

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 3, 2024
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 20, 2024

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

UNFINISHED BUSINESS

A. City Manager Search (Mayor) (Information)

B. Second Reading/AN ORDINANCE OF THE CITY OF LA JUNTA AMENDING ORDINANCE NO. 1627 "AN ORDINANCE CONCERNING APPLIANCE DISPOSAL OF GOODS AND OTHER FURNITURE ITEMS" (City Attorney) (Action)

NEW BUSINESS

A. 2023 Audit Presentation (Hancock & Froese & Co.)

B. Committee/Board Reports

C. Interim City Manager Comments

D. Governing Body Comments

E. ADJOURN



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, May 20, 2024, 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
- Joe Ayala, Mayor
- Chandra Ochoa, Ward 2
- Lisa Pantoya, Ward 3
- Maureen Rikhof, Ward 3

Absent: Jeremiah Stoker, Ward 2

- Also present:
- Brad Davidson, Interim City Manager
 - Erin Harris, City Attorney
 - Melanie Scofield, City Clerk
 - Todd Davidson, Chief of Police
 - Jessica Madrid,
 - Tom Seaba, Director of Water/WW
 - Connie Shane, La Junta
 - Cathy Hurd, La Junta
 - Julie Worley, La Junta
 - Henry/Jansen/Everett Ediger, La Junta
 - Dottie Burnett, La Junta
 - Gary Cranson, UB Chairman
 - 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 May 6, 2024. The mayor asked for a motion to approve the minutes as published.

MOTION TO ACCEPT THE MAY 6, 2024 MINUTES AS PUBLISHED: Ochoa

SECOND: Ramirez

DISCUSSION: There was no discussion

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

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

1. There was no citizen participation.

UNFINISHED BUSINESS

A. City Manager Search. There is a link for the community survey on the City website and Facebook public notices page. Thirty-four responses have been received as of this morning. The survey will be open until the end of the month. There can only be one response from each computer. At the end of the survey time, a report will be compiled for Council and the Committee. The posting is live

CITY COUNCIL MEETING – May 20, 2024

and there have been a few applications. Mr. Lovato, on the Search Committee, is stepping aside. He selected Megan Bender who is an Assistant Principal.

- B. Second Reading/AN ORDINANCE APPROVING THE FINAL PLAT OF LANDS OF SENIOR VILLAGE SUBDIVISION.** Ordinance No. 1661 was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS ORDINANCE NO. 1661 ON SECOND READING: Rikhof

SECOND: Pantoya

DISCUSSION: This land is not owned by the City. The Planning Commission, along with the Engineering Department, approved the final plat for Senior Village Subdivision and is waiting for Council approval.

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

- C. Second Reading/AN ORDINANCE REPEALING ORDINANCE NO. 1573 KNOWN AND CITED AS “THE REQUIREMENT OF A NON-CIGARETTE TOBACCO RETAILER LICENSE FOR CERTAIN RETAILERS WITHIN THE CITY OF LA JUNTA” AND ENACTING A NEW ORDINANCE TO BE KNOWN AND CITED AS “THE PROTECTION OF PERSONS UNDER TWENTY-ONE YEARS OF AGE FROM TOBACCO ACT.”** Ordinance No. 1663 was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS ORDINANCE NO. 1663 ON SECOND READING: Rikhof

SECOND: Pantoya

DISCUSSION: There was no discussion

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

NEW BUSINESS

- A. Application for a Special Events Permit by Our Lady of Guadalupe/St. Patrick Parish, Delbert DeLeon, Event Manager. The event is a Community Festival to be held July 12 and 13, 2024 from 4:00 p.m. to 11:00 p.m. at 202 Lincoln Avenue.** The application is in order and has been reviewed by City supervisors for compliance with City and State codes. The appropriate fees have been tendered and the premises have been posted. The City Attorney recommends approval.

MOTION TO GRANT A SPECIAL EVENTS PERMIT TO OUR LADY OF GUADALUPE/ST. PATRICK PARISH FOR A COMMUNITY FESTIVAL TO BE HELD JULY 12 AND 13, 2024 FROM 4:00 P.M. TO 11:00 P.M. AT 202 LINCOLN AVENUE: Ochoa

SECOND: Velasquez

DISCUSSION: There was no discussion

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

- B. A Resolution Concerning the Southeastern Colorado Water Conservancy District and Aurora’s Compliance with the October 2003 Intergovernmental Agreement.** Resolution No. R-7-2024 was presented for the council’s consideration. The City Attorney explained that this resolution is not asking the City of La Junta to take specific action. It is symbolic and is put forth to the city to make sure that the city has talked about these issues. Specifically, a news release (Attached) that was given from the District to try and explain why the District believes its useful for the city to bring a resolution against what has happened with the sale of water to Aurora. Director of Water and Wastewater commented further on this issue and answered questions of the Council.

