCERNING WEEDS, RUBBISH, AND LITTER TO CLARIFY DEFINITIONS.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON FIRST READING: Ochoa

SECOND: Ramirez

DISCUSSION: There was no discussion

VOTE: The motion carried 6-0 (Pantoya absent)

C. Committee/Board Reports

1. Utilities Board (Council Member Velasquez)
 - RO Plant: Routine maintenance, changed membrane and electrolyte in chlorine analyzer, changed oil and grease in pump.
 - Distribution: Working on hydrants around town. Replaced a lead service line at 6th and Santa Fe Avenue.
 - Water: Consumer Confidence Report has been completed and sent to the state.
 - Electric: Power outage at Industrial Park. Replaced a lot of high-pressure sodium lights with LED lights. A tree fell on a service in the alley at CDS. Nobody hit a traffic light or pole on Highway 50 since the last meeting. The traffic light at 3rd and Carson has been repaired.
 - Sanitation: The rate will increase 3% effective July 1, 2025. There will be more cardboard receptacles placed around the city which will help lower what is being paid at the landfill.
2. Ark Valley Conduit (Mayor Ayala)
 - The Utility Board and City Council had a joint work session with the Arkansas Valley Conduit. It was our first meeting with the conduit since the last year and a half. They have some new leadership as well as us. They answered our questions and even got back to us last week with some more answers to the best of their ability. It is an ongoing relationship that we're working on. The conduit is now projected to be over \$1.3 billion. We want to know what that means for the City of La Junta.
3. Planning Commission (Council Member Rikhof)
 - City Manager Hart had done some research on state statutes on what a planning commission should be doing. We will have further conversations about that.
 - Cynthia Sollenberger from CASA was wanting to confirm if purchasing a building downtown for a non-profit would be compliant. It seemed that it is non-compliant.
 - I asked some questions about zoning and I think they're still a lot that we need to learn as a planning commission. I asked for additional information and education about the different zoning and what the intentions are and just questions about the current statutes and how the city is implementing them.
4. Library Advisory Board (Council Member Rikhof)
 - The Summer Reading kickoff is June 2nd from 10:00 a.m. – 12:00 noon. Their theme is "Color Our World". It's for ages birth to adult.
 - Valleywide is at the library doing free health screenings every second Monday of the month from 10:00 a.m. to 2:00 p.m.
 - There's an author talk on Thursday at 4:30 p.m. Mr. Abdel Berrada is talking about his Moroccan journey, "Driss's Trials and Triumphs."

D. City Manager's Comments

- Walmart grand re-opening is this Friday at 10:00 a.m.
- Will be out of town for Action Colorado in Pueblo this Thursday and Friday.
- CML District meeting in Ordway will be Thursday evening.
- The vandalism happening to the park bathroom facilities has been going on too long. If you see something, say something.

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- Congratulations to the La Junta Class of 2025. This class put together \$1.7 million plus in total scholarships.
- Council has its Bent's Fort tour tomorrow.
- Will be submitting my application for the Colorado Municipal League executive board.

E. Governing Body's Comments**1. Mayor Ayala:**

- Regarding ethics and government (conflicts of interest). I noticed Blue Stem all had to do a disclosure form on any outside businesses that they did. So, I got with Ms. Harris and asked if there was something that council should be doing? She looked into it and we do have something already statewide that home rule can adapt.

City Attorney Harris: In 2010, the City of La Junta adopted one part of an overall ethics and government statute that was adopted at the state level. What we already had was a rule around confidential information being used to create pecuniary gains, monetary gains, or any kind of gifting outside of regular Christmas kinds of things. The state statute though includes the rest of the things that you might expect. Generally, there are requirements that disclosures be made. We want to make sure that things are safe, fair and appears as it should from the outside. What I think we're talking about doing is adapting the rest of that 2010 Colorado statute to be La Junta connected and then probably presented as an ordinance.

Mayor Ayala: Yes, that's what I intended. I'm going to use myself as an example for my professional job. I work for Edward Jones, if some reason, the city was interested in switching their 401K, I should not be a part of any conversation. I shouldn't even be around for something like that. So, if we don't have these things in place, there could be impropriety for stuff like that. I just want to make sure everyone knows why I think it's important we have these things. Not for us particularly but for us and everyone coming after us.

2. Council Member Stoker:

- To address some of the concerns over violations that's issued, especially if it comes to weeds. You get a seven-day notice and it's not going to work out. If it's not going to work out, you need to come talk to somebody. I'm sure between Michael and anybody else, you'd be dealing with, they're willing to give some grace period. But if you don't say anything, then you're going to have the seven-days. I just encourage anybody that has any questions or concerns to reach out to the city to address them. That way they've heard and have that conversation. If it is a deal with your weeds, maybe you can get a little bit more time to get them cleaned up.
- Saturday will be the Elks Fishing Derby. Registration is at 8:30 a.m. for ages 5-15 or if they can fish on their own. The Elks have put on the derby for about twenty-five years and have partnered with Colorado Parks and Wildlife who provide the fish and stock the pond. They provide fishing poles and general education. The Colorado Bank & Trust has been our partners for a long time and they provide the prizes that are given out for the category winners.

