

*Subject to approval at
the October 3, 2022
City Council Meeting*

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

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 Monday, September 19, 2022, at 6:00 p.m. in the Council Chambers of the Municipal Building.

INVOCATION: Council Member McIntyre gave the invocation.

PLEDGE OF ALLEGIANCE: Council Member Vela led everyone in the Pledge of Allegiance.

ROLL CALL: The following Council Members were present:

Damon Ramirez, Ward 1
Paul Velasquez, Ward 1
Elaine McIntyre, Ward 2
Joe Ayala, Mayor
Edward Vela, Ward 3
Lisa Pantoya, Ward 3

Absent: Chandra Ochoa, Ward 2

Also present: Rick Klein, City Manager
Bill Jackson, Asst. City Manager
Phil Malouff Jr., City Attorney
Melanie Scofield, City Clerk
Colleen & Rob Oquist, La Junta
Betty Velasquez, La Junta
Dawn Block, City of La Junta
Julie Worley, La Junta
Stephen Nielsen, La Junta
Patty Schaff, La Junta
Rick Gumke, La Junta
Doris Gumke, La Junta
Sarah Gumke, La Junta
Gloria Shoptese, La Junta
Ezekiel Ayala, La Junta
Gary Cranson, Utility Board Vice-Chair
Adrian Hart, SECO News
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 September 6, 2022. After hearing none, the Mayor asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE SEPTEMBER 6, 2022 MINUTES AS PUBLISHED: Vela

SECOND: Pantoya

DISCUSSION: There was no discussion

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

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

1. Colleen Oquist, Tarantula Fest Committee: Road closure requested for Santa Fe Avenue from 3rd to 4th Street on October 8th from 11:00 a.m. to midnight. Booths will be a flat fee of \$20.00. Registration forms may be found at lajuntatarantulafest.com or the Chamber of Commerce. Colleen also donated a piece to the Otero Museum. She thanked the Council and the City for their support of this event.

MOTION TO APPROVE THE ROAD CLOSURE OF SANTA FE AVENUE FROM 3RD TO 4TH STREET ON OCTOBER 8TH FROM 11:00 A.M. TO MIDNIGHT: McIntyre

SECOND: Velasquez

DISCUSSION: There was no further discussion

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

NEW BUSINESS

- A. **La Junta Animal Rescue Request for Funding.** City Manager Klein explained that the City's budget going into next year is at a deficit of \$3.6 million. His recommendation is that this is not the time for the City to fund \$10,000.00 for this program. (The motion to table from the last City Council meeting of September 6, 2022 is still on the table.)

- B. **Application for a Special Event Permit by Clean Valley Recycling, Zeke Ayala, Event Manager. The event is the ART Project to be held October 1, 2022 from 2:00 p.m. to 8:00 p.m. at 13 W. 3rd Street.** The application is in order and has been reviewed by City supervisors for compliance with City and State codes. The appropriate fee has been tendered and the premises have been posted. The City Attorney recommends approval.

MOTION TO GRANT A SPECIAL EVENT PERMIT TO CLEAN VALLEY RECYCLING FOR THE ART PROJECT TO BE HELD OCTOBER 1, 2022 FROM 2:00 P.M. TO 8:00 P.M. AT 13 W. 3RD STREET: Vela

SECOND: Velasquez

DISCUSSION: There was no discussion

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

- C. **A Resolution to Opt Out of the FAMLI Plan.** City Attorney Malouff explained that the State of Colorado had introduced and passed legislation in regard to affording members of municipalities, the opportunity to continue and expand their sick leave benefits called the FAMLI Act. That Act requires municipalities to opt in or opt out, which can occur on an annual basis. It required employees to actively participate and match contribution to the City. The City met with its employees and they are not interested in contributing to the program. Resolution No. R-19-2022 was presented for council's consideration as follows:

WHEREAS, in November 2020, Colorado voters approved Proposition 118, which promoted the way for a state-run Paid Family Medical Leave Insurance (FAMLI) program; and

WHEREAS, the program is not effective until January 2023; and

WHEREAS, FAMLI provides workers 12 weeks of paid leave to take care of themselves or a family member during life events like injury, serious illness, or pregnancy; and

WHEREAS, participating employers and employees must contribute to premiums for FAMLI. Employers start collecting and remitting premiums January 1, 2023; and

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WHEREAS, all municipalities are included in FAMLI by default, but a municipality may opt out and avoid the employer portion of premiums by a vote of the governing body; and

WHEREAS, the municipality must give prior notice of the vote in the same manner it notices other public business, must provide special notice to employees, and must take testimony before voting.