MOTION TO ADOPT THE RESOLUTION NO. R-7-2024: Rikhof

SECOND: Velasquez

DISCUSSION: Council Member Rikhof believes in the cooperative governance behind the original document and will be supportive of this resolution.

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

- C. A Resolution Authorizing the Sale of Real Property – 1212 Adams Avenue.** Resolution No. R-8-2024 was presented for the council’s consideration.

MOTION TO ADOPT THE RESOLUTION NO. R-8-2024: Rikhof

SECOND: Velasquez

DISCUSSION: The last few years of taxes and the value of the property were looked at along with checking with Engineering on the size of the lot to determine a value for the starting bid. There was lengthy discussion regarding how the bid process works and surplus property of the city.

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

- D. First Reading/AN ORDINANCE OF THE CITY OF LA JUNTA AMENDING ORDINANCE NO. 1627 “AN ORDINANCE CONCERNING APPLIANCE DISPOSAL OF GOODS AND OTHER FURNITURE ITEMS”.** Ordinance No. 1664 was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS ORDINANCE NO. 1664 ON FIRST READING: Rikhof

SECOND: Ochoa

DISCUSSION: Council Member Rikhof stated that this ordinance should be consistent with the Colorado Revised Statutes.

MOTION TO AMEND THE TITLE OF THE SECTION TO BE “UNLAWFUL TO DISCARD OR ABANDON ICEBOXES OR MOTOR VEHICLES AND SIMILAR ITEMS”:
Rikhof

SECOND: Ramirez

DISCUSSION: Gary Cranson was thanked for bringing this to the attention of the council.

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

VOTE ON ORIGINAL MOTION: The motion carried 6-0 (Stoker absent)

E. Committee/Board Reports

1. Utility Board (Council Member Velasquez):

- Board agreed unanimously to raise water rates. Have an aging infrastructure below and above the ground.
- Electric employees will not get in a bucket truck if winds are in excess of 35 mph or if there’s any rain; but they are on site waiting.
- Calei Armendariz was the winner of the Electric Department and ARPA scholarship.
- The pumps at 1st and Bradish Avenue are currently on manual until more parts are received.
- The cracks in the 1400/1600 block of Bradish and Grace are being repaired.
- Septic trucks dumping directly into manholes or grease traps is illegal.

2. Senior Citizens Center (Council Member Velasquez):

- The Monday, Tuesday, and Wednesday Sage lunches are still occurring. The monthly breakfasts and covered dish will not occur during the summer months.

E. Interim City Manager Comments

- Water Department started a waterline project at the Brick & Tile Park which is still being funded through a grant.
- The Airport is almost finished with putting in the new navigation aid project. When finished, the FAA will come and recertify the equipment.
- The work on the 3rd Street and Adams bridge over the arroyo started today.
- New trash cans are being issued. They are black and orange to show school colors.
- Summer programs are beginning and the pool is getting ready to kick off.

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- The City of La Junta received a Starburst grant through the Colorado Lottery for the Brick & Tile Park. They will be coming down this Thursday around 8:00 a.m. to make a video about the park.

F. Governing Body Comments

1. Council Member Velasquez:
 - Shout out to Jerry Martinez with Jerry's Painting who gives out scholarships every year. Eighteen kids were awarded scholarships this year ranging from \$300-\$500.
2. Council Member Rikhof:
 - Along with Lisa, met at the Brick & Tile Park for a Ward 3 Listening Event. It's working well. Will continue to have these events every 2nd Monday at 6:00 p.m.
3. Police Chief Quick:
 - Next Neighborhood Watch meeting will be May 30th at the Senior Center at 6:00 p.m.
4. Council Member Pantoya:
 - Toured the Water Treatment Plant with Jennifer Sobonet, Chancellor of UCCS, Micah Espinoza, Regional Program Manager and Tony Salazar, VP of Outreach and Engagement for Southern Colorado for the CU System.
 - Met with Ty Winter, Colorado State Representative for House District 47. Along with Council Member Ochoa and members of the Chamber of Commerce.
5. Council Member Rikhof:
 - Concerned about the City's website and feels its our best tool for being transparent and we're not living up to the expectation for a municipal website.