City Attorney Harris: Going along with Jeremiah's previous comment, you may also call the municipal court and arrange to talk with me. That's what the free trial meetings are about that happen on the first Thursday of every month.

3. Council Member Ramirez:

- To echo what Jeremiah said as far as taking those points and coming to the city, you got a bunch of people up here, our contact phone numbers are readily available. We can point you in the right direction to who you may need to speak to deal with some of these things if you need an extension. I think everybody here, the city, is willing to work with you if you work with them. It's not a one-way deal it should be a two-way deal. I think even on some of the building issues that there's a compromise there. You have to be willing to take that step and

CITY COUNCIL MEETING – May 19, 2025

not feel like we're not going to do anything. We're willing to work with you. I think if you guys take that step that can occur.

4. Council Member Rikhof:

- Want to thank the people who came and talked tonight. I appreciate you taking the time. I know we have things we would rather be doing than attending city council meetings.
- We all do want the same thing for La Junta. I think that nobody wants blight or our neighborhoods to not be attractive. We all want communities that are livable. I hear you and I agree we want the same things. I think that our staff also wants those things and figuring out how to remove the disconnects that's what we should be focusing on. I appreciate people's time in trying to figure out how to solve some of these problems because I do think we want the same things.
- Congratulations to the bowling alley for opening. I think it's awesome that they're pulling that off.
- Yielding Equitable Entry to Housing and Wellbeing (YEEHAW) have their monthly meeting tomorrow from 3:00 p.m. – 4:00 p.m. in the old bookstore in the student center at Otero.
- Ward 3 listening tour will be June 9th from 6:00 p.m. – 7:00 p.m. at the Brick & Tile Park. Everyone is welcome.

5. Council Member Velasquez:

- Thank you for the citizens for showing up. I echo Maureen's sentiments on that. This is the appropriate place to bring concerns. You can contact me and if I can help, I will, even if you're not in my ward. Once we're up here, we serve the city as a whole.
- Martin has done a tremendous job in his undertakings as city engineer. The work that he did on Bradish and Grace, those streets were in such poor shape that people didn't want to drive on them anymore. He also mitigated the flooding last week when it rained for two or three days in a row. The pumps worked the way they were supposed to. He's been receptive and responsive in doing things. Thank you.

6. Council Member Ramirez:

- Thank you for everybody who came. Understand, the public comment time is time for you to talk and time for us to listen. You may not get a response right then but we're taking that information in and listening to you and forwarding that to the correct people.

There being no further business, the meeting adjourned at 7:23 p.m.

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joseph Ayala, Mayor

ORDINANCE NO. 1679

AN ORDINANCE AMENDING SECTION 10.12.080 OF THE LA JUNTA MUNICIPAL CODE TO ALIGN WITH THE AMENDED ENFORCEMENT TIMELINE FOR JUNK VEHICLE VIOLATIONS

WHEREAS, the City of La Junta amended Section 10.12.070(a) of the La Junta Municipal Code by Ordinance No. 1660 to reduce the enforcement period for junk vehicle violations from fifteen (15) days to seventy-two (72) hours; and

WHEREAS, Section 10.12.080 still references the prior fifteen (15) day period, which creates a conflict within the municipal code; and

WHEREAS, the City Council finds it necessary to harmonize the Code and ensure effective enforcement procedures.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA JUNTA, COLORADO:

Section 1. Amendment to Section 10.12.080

Section 10.12.080 of the La Junta Municipal Code is hereby repealed and reenacted to read as follows:

10.12.080 – Issuance of Summons and Complaint.

If, after seventy-two (72) hours from the date of issuance of the notice of violation under Section 10.12.070(a), the cause of such violation has not been removed or corrected, a summons and complaint shall be issued to the person named on the notice of violation unless satisfactory arrangements for an extension of time have been made with the Police Department.

The summons shall contain at least the following information: the vehicle, by make, year, and model.

In the event that the owner of the vehicle or the owner's agent, manager, tenant, resident, lessee, renter, or occupant of the premises on which such vehicle is located cannot be located to serve such notice of violation, then a summons and complaint may be issued against the vehicle itself. Said summons and complaint shall be firmly attached to the vehicle, or parts thereof, in plain sight.

Section 2. Effective Date

This Ordinance shall become effective upon final adoption and publication as provided by law.

INTRODUCED, PASSED ON FIRST READING, AND ORDERED PUBLISHED
this 19th day of May, 2024.

ADOPTED AND APPROVED on second reading this 2nd day of June, 2024.

CITY OF LA JUNTA, COLORADO

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1680

AN ORDINANCE AMENDING CHAPTER 8.08 OF THE LA JUNTA MUNICIPAL CODE CONCERNING WEEDS, RUBBISH, AND LITTER TO CLARIFY DEFINITIONS.

WHEREAS, the City Council for the City of La Junta (the “**Council**”) finds that the health, safety, and welfare of the community require clear, enforceable standards for the removal of weeds, rubbish, and litter; and

WHEREAS, the Council desires to modernize the definitions in Chapter 8.08 of the La Junta Municipal Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA JUNTA, COLORADO:

Section 1. The following language shall be inserted alphabetically into Chapter 8.08, section 8.08.010 Definitions:

Weed includes, but is not limited to, poison ivy, poison oak, poison sumac, or other vegetation which:

1. Exceeds twelve (12) inches in height, except healthy trees, shrubs, or produce in a cultivated garden;
2. Harbors or conceals refuse, trash, rodents, or vermin;
3. Emits unpleasant or noxious odors;
4. Creates a fire or traffic hazard;
5. Is dead or diseased.

Section 3. Effective Date.

This ordinance shall become effective immediately upon final approval by the Council.

INTRODUCED, READ BY TITLE, AND ADOPTED on first reading this 19th day of May, 2025.

ADOPTED AND APPROVED on second reading on this 2nd day of June, 2025.

ATTEST:

CITY OF LA JUNTA, COLORADO

Melanie R. Scofield, City Clerk

Joe Ayala, Mayor

ORDINANCE NO. 1681

**AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS
TO THE SANITATION FUND FOR THE CALENDAR YEAR 2025**

FACT 1, the City of La Junta has adopted a budget for the calendar year 2025;
and

Fact 2, various funds anticipate expenditures and other changes not otherwise
anticipated at the time of the creation of the 2025 budget; and

Fact 3, the Utility Board of Commissioners has recommended approval for the
utility enterprise funds; and

NNOW BASED ON THESE FACTS, the City Council of the City of La Junta
approves the changes as follows:

<u>SANITATION</u>	Expense	Equipment-200 Dumpsters	\$128,200.00
	Revenue	Savings (Trx Retain Earnings)	\$128,200.00

PASSED on first reading this 2nd day of June, 2025.

ADOPTED and approved on this _____ day of June, 2025

CITY OF LA JUNTA,

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO.

**AN ORDINANCE MAKING SUPPLEMENTAL
APPROPRIATIONS SANITATION FUND FOR THE
CALENDAR YEAR 2025.**

FACT 1, the City of La Junta has adopted a budget for the calendar year 2025; and

FACT 2, various funds anticipate expenditures and other changes not otherwise anticipated at the time of the creation of the 2025 budget; and

FACT 3, the Utility Board of Commissioners has recommended approval for the utility enterprise funds; and

NOW BASED ON THEESE FACTS, the City Council of the City of La Junta approves the changes as follows:

<u>SANITATION</u>	Expense	EQUIPMENT - 200 DUMPSTERS	128,200.00
	Revenue	SAVINGS (TRX RETAIN EARNINGS)	128,200.00

PASSED on first reading this 2ND day of June, 2025.

ADOPTED and approved as this 19th day of June, 2025.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk



Municipal Building
601 Colorado Avenue
P. O. Box 489
La Junta, Colorado 81050
719-384-5991 Phone 719-384-7231 Fax

To the Mayor and City Council,

The Sanitation Department is requesting a budget amendment in the amount of \$128,200. This amount is for the purchase of 200-1.5 cubic yard steel containers. These containers will be used to start a cardboard program for our commercial businesses. The intent is to provide a "cardboard only" container in order to divert cardboard from the landfill to a recycling center. This will also impact other aspects as well such as lower landfill expenses, lower rates to customers (cardboard container rates will be less than trash container rates), and help the City and the community become more environmentally responsible. Cardboard will be collected in a trash truck dedicated to cardboard pick up. Once full, cardboard will be taken to Clean Valley Recycling (at no charge) for processing. This program was recommended by the Utility Board and is now being presented to the City Council for your approval. If all containers are used, the money spent on these containers should be recouped in a 3-4 year span by generated revenue. Rates to be determined by the Utility Board should be in the \$25-\$30/month range (per container). Cardboard would be picked up on Mondays and Wednesdays (and possibly Fridays) depending on customer participation. Three quotes were attained in order to determine the budget adjustment.

Martin Montoya
Director of Engineering
City of La Junta



EQUIPMENT COMPANY INC.

DENVER
5200 Colorado Blvd.
Commerce City, CO 80022
Phone: 303-298-7370
Fax: 303-298-8527

BILLINGS
2107 Harnish Blvd.
Billings, MT 59101
Phone: 406-652-3975
Fax: 406-652-3744

GREAT FALLS
1610 River Drive North
Great Falls, MT 59401
Phone: 406-452-2757
Fax: 406-452-2799

Valid for 10 days from quote date

DATE
03/ 5/25
QUOTE

PAGE
1
25-80097

SOLD TO:
CITY OF LA JUNTA

P.O. BOX 489
LA JUNTA CO 81050

SHIP TO:
CITY OF LA JUNTA
MARTIN MONTOYA
515 LACEY
LAJUNTA CO 81050

CUSTOMER PO	CUSTOMER NUM	SHIP VIA	SALESMAN	TERMS	CUSTOMER PHONE
QUOTE	12100	FOB DENVER	82	NET 10	719-384-7546

PART NUMBER	DESCRIPTION	QTY ORD	UOM	PRICE	EXTENDED
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Good afetrnoon Martin,

Thank you for the opportunity to offer this quotation.The lead-time to build and deliver these containers is 60-90 business days ARO.

Primer and paint is in cluded in the price.

Please let me know if you have any questions.

Thank you.
Brad Powers.
Cell 303-828-6130

KBKB-11520	STD R/L W/TRUN BAR 1.5YD-STEEL	200.00	EA	614.00	122,800.00
	NESTABLE				
3134SWP BIN LID POLY	31X34 DURAFLEX POLY LID SW	400.00	EA	0.00	0.00

All returned goods must be accompanied by
invoice and are subject to handling charge after 30 days.

NO RETURNS AFTER 90 DAYS

A SERVICE CHARGE OF 2% PER MONTH, 24% PER ANNUM WILL BE ADDED TO ANY INVOICE NOT PAID.
BY THE LAST DAY OF THE MONTH IN WHICH IT IS DUE. WE ARE CONFORMING WITH THE FAIR LABOR
STANDARDS ACT OF 1938 AS AMMENDED NOT RESPONSIBLE FOR TIME LOST DUE TO FIRE, STRIKE
OR CAUSES BEYOND OUR CONTROL. STENOGRAPHICAL AND CLERICAL ERRORS SUBJECT TO CORRECTION

THANK YOU FOR ALLOWING US TO QUOTE THESE ITEMS. YOUR COST IS

Sub Total	122,800.00
Sales Tax	0.00
F.E.T.	0.00
Freight	5,400.00
TOTAL	128,200.00



5400 Marshall, Arvada, CO, 80002

Sell To:

Contact Name Jennifer Smith
Bill To Name City of La Junta
Bill To 515 Lacey Ave
La Junta, CO 81050
USA
Email jennifer.smith@lajuntacolorado.org
Phone (719) 384-7546

WQ-10334828
Ship To Name City of La Junta
Ship To 515 Lacey Ave
La Junta, CO 81050
USA
Quick Ship

Quote Information

Salesperson Steve Ortmyer
Salesperson Email sortmayer@wastequip.com
Salesperson Phone 720-387-6696
Expiration Date 2/27/2025
Quote Number WQ-10334828
Please Reference Quote Number on all Purchase Orders

Product	Product Description	Description	Selected Option	Quantity	Sales Price	Total Price
Container - CO -- 70000062	1.5 YD REAR LOAD COLORADO STYLE W/ TRUNNION BAR, NON NESTABLE, 14 GA BODY, 12 GA FRONT FORMED CHANNEL, 14 GA SIDE & REAR FORMED CHANNELS, FRONT CORNER BRACE FORMED 10 GA 3 X 3 X 24, BOTTOM CORNER REINFORCEMENT PADS FORMED 7 GA W/ QUICK RELEASE CASTER PADS, 6" SWIVEL RUBBER CASTERS, 1 1/4" DIA DRAIN, WITH PLASTIC LIDS	Winch hook not necessary	Color: White	216.00	\$634.00	\$136,944.00

Payment Terms	Net 30 Days if credit has been established	Subtotal	\$136,944.00
Shipping Terms	FOB Origin	Shipping	\$5,285.47
		Tax	\$0.00
		Grand Total	\$142,229.47

Special Instructions

Special Instructions Customer is responsible for offloading containers.

Additional Information

Additional Terms Our Quote serves as an offer to provide Products and/or services at the quantities and prices shown and is a good faith estimate, based on our understanding of your needs. By signing below, you indicate your acceptance of our offer which is expressly subject to the Wastequip Terms & Conditions of Sale ("Wastequip's Terms") located at: <https://www.wastequip.com/terms-conditions-sale>, as of the date set forth in Section 1(b) of the WQ T&C, which are made a part of this Quote. Wastequip's Terms may be updated from time to time and are available by hard copy upon request. Any changes or deviations to the terms of this Quote, including any different terms in an Order submitted by you, must be agreed upon in writing by both parties.

Signatures

Accepted By: _____
Company Name: _____
Date: _____
Purchase Order: _____

Please Reference Quote Number on all Purchase Orders

E. Taylor Quick <taylor@quicksteelmfg.com>

to me 

looks like they would run about \$875 with steel prices as of today. steel has been shooting upward with the tariffs.

On Tue, Apr 8, 2025 at 11:46 AM <martin.montoya@lajuntacolorado.org> wrote:

I don't really have a spec, per se. My trash trucks are rear loading and they need to be 1.5 cu yds. Will this work for a quote?

MM

From: E. Taylor Quick <taylor@quicksteelmfg.com>

Sent: Tuesday, April 8, 2025 10:21 AM

To: martin.montoya@lajuntacolorado.org

Subject: Re: New Quote

we have built both front load and rear load units in the past. Would be interested once you have spec's.

On Tue, Apr 8, 2025 at 8:41 AM <martin.montoya@lajuntacolorado.org> wrote:

Good morning,

I am getting pricing on a new project I am trying to get started. This project would require 200-1.5 cubic yard containers. Is this something you can give me a quote on? If you quote is the best and the board decides to go through with it, we can talk specs and logistics at that point. If you have any questions, please let me know.

Thank you,

Martin Montoya
City of La Junta
Director of Engineering
O: (719)384-5991
C: (719)469-7716

Quicksteel Quote		
Quantity	Price	Total
200	\$ 875.00	\$175,000.00

Question:

What is required of Colorado home rule municipalities in order to enforce rules of ethics in local jurisdictions?

Answer:**Short response**

Colorado home rule municipalities must adopt charters, ordinances, or resolutions that include specific ethics provisions—including gift bans, exceptions, independent commission provisions, and enforcement mechanisms—to establish and enforce local ethics rules that may exempt them from statewide ethics requirements under Article XXIX of the Colorado Constitution.

Summary

The Colorado Constitution grants home rule municipalities significant authority to govern local matters, including the establishment and enforcement of ethics rules. Under Article XX, Section 6, home rule municipalities can adopt charters that serve as their organic law and extend to all local and municipal matters, allowing them to create and enforce ethics rules specific to their jurisdictions. Furthermore, Article XXIX, Section 7 explicitly allows home rule municipalities to adopt their own ethics provisions that may be more stringent than state requirements and outlines specific components that must be included in local ethics frameworks to exempt municipalities from state ethics requirements.

To enforce rules of ethics in local jurisdictions, Colorado home rule municipalities must include specific provisions in their charters, ordinances, or resolutions. These provisions must address: gift bans for covered individuals, exceptions to those bans, mechanisms for adjusting gift ban amounts, an independent ethics commission, and comprehensive complaint, investigative, and enforcement processes. When a home rule municipality properly adopts these required ethics provisions, it becomes exempt from the state ethics requirements of Article XXIX and can enforce its own local ethics rules. The municipality's charter and ordinances in such matters supersede any conflicting state law within the territorial limits of the municipality, provided the ethics regulations concern matters of local, rather than statewide, concern.

Background and Constitutional Framework

Home Rule Authority Under Article XX

The foundation for home rule municipalities' authority in Colorado is established in Article XX of the Colorado Constitution. Section 6 of Article XX, which was adopted by voters in 1912, grants "home rule" powers to municipalities choosing to operate under its provisions, fundamentally altering the relationship between such municipalities and the state. [City and County of Denver v. State, 788 P.2d 764, 766 \(Colo. 1990\)](#) ("Article XX, Section 6, of the state constitution, adopted by the voters in 1912, granted 'home rule' to municipalities opting to operate under its provisions and thereby altered the basic relationship of such municipalities to the state.").

This constitutional provision vests home rule municipalities with the power to create, amend, and enforce their own charters and ordinances concerning local and municipal matters. [Colo. Const. art. XX § 6](#) ("The people of each city or town of this state... are hereby vested with, and they shall always have, power to make, amend, add to or replace the charter of said city or town, which shall be its organic law and extend to all its local and municipal matters."). As a result, home rule municipalities have plenary authority over issues solely of local concern. [City and County of Denver v. Qwest Corp., 18 P.3d 748, 754 \(Colo. 2001\)](#) ("As such, it has plenary authority to regulate matters of local concern.").

The constitutional provision further states that the charter and ordinances made pursuant to it "shall supersede within the territorial limits and other jurisdiction of said city or town any law of the state in conflict therewith." [Colo. Const. art. XX § 6](#). This means that in matters of purely local concern, home rule municipalities' ordinances will prevail over conflicting state statutes. [Fraternal Order of Police, Colorado Lodge No. 27 v. City and County of Denver, 926 P.2d 582 \(Colo. 1996\)](#) ("the overall effect of the amendment was to grant to home rule municipalities the power the legislature previously had and to limit the authority of the legislature with respect to local and municipal affairs in home rule cities.").

Categories of Regulatory Matters

Colorado courts recognize three categories of regulatory matters that determine the scope of a home rule municipality's authority: (1) matters of local concern; (2) matters of statewide concern; and (3) matters of mixed state and local concern. [Town of Vail v. Village Inn Plaza – Phase V Condominium Association](#), 2021 COA 108 ("To determine whether a home-rule city or the state has plenary authority for purposes of article XX, section 6, we

have recognized that regulatory matters fall into three broad categories: (1) matters of local concern; (2) matters of statewide concern; and (3) matters of mixed state and local concern.").

In matters of local concern, both the state and home rule city may legislate, but if there is a conflict between the two, the home rule enactment controls. [City of Colorado Springs v. State, 788 P.2d 764, 767 \(Colo. 1990\)](#) ("In matters of local concern, both home rule cities and the state may legislate... However, when a home rule ordinance or charter provision and a state statute conflict with respect to a local matter, the home rule provision supersedes the conflicting state provision.").

In matters of statewide concern, the General Assembly exercises plenary authority, and home rule cities may regulate only if the constitution or a statute authorizes such legislation. [City and County of Denver v. Qwest Corp., 18 P.3d 748, 754 \(Colo. 2001\)](#) ("The state legislature continues to exercise supreme authority over matters of statewide concern, however, and home rule cities may legislate in that area only if the constitution or a statute authorizes such legislation.").

In matters of mixed state and local concern, local enactments and state statutes may coexist if there is no conflict, but if a conflict arises, the state statute supersedes the local regulation. [Town of Vail v. Village Inn Plaza – Phase V Condominium Association, 2021 COA 108](#) ("In the event of a conflict, however, the state statute supersedes the local regulation.").

Ethics Requirements Under Article XXIX

In addition to the general authority granted by Article XX, Article XXIX of the Colorado Constitution specifically addresses ethics requirements for public officials and provides a framework for how home rule municipalities can establish their own ethics rules.

Purpose of Ethics Requirements

Article XXIX, Section 1 emphasizes the importance of maintaining public trust and confidence in the conduct of public officials, including local government officials. [Colo. Const. art. XXIX § 1](#) ("The conduct of public officers, members of the general assembly, local government officials, and government employees must hold the respect and confidence of the people... They shall, therefore, avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated.").

The section further states that "to ensure propriety and to preserve public confidence, they must have the benefit of specific standards to guide their conduct, and of a penalty mechanism to enforce those standards." [Colo. Const. art. XXIX § 1](#). This establishes the constitutional basis for ethics requirements at both the state and local levels.

Independent Ethics Commission

Article XXIX, Section 5 creates the Independent Ethics Commission (IEC) to hear complaints, issue findings, assess penalties, and issue advisory opinions on ethics issues. [Colo. Const. art. XXIX § 5](#) ("There is hereby created an independent ethics commission to be composed of five members. The purpose of the independent ethics commission shall be to hear complaints, issue findings, and assess penalties, and also to issue advisory opinions, on ethics issues arising under this article and under any other standards of conduct and reporting requirements as provided by law.").

The IEC has the authority to adopt reasonable rules necessary for administering and enforcing ethics provisions. [C.R.S. § 24-18.5-101](#) further details the powers and duties of the commission, stating that they include hearing complaints, issuing findings, assessing penalties, and issuing advisory opinions and letter rulings on ethics issues.

Home Rule Exemption from State Ethics Requirements

Crucially for home rule municipalities, Article XXIX, Section 7 explicitly addresses how they can establish their own ethics rules that exempt them from state requirements. [Colo. Const. art. XXIX § 7](#) ("Any county or municipality may adopt ordinances or charter provisions with respect to ethics matters that are more stringent than any of the provisions contained in this article. The requirements of this article shall not apply to home rule counties or home rule municipalities that have adopted charters, ordinances, or resolutions that address the matters covered by this article.").

This provision has been interpreted in case law to mean that home rule municipalities are exempt from the requirements of Article XXIX if they have adopted their own ethics frameworks. [Dunafon v Jones](#) ("The requirements of Article XXIX do not apply to Article XX home rule municipalities 'that have adopted charters, ordinances, or resolutions that address the matters covered by [Article XXIX].' Glendale is a home rule municipality that enacted its own code of ethics after Article XXIX was codified.").

Similarly, [Glendale v Independent Ethics](#) clarified this exemption: "The requirements of article XXIX, however, 'shall not apply to' article XX home rule municipalities 'that have

adopted charters, ordinances, or resolutions that address the matters covered by [article XXIX].’ Colo. Const. art. XXIX, § 7.”

Specific Requirements for Local Ethics Rules

To be exempt from state ethics requirements, a home rule municipality’s ethics provisions must include specific components outlined in Article XXIX, Section 7:

Gift Bans

A home rule entity must adopt a charter, ordinance, or resolution that includes: “A gift ban indicating that a covered individual may not accept or receive any money, forbearance, or forgiveness of indebtedness from any person without lawful consideration of equal or greater value in return.” [Colo. Const. art. XXIX § 7](#).

Additionally, there must be “a gift ban indicating that a covered individual may not, directly or indirectly as the beneficiary of a gift or thing of value given to his or her spouse or dependent child, solicit, accept, or receive any gift or other thing of value with a fair market value or aggregate actual cost greater than \$50 in any calendar year, including but not limited to, gifts, loans, rewards, promises or negotiations of future employment, favors or services, honoraria, travel, entertainment, or special discounts, from a person without lawful consideration of equal or greater value in return.” [Colo. Const. art. XXIX § 7](#).

Exceptions and Adjustments

The ethics provisions must include “the exceptions in section 3 of this article, together with the exceptions recognized by the independent ethics commission (IEC).” [Colo. Const. art. XXIX § 7](#).

There must also be “an adjustment to the \$50 gift ban that generally is equivalent to and coincides with the adjustment made by the IEC every four years.” [Colo. Const. art. XXIX § 7](#).

Independent Commission and Enforcement

The ethics provisions must establish “an independent commission with provisions governing the manner of appointment and succession.” [Colo. Const. art. XXIX § 7](#).

Additionally, there must be “a complaint, investigative, and enforcement process.” [Colo. Const. art. XXIX § 7](#).

Penalty Provisions

The ethics provisions must include "a penalty provision indicating that a covered individual who breaches the public trust for private gain, and any person or entity inducing such breach, shall be liable to the local jurisdiction for double the amount of the financial equivalent of any benefits obtained by such action." [Colo. Const. art. XXIX § 7](#).

Conflict of Interest Provisions Under State Law

In addition to the constitutional requirements, Colorado statutory law includes specific provisions regarding conflicts of interest that apply to municipalities:

[C.R.S. § 31-4-404](#) requires that "Any member of the governing body of any city or town who has a personal or private interest in any matter proposed or pending before the governing body shall disclose such interest to the governing body, shall not vote thereon, and shall refrain from attempting to influence the decisions of the other members of the governing body in voting on the matter."

This statutory requirement applies to all municipalities, including home rule municipalities, and represents a fundamental aspect of enforcing ethical rules in local jurisdictions by preventing conflicts of interest and ensuring transparency and fairness in municipal governance.

Power to Make Ordinances

Colorado statutes also grant municipalities the power to make and publish ordinances that are consistent with state laws:

[C.R.S. § 31-15-103](#) provides that "Municipalities shall have power to make and publish ordinances not inconsistent with the laws of this state, from time to time, for carrying into effect or discharging the powers and duties conferred by this title which are necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the morals, order, comfort, and convenience of such municipality and the inhabitants thereof not inconsistent with the laws of this state."

This provision is relevant to the enforcement of ethics rules as it grants municipalities the authority to create ordinances that improve the "morals" and "order" of the municipality, which would encompass ethics regulations.

Position Statement on Home Rule Exemption

In 2016, the IEC issued Position Statement 16-01, which further clarified when home rule municipalities may be exempt from the requirements of Article XXIX. [Glendale v Independent Ethics](#) mentions this position statement, noting that it "clarified that if a

home rule municipality adopted specific provisions — including those establishing an independent commission and a complaint, investigative, and enforcement process — 'then the requirements of the constitution are met and Article XXIX does not apply.'"

This position statement provides additional guidance for home rule municipalities on how to structure their ethics provisions to meet the requirements for exemption from state ethics requirements.

Procedure for Adopting Home Rule Charters and Amendments

The process for adopting or amending a home rule charter, which would include provisions for ethics rules, is outlined in Article XX, Section 9 of the Colorado Constitution:

[Colo. Const. art. XX § 9](#) states that "The registered electors of each city and county, city, and town of the state are hereby vested with the power to adopt, amend, and repeal a home rule charter."

The process requires either "petition, signed by not less than five percent of the registered electors of the proposed or existing city and county, city, or town" or "proper ordinance by the city council or board of trustees of a town, submitting the question of the adoption of a municipal home rule charter to the registered electors." [Colo. Const. art. XX § 9](#).

Any municipal home rule charter, amendment, or repeal must be "approved by a majority of the registered electors of such city and county, city, or town voting thereon." [Colo. Const. art. XX § 9](#).

This process provides the framework for home rule municipalities to establish or amend ethics provisions within their charters.

Analysis: Requirements for Enforcing Rules of Ethics

Based on the constitutional provisions, statutes, and case law reviewed, the requirements for Colorado home rule municipalities to enforce rules of ethics in local jurisdictions can be summarized as follows:

1. Adoption of Charter Provisions, Ordinances, or Resolutions

Home rule municipalities must first adopt charter provisions, ordinances, or resolutions that address ethics matters. This is explicitly required by Article XXIX, Section 7 of the Colorado Constitution for exemption from state ethics requirements. [Colo. Const. art. XXIX § 7](#).

2. Inclusion of Specific Components

These ethics provisions must include the specific components outlined in Article XXIX, Section 7:

- Gift bans with specific restrictions and monetary limits
- Exceptions to the gift bans
- Adjustment mechanisms for the gift ban amounts
- An independent ethics commission
- A complaint, investigative, and enforcement process
- Penalty provisions for those who breach the public trust for private gain

3. Determination of Matter as Local Concern

For a home rule municipality to enforce its ethics rules to the exclusion of state laws, it must establish that ethics regulation is a matter of local concern rather than statewide concern. This determination is important because it affects whether local or state laws would prevail in case of a conflict.

As noted in [City and County of Denver v. State, 788 P.2d 764, 767 \(Colo. 1990\)](#), "In matters of local concern, both home rule cities and the state may legislate... However, when a home rule ordinance or charter provision and a state statute conflict with respect to a local matter, the home rule provision supersedes the conflicting state provision."

The creation of an ethics framework that meets the requirements of Article XXIX, Section 7 would likely be considered a matter of local concern, especially given the explicit constitutional provision allowing home rule municipalities to adopt their own ethics rules.

4. Ensuring Consistency with Constitutional Requirements

Even though home rule municipalities can be exempt from Article XXIX's specific requirements if they adopt their own ethics provisions, those provisions must still be consistent with the overall purpose of ensuring ethical conduct as outlined in Article XXIX, Section 1. [Colo. Const. art. XXIX § 1](#) ("The conduct of public officers... must hold the respect and confidence of the people... They shall, therefore, avoid conduct that is in violation of their public trust or that creates a justifiable impression among members of the public that such trust is being violated.").

5. Proper Adoption Through Democratic Process

The adoption or amendment of charter provisions related to ethics must follow the democratic process outlined in Article XX, Section 9, requiring either a petition by registered electors or a proper ordinance by the city council, followed by approval by a majority of registered electors. [Colo. Const. art. XX § 9](#).

6. Compliance with Conflict of Interest Provisions

Even with a local ethics framework in place, home rule municipalities must still ensure compliance with statutory conflict of interest provisions, such as [C.R.S. § 31-4-404](#), which requires disclosure of personal or private interests by governing body members and abstention from voting on related matters.

Examples from Case Law

Case law provides examples of home rule municipalities that have successfully established their own ethics frameworks:

In [Dunafon v Jones](#), the court noted that "Glendale is a home rule municipality that enacted its own code of ethics after Article XXIX was codified," indicating that Glendale had successfully established its own ethics rules under the home rule exemption.

Similarly, [Glendale v Independent Ethics](#) referenced the IEC's Position Statement 16-01, which clarified that if a home rule municipality adopted the required provisions, "then the requirements of the constitution are met and Article XXIX does not apply."

Exceptions and Caveats

While home rule municipalities have significant authority to create and enforce their own ethics rules, there are several important exceptions and caveats to consider:

1. Matters of Statewide vs. Local Concern

If ethics regulation is deemed a matter of statewide rather than local concern, state laws would prevail over conflicting local ordinances. This determination depends on various factors and can be subject to judicial interpretation. In [City and County of Denver v. Qwest Corp., 18 P.3d 748, 754 \(Colo. 2001\)](#), the court noted that "In matters of statewide concern, the state legislature exercises plenary authority, and home rule cities may legislate in that area only if the constitution or a statute authorizes such legislation."

Article XXIX, Section 7 explicitly authorizes home rule municipalities to adopt their own ethics provisions, suggesting that ethics regulation can be a matter of local concern.

However, there may be aspects of ethics regulation that are considered matters of statewide concern.

2. Requirement for More Stringent Provisions

Article XXIX, Section 7 allows municipalities to adopt ethics provisions that are "more stringent than any of the provisions contained in this article." [Colo. Const. art. XXIX § 7](#). This suggests that local ethics rules cannot be less stringent than the state provisions, only equal to or more stringent.

3. Evolution of Position Statement Interpretations

The interpretation of what constitutes adequate ethics provisions under Article XXIX, Section 7 may evolve over time through position statements issued by the IEC or through court decisions. Home rule municipalities should stay informed about these developments to ensure continued compliance.

4. Overruled Case Law

Some case law regarding the authority of home rule municipalities has been partially overruled. Specifically, [City of Canon City v. Merris, 323 P.2d 614, 137 Colo. 169 \(Colo. 1958\)](#) and [Woolverton v. City and County of Denver, 361 P.2d 982, 146 Colo. 247 \(Colo. 1961\)](#) were both overruled by [Vela v. People, 484 P.2d 1204, 174 Colo. 465 \(Colo. 1971\)](#). This overruling may affect certain aspects of home rule authority, though the core principles of home rule powers under Article XX remain intact.

Conclusion

Colorado home rule municipalities have significant authority to establish and enforce their own rules of ethics under Article XX and Article XXIX of the Colorado Constitution. To enforce rules of ethics in local jurisdictions, these municipalities must:

1. Adopt charter provisions, ordinances, or resolutions that address ethics matters.
2. Include specific components in these provisions as outlined in Article XXIX, Section 7:
 - Gift bans with specific restrictions and monetary limits
 - Exceptions to the gift bans
 - Adjustment mechanisms for gift ban amounts
 - An independent ethics commission

- A complaint, investigative, and enforcement process
- Penalty provisions for breaches of public trust

When a home rule municipality properly adopts these required ethics provisions, it becomes exempt from the state ethics requirements of Article XXIX and can enforce its own local ethics rules. The municipality's charter and ordinances in such matters supersede any conflicting state law within the territorial limits of the municipality, provided the ethics regulations concern matters of local, rather than statewide, concern.

Additionally, home rule municipalities must ensure that their ethics provisions are adopted through the proper democratic process and are consistent with the overall constitutional purpose of maintaining public trust and confidence in government officials. They must also comply with statutory conflict of interest provisions and ensure that their local ethics rules are at least as stringent as the state provisions.

By meeting these requirements, Colorado home rule municipalities can establish comprehensive ethics frameworks that address the specific needs of their communities while maintaining the integrity and transparency of local governance.

City of La Junta

Conflict of Interest Disclosure Statement

Pursuant to Chapter 2.94 of the La Junta Municipal Code

Name: _____

Position/Title: _____

Date of Disclosure: _____

1. Employment and Business Affiliations

Please list all current employers, contracts, or business affiliations, including self-employment and part-time work. If you serve on any boards or advisory committees, or hold an ownership interest in any business, please include that information as well.

Do any of your professional or business roles involve current or potential interactions with the City of La Junta (e.g., contracts, bidding, regulatory compliance, planning, permitting, development)?

☐ Yes ☐ No

If yes, please explain:

2. Description of Potential Conflict

Describe any other personal, professional, or financial interest you (or a member of your immediate family) may have that could reasonably be perceived to conflict with your public duties. This includes relationships with city contractors, developers, or civic organizations.

3. Nature of the Interest

(Select all that apply)

- ☐ Financial Interest (ownership, investment, contract, or source of income)
- ☐ Personal Relationship (family member, close associate, or romantic partner)
- ☐ Business or Employment Interest
- ☐ Civic or Organizational Membership
- ☐ Other (please specify): _____

4. Parties Involved

Name and relationship of any individuals, businesses, or entities with which you have the disclosed interest:

5. Steps Taken to Mitigate the Conflict

Describe any actions you have taken or plan to take to avoid participation in related discussions, decisions, or votes:

6. Affirmation

I acknowledge my obligation to act in accordance with Chapter 2.94 of the La Junta Municipal Code. I understand that transparency and disclosure are essential to maintaining public trust. I affirm that the information provided above is true and complete to the best of my knowledge, and that I will promptly disclose any future conflicts as they arise.

Signature: _____

Date: _____

Received by (City Clerk or Ethics Designee): _____

Date: _____