BE IT THEREFORE RESOLVED BY THE CITY OF LA JUNTA, COLORADO:

1. All notices have been posted (in conspicuous and accessible places) where employees at work can review the content of this resolution.

The La Junta City Council opts out of the program.

MOTION TO ADOPT RESOLUTION NO. R-19-2022: Velasquez

SECOND: Pantoya

DISCUSSION: The City has met with employees beginning March of this year through this morning. Out of 127 employees, 123 did not want to participate.

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

D. Appoint Council Member Velasquez as Council Representative to the Board of Utilities Commissioners. The Utility Board made the recommendation at their September 13, 2022 meeting.

MOTION TO APPOINT COUNCIL MEMBER VELASQUEZ AS THE COUNCIL REPRESENTATIVE TO THE BOARD OF UTILITIES COMMISSIONERS: McIntyre

SECOND: Ramirez

DISCUSSION: Council Member Velasquez has no objections or reservations with the appointment. The other council members are in agreement of the Utility Board's recommendation.

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

E. Committee/Board Reports

1. Parks and Recreation (Council Member Ramirez):
 - Football starts Wednesday the 21st.

F. City Manager's Comments

- We have the concrete being placed at the Brick & Tile project.
- The 50/50 Tree Removal Program is going great. We have twenty out to bid right now.
- Stage 1 Water Restrictions.
- We continue to mow weeds and grass.
- We have placed new street signs on West 10th Street from Colorado west.
- Fire Stage 1 Fire Restrictions.
- Chipseal is done and we are getting the patches done from water leaks and street signs.
- The Rural Fire training building is going well.
- Fire Department hosted Fire on the Plains last weekend.
- Katelin Reed achieved her Level 4 in Water Distribution certification.
- Moltz Construction will start moving in on the 19th of September with a completion date of May 2023. This is to replace the pump station at the 3 million gallon tank which pumps to the tanks at 26th and at Prairieview. This serves the high school, Otero College and hospital. It is a great use of our ARPA funds.
- "Kids Need To Read" matched the original amount of books that TT Woodruff did when he opened the library of 735 books. They will read to the kids on October 28th at 10:00 a.m. and 1:00 p.m.

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- Budget Presentation tomorrow at 5:30 p.m. in the Council Chambers.

ADDITIONAL DISCUSSION:

- The 3M gallon tank serves everything south of 16th Street all the way east and west.
- The design of the Brick & Tile Park should be on the City's website.
- Received \$525,000.00 for the design of the multi modal. We are currently waiting on CDOT for a contract.

G. Governing Body Comments**1. Council Member Velasquez:**

- Thanked the Chamber of Commerce for Early Settlers Day (serving lunch, judging, etc.).
- Shout out to SECO News keeping up on the parade and the other things going on.
- The Senior Center dance committee has decided to reduce the number of dances to two per month.

2. Council Member McIntyre:

- Constituent has concerns regarding the debris at the 14th Street bridge after the last flooding.

City Manager Klein: She will need to contact the County.

- Upcoming plastic bag law, HB21-1162, coming up in January.

City Manager Klein: Clean Valley Recycling came in and gave us a letter to see about capturing part of that and to get recyclable bags into people's hands.

- Attended the CML District 6 meeting in Rocky Ford. Thanked Rocky Ford. They had a really nice meal and table decorations made by Klein Makerspace. It was very well attended by the Valley.

3. Council Member Vela:

- The décor from Klein Makerspace was the best.
- Also attended a "30x30" meeting. By the year 2030, the Federal government hopes to have 30% of the lands and water in government hands. This is very important to learn about.

4. Council Member Pantoya:

- Thanked the Chamber for Early Settlers Day. It was still a good turn out even with the rain and cold weather.

5. Mayor Ayala:

- Thanked Joey Burrows who runs the skateboard competition for Early Settlers every year. Before the competition, he painted over the graffiti. He made sure the skatepark was in immaculate condition.
- Good job to the Tigers during Homecoming.
- Thanked Zeke Ayala for the art downtown. The tiger and what was done for Pedro looks amazing, along with the tarantula at Norm Murphy.
- Continue to let your council members know if you see something you don't like. Even if it's not being brought up during a council meeting, the right questions are being asked to get these problems solved for you.

There being no further business, the meeting adjourned at 6:38 p.m.

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joe Ayala, Mayor