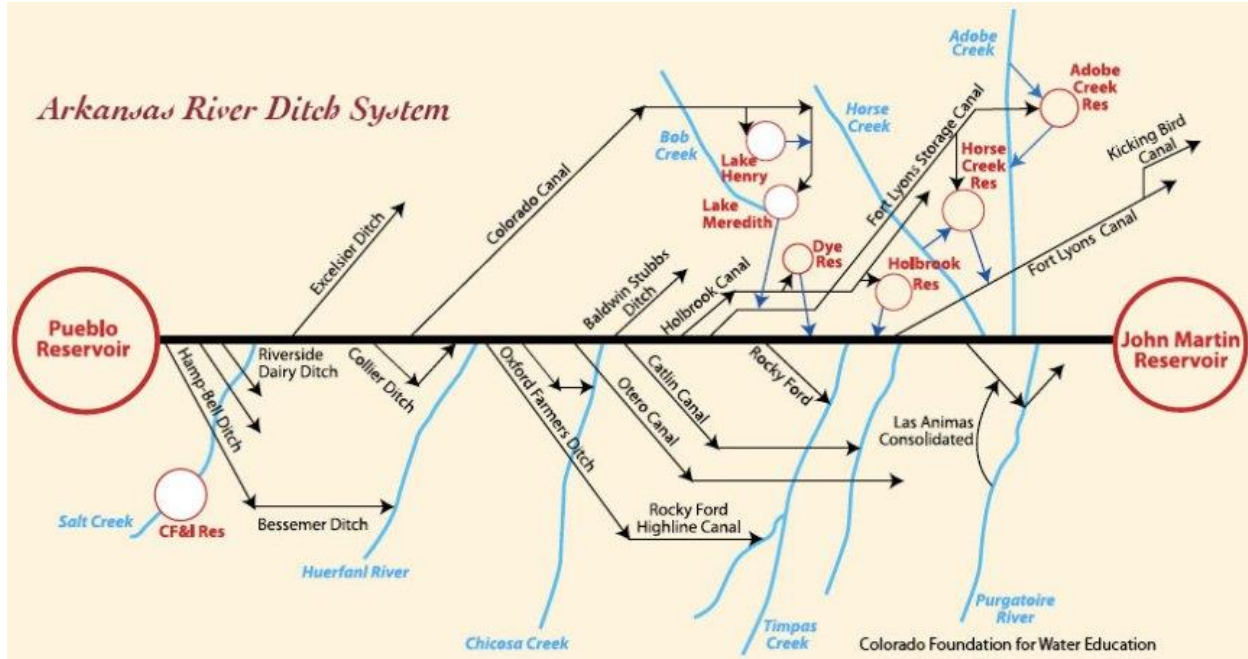
Interim Davidson: Stated that we've run into some snags but have been given an extension on the grant. He will look into the details of the grant and share them with the council. Once complete, Triad Computers will be maintaining the website.
6. Mayor Ayala (for Council Member Stoker):
 - The grass at Tippy Martinez looks great.
 - He will be doing his "Paws and Politics" on Thursday evening for Ward 2.
7. Mayor Ayala:
 - Participated in Clean Valley Recycling's Business After Hours.
 - Had an Arbor Day Celebration at Brick & Tile Park. A tree was donated by former Council Member McIntyre.

There being no further business, the regular meeting adjourned at 7:08 p.m.

ATTEST:**CITY OF LA JUNTA**

 Melanie R. Scofield, City Clerk

 Joe Ayala, Mayor



Straight line diagram of the Lower Arkansas Valley ditches via Headwaters Magazine as reprinted by the Lower Arkansas Valley Water Conservancy District

**Release from Southeastern Colorado Water Conservancy District (Chris Woodka):
April 9, 2024**

The impending purchase of an Otero County farming operation by the city of Aurora violates the 2003 Intergovernmental agreement between the Southeastern Colorado Water Conservancy District and Aurora, according to a resolution passed unanimously Tuesday, April 9, 2024 by the District's Board of Directors.

The action came after Marshall Brown, General Manager of Aurora Water explained details of the purchase and Aurora's interpretation of the IGA to the Southeastern Board. Aurora intends to spend \$80.4 million to buy 5,200 acres of land and the water used to irrigate 4,806 acres. Most of the water used to irrigate the land is through Catlin Ditch shares, along with other water rights in the Arkansas Valley.

Aurora would use the water three years out of every 10 and lease water back to a farming company, C&A Companies, in seven years out of every 10. Brown stressed that Aurora wants to keep farming alive in the Arkansas Valley.

Southeastern claims the sale violates an IGA signed in 2003 that cleared the way for Aurora to use Fryingpan-Arkansas Project facilities to move water out of the Arkansas River basin into the South Platte River basin under a 40-year contract with the Bureau of Reclamation. The IGA also is the foundation for a series of other agreements over the next eight years with other major water providers in the Arkansas basin, including Colorado Springs Utilities, Pueblo Water, the Lower Arkansas Valley Water Conservancy District, Fountain, the Upper Arkansas Water Conservancy District and Fountain.

The major points made in the resolution include:

- The central purpose of the 2003 IGA is to prevent Aurora from purchasing any additional agricultural water rights and permanently transferring those rights out of the basin for permanent use.
- The provision in the agreement to transfer water when Aurora's storage is below 60 percent refers to storage that was available in 2003, rather than additional storage Aurora may have gained since then or is contemplating building.
- The purchase of additional Arkansas River basin water rights to transfer out of the basin for municipal use in Aurora violates the 2003 IGA, and the Board urges Aurora to refrain from or cease all violations.
- The 2003 IGA is a foundational and beneficial document for the Arkansas River basin and in order to maintain regional cooperation and relationships with water rights owners and entities within the basin, both the District and Aurora must remain in compliance with the IGA.
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The 2003 IGA was written following Aurora's second purchase of Rocky Ford Ditch shares and required payments of \$25.5 million to the Southeastern District over 40 years as compensation for the loss of agricultural land. It also allows Aurora to lease water in dry years, and only when Aurora's reservoirs are less than 60 percent full – so-called "Category 2" water.

During a question-and-answer session, Southeastern Board members sparred with Brown over several topics, including whether Aurora would be willing to put conservation easements on its farmland to assure that irrigation would occur in perpetuity, how Aurora would account for the 60 percent storage requirement, if agricultural conservation and rotating fallowing would be used and why Aurora believes the current IGA has limited its ability to move water.

For the most part, those questions were left unresolved, and Brown indicated Aurora is open to more negotiations. Southeastern Board President Bill Long reminded Brown of the importance of the 2003 IGA: "We have taxpayers who have been part of the District since 1958. ... It was this basin who developed the project for the people of this basin. We have people asking, 'Why are we diverting water out of our basin to build houses in Northern Colorado?' So, we have issues in this basin we have to work through. The Project absolutely is not being utilized for what its original purpose is for. ... This Board will comply with the IGA and defend the IGA on behalf of our constituents, and our view of the agreement may be a bit different than yours."

ORDINANCE NO. 1664

**AN ORDINANCE OF THE CITY OF LA JUNTA AMENDING
ORDINANCE NO. 1627 "AN ORDINANCE CONCERNING APPLIANCE
DISPOSAL OF GOODS AND OTHER FURNITURE ITEMS"**

WHEREAS, the City of La Junta has adopted provisions concerning garbage removal and refuse removal as set forth in Title 8 of the Municipal Code; and

WHEREAS, the City is desirous of making provisions which will facilitate the maintenance of a clean city by limiting and regulating the indiscriminate disposal of appliances and other articles within non-designated areas in the City.

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

SECTION 1. Section 8.08.045 is repealed in its entirety.

SECTION 2. A new Section 8.08.045 is enacted as follows:

Section 8.08.045 Unlawful to Discard or Abandon Iceboxes or Motor Vehicles and Similar Items: It shall be a violation of this section for any person to abandon or discard, in any public or private place accessible to children, any chest, closet, piece of furniture, refrigerator, icebox, motor vehicle, or other article, having a compartment of a capacity of one and one-half cubic feet or more and having a door or lid which when closed cannot be opened easily from the inside, or who, being the owner, lessee, or manager of such place, knowingly permits such abandoned or discarded article to remain in such condition.

SECTION 3. The amendment shall become effective upon final passage as required by law.

PASSED on First Reading this 20th day of May, 2024.

ADOPTED AND APPROVED as amended this 3rd day of June, 2024.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk