

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
February 17, 2026
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
Ramirez (Ward 1)
Velasquez (Ward 1)
Johnson (Ward 2)
Ayala (Mayor)
Ochoa (Ward 2)
Pantoya (Ward 3)
Rikhof (Ward 3)

EMPLOYEE SERVICE AWARDS

- A. February 2026
 - 1. Casey Weber – 5 years
 - 2. Todd Quick – 25 years

PRESENTATION

- A. Southeast Colorado Regional Housing Authority (Teale Hemphill)

CITIZEN PARTICIPATION *(5-minute time limit per person)*

CONSENT AGENDA

- A. Regular Meeting Minutes February 2, 2026
- B. Application for a Special Events Permit by Our Lady of Guadalupe/St. Patrick Parish, Kim Hanagan, Event Manager. The event is their Annual Dinner Auction to be held March 14, 2026 from 8:00 a.m. to 11:59 p.m. at 202 Lincoln Avenue
- C. Application for Renewal of a Tavern Liquor License by Ronald Hall, d/b/a The Railyard, 114 Colorado Avenue
- D. Application for Renewal of a Lodging & Entertainment Liquor License by Yak & Yeti Hotel Inc. d/b/a Yak and Yeti, 1325 E. 3rd Street

UNFINISHED BUSINESS

- A. Second Reading/AN ORDINANCE CREATING A NEW CHAPTER 9.10 OF TITLE 9 OF THE LA JUNTA MUNICIPAL CODE, ENTITLED "GAMBLING DEVICES" (City Attorney) (Action)
- B. Second Reading/AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA JUNTA, COLORADO ADOPTING CHAPTER 9.14 OF THE LA JUNTA MUNICIPAL CODE REGARDING ADMINISTRATIVE CLOSURE OF PREMISES ENGAGED IN UNLAWFUL ACTIVITY (City Attorney) (Action)
- C. Second Reading/AN ORDINANCE ADOPTING CHAPTER 8.14 OF THE LA JUNTA MUNICIPAL CODE ENTITLED "PUBLIC NUISANCE ABATEMENT, INJUNCTIONS, AND RELATED REMEDIES" (City Attorney) (Action)

- D. Second Reading/AN ORDINANCE CREATING A NEW ARTICLE WITHIN CHAPTER 9.08 OF TITLE 9 OF THE LA JUNTA MUNICIPAL CODE PROHIBITING GAMBLING AND SIMULATED GAMBLING DEVICES, PROVIDING DEFINITIONS, ESTABLISHING PENALTIES, DECLARING GAMBLING PREMISES A PUBLIC NUISANCE, AND AUTHORIZING SEIZURE AND FORFEITURE OF GAMBLING DEVICES AND PROCEEDS (City Attorney) (Action)

NEW BUSINESS

- A. Board Appointments (Mayor) (Action)
 - 1. Appoint Mitch Cruz to the Senior Citizens Advisory Board – term to expire 12/31/2028
 - 2. Appoint Hollis Goodwin to the Senior Citizens Advisory Board – term to expire 12/31/2026
- B. First Reading/AN ORDINANCE AMENDING THE 2026 BUDGET FOR THE CITY OF LA JUNTA, COLORADO, WATER FUND, AND MAKING A SUPPLEMENTAL APPROPRIATION (City Attorney) (Action)
- C. Committee/Board Report
- D. City Manager Report
- E. Community Events/Council Report
- F. Governing Body Report
- G. ADJOURN



DATE: February 17, 2026

TO: Mayor Ayala and La Junta City Council

FROM: Teale Hemphill, Housing Director

SUBJECT: SECRHA Update, Incentive Funding, and Phase 3

Background:

The Southeast Colorado Regional Housing Authority (SECRHA) has completed 117 units since 2022 in the six-county region of Baca, Bent, Crowley, Otero, Kiowa, and Prowers Counties. 3 single-family units were built on infill lots in the City of La Junta over that time. The SECRHA is also completing the required Housing Needs Assessment for the entire region and the City of La Junta this year.

Also, during that time, MY Rural Planner (MYRP) worked with 17 local governments, who had already opted in to Prop 123, to adopt expedited review resolutions, making them eligible to receive \$50,000 Incentive Grant awards from DOLA, including La Junta. This amounts to \$850,000 in funding for the region that must be spent in the next year and a half. In anticipation of using this funding, SECRHA Board adopted the 2026 budget that appropriates the use of \$519,000.00 funds. These funds are being spent to assist the region in moving forward with the third phase of home construction across the region in the next two years. The use of these funds is limited to code updates and predevelopment work; including architectural plans, site surveys, soil tests, environmental testing, and engineering. The funding could also be used to assist the City with implementation of Accessory Dwelling Unit planning or other Housing planning.

Many of the communities in the region are committing the \$50,000 award back to the SECRHA to continue housing efforts in the region. This also places the obligation of grant compliance and reporting on SECRHA on behalf of the City. The Council may consider keeping funding if there is a specific program that the City wants to conduct outside of the work of the SECRHA.

Single-Family Homes Phase 3

Project Name: “Cottonwood Crossing: A Grove of Homes Across Southeast Colorado”

SECRHA has secured both a DOLA Scattered Site grant and downpayment assistance for the next round of homes being offered across the region. These will account for an approximately \$120,000 subsidy for 14 qualified workforce buyers <100% AMI. The homes are to be constructed on sites across the region on lots secured by SECRHA, many through donations from municipalities. For a home to be built a buyer must select a location on an available lot across the region and be under contract prior to construction. No spec homes are being built in this Phase.

The City has recently removed two blighted homes at 1214 Rice Avenue and 618 Colorado Avenue. The SECRHA is requesting the Council consider donating these lots to the program for potential new home sites within the program. Site control is required by SECRHA to allow for grant incentive funds to cover the necessary predevelopment work to be completed prior to the sites being offered to buyers including a survey, soil test, Phase 1 environmental, and construction plans.

The SECRHA will be available to answer questions after a short presentation at the City Council meeting.

CITY COUNCIL MEETING – February 2, 2026

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, February 2, 2026, 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
Carly Johnson, Ward 2
Joe Ayala, Mayor
Chandra Ochoa, Ward 2
Lisa Pantoya, Ward 3
Maureen Rikhof, Ward 3


Subject to approval at the
February 17, 2026
City Council Meeting


Absent: none

Also present: Michael Hart, City Manager
Erin Harris, City Attorney
Melanie Scofield, City Clerk
Todd Quick, LJPD
Mitch Zgorzynski, LJPD
Jerry White, CBI
Pam Denahy, Econ. Dev.
Gary Reed, Rocky Ford
Steve Zgorzynski, La Junta
Julie Zgorzynski, La Junta
Cheryl Lindner, La Junta
Ally Batterton, La Junta
Erica Zgorzynski, La Junta
Dottie Burnett, La Junta
Bethany Bender, La Junta
Christopher Menges, La Junta
Jeff Richardson, La Junta
Mario Trujillo, La Junta
Adrian Hart, SECO News
Bette McFarren, RF Gazette

AWARD PRESENTATION – Mitch Zgorzynski: Todd Quick, LJPD and Jerry White, CBI, recognized Mitch for his exceptional efforts in criminal investigations, patrol, and community policing. His actions help enhance public safety, build trust in the community, and reduce crime.

CITIZEN PARTICIPATION (5-minute time limit per person):

1. Bethany Bender, Otero College: Invited everyone to this Wednesdays Lunch and Learn about Columbia. If you can't make that, they also go to the library the week after during Friday Fillers and Teen Activities.

CITY COUNCIL MEETING – February 2, 2026

2. Cheryl Lindner, 16 E. 22nd Street: YEEHAW announced the opening of the warming shelter from Friday, January 23rd to Monday, January 26th. The center was a refuge to about thirty visitors who could just be safe, warm, have nutritious meals and snacks, clean clothing, a place to shower, a new to them pair of shoes, boots, jackets or socks. There were over forty volunteers who gave of themselves to provide care for the many community members. This effort was made possible because of the resilience of community members and caring for its own. A great deal of thanks goes out to the Otero County Health Department, the Rocky Ford Methodist Church, Otero County Sheriff's Department, City of La Junta Police Department, the Primary School children, AVRMC and all the local ministries, community organizations and volunteers who assisted in the months of planning, training, development and support leading up to the opening of the warming center. Also, Bent County opened a warming center on those days as well. They recruited fourteen volunteers and served five individuals. Lamar has reached out to ask for guidance and advice in opening a warming center. This is the type of contagiousness worth spreading. We are grateful for all who give and there are many ways that giving can happen.

Years ago, there was a grant for e-bikes. I've noticed that there's several of the bike racks that are around town that are empty but the ones that are up at the college have bikes in them and the bikes are in need of maintenance, repair.

MOTION TO GO INTO EXECUTIVE SESSION FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER C.R.S §24-6-402(4)(b) AND FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER C.R.S §24-6-402(4)(e): Ochoa

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion passed 7-0

The Council went into Executive Session at 6:15 p.m. and reconvened at 6:39 p.m.

CONSENT AGENDA

- A. Regular Meeting Minutes January 20, 2026**
- B. Application for Renewal of a Fermented Malt Beverage and Wine Liquor License by Wal-Mart Inc. d/b/a Wal-Mart #1384, 6 Conley Road**
- C. Application for Renewal of a Fermented Malt Beverage and Wine Liquor License by LJ Liquor LLC d/b/a LJ Liquor, 302 E. 1st Street**

MOTION TO APPROVE THE FEBRUARY 2, 2026 CONSENT AGENDA: Ramirez

SECOND: Velasquez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

NEW BUSINESS

- A. Set for Hearing/New Application for a Fermented Malt Beverage and Wine Liquor License by Colorado Harvest Markets Inc., d/b/a Auggie's Market, 315 W. 2nd Street (March 16, 2026).**

MOTION TO SET A LIQUOR LICENSE PUBLIC HEARING FOR COLORADO HARVEST MARKETS INC., D/B/A AUGGIE'S MARKET, 315 W. 2ND STREE FOR MARCH 16, 2026: Ochoa

CITY COUNCIL MEETING – February 2, 2026

SECOND: Rikhof

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

- B. A Resolution Accepting a Petition for Annexation and Referring the Proposed Annexation to the La Junta Planning Commission for Review and Recommendation.** Resolution No. R-8-2026 was presented for council's consideration.

MOTION TO ADOPT RESOLUTION NO. R-8-2026: Rikhof

SECOND: Johnson

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

- C. A Resolution Authorizing Release and Satisfaction of Judgment Lien Related to 1010 Raton Avenue.** Resolution No. R-9-2026 was presented for council's consideration.

MOTION TO ADOPT RESOLUTION NO. R-9-2026: Pantoya

SECOND: Rikhof

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

- D. First Reading/AN ORDINANCE CREATING A NEW CHAPTER 9.10 OF TITLE 9 OF THE LA JUNTA MUNICIPAL CODE, ENTITLED "GAMBLING DEVICES".**

- E. First Reading/AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA JUNTA, COLORADO ADOPTING CHAPTER 9.14 OF THE LA JUNTA MUNICIPAL CODE REGARDING ADMINISTRATIVE CLOSURE OF PREMISES ENGAGED IN UNLAWFUL ACTIVITY.**

- F. First Reading/AN ORDINANCE ADOPTING CHAPTER 8.14 OF THE LA JUNTA MUNICIPAL CODE ENTITLED "PUBLIC NUISANCE ABATEMENT, INJUNCTIONS, AND RELATED REMEDIES".**

- G. First Reading/AN ORDINANCE CREATING A NEW ARTICLE WITHIN CHAPTER 9.08 OF TITLE 9 OF THE LA JUNTA MUNICIPAL CODE PROHIBITING GAMBLING AND SIMULATED GAMBLING DEVICES, PROVIDING DEFINITIONS, ESTABLISHING PENALTIES, DECLARING GAMBLING PREMISES A PUBLIC NUISANCE, AND AUTHORIZING SEIZURE AND FORFEITURE OF GAMBLING DEVICES AND PROCEEDS.**

City Attorney Harris: Gambling is already illegal but making it illegal in the municipality, we shift the authority to the municipal court instead of to the county court which allows for all the enforcement to be faster and more nimble. The issue is though penalties available in municipal court are not as thorough as they would be at the state level. So, these other statutes give us additional avenues for enforcement if speed is more important than punishment.

MOTION TO PASS AGENDA ITEMS #D-G ON FIRST READING: Rikhof

SECOND: Ramirez

DISCUSSION: There was no discussion

VOTE: The motion carried 7-0

H. Committee/Board Reports

1. Senior Citizens Advisory Board (Council Member Velasquez):
 - Meeting will be this Wednesday at 1:00 p.m.

CITY COUNCIL MEETING – February 2, 2026**I. City Manager Report**

- Retired City employee, Peggy Powell, would like to see more American flags on homes this year.
- Water Treatment pumped 835 million gallons and treated 305 million gallons of water.
- Water Distribution replaced four hydrants, had nine main breaks and replaced about 1,300 feet of line on 6th & 14th Streets.
- Waste Water sludge press did a little over four million gallons and fourteen sewer mains were repaired.
- Utilities had almost 48,000 bills created.
- Accounts Receivable had a little over 2,600 payments equaling \$3.6 million.
- Accounts Payable had 7,198 invoices paid in the amount of around \$23 million.
- Sales tax collected (not including Dec. 2025) was a little over \$6.6 million.
- There are 119 employees on health insurance with 107 dependents.
- Outdoor Conservation (lottery money) collected a little over \$84,000 and around \$345,000 was spent on resurfacing the tennis courts at City Park.
- The library had 192 different programs that were attended by 6,385 people, purchased 862 new items and had another 874 items donated, 387 new library cards, over 54,000 visits to the library, over 44,000 different things were circulated, 544 facility uses with almost 4,100 people attending.
- The Electric Department kilowatt demand for twelve months was a little over 193,000. The energy produced was a little over 86 million kilowatts.
- Purchasing had 1,503 purchases totaling a little over \$3.7 million, did 127 quote transactions, and ten formal bids and request for proposals were issued. The warehouse stocks a little over 4,000 inventory items with an evaluation of a little over \$3.5 million.
- The Police Department had a total of 21,451 calls for service, handled 2,540 criminal cases resulting in 1,265 arrests, involved with Police in the Park, collaborated with Elks Lodge for the Halloween party and assisted Wal-Mart with their Trunk-or-Treat event and secured approximately \$65,000 in grant funds.
- The Fire Department had a total of 2,302 calls, twenty-seven structure fires, forty brush or wildland fires. EMS was the bulk of that (1,938 calls). Fire damage loss estimated a little over \$2.3 million. Went on three different wildland deployments across the state totaling about forty-two days. Conducted twenty-four community outreach and educational programs.
- There were twenty new hires, forty-three seasonal hires, fifteen babies, and four weddings. Started off in January 2025 with 145 employees. Ended last day in December with 139. Peak employees was 189 in June (includes seasonal). We had six employees complete five years of service. Five employees completed ten years of service. One employee completed fifteen years of service. Three employees completed twenty years of service. One employee completed twenty-five years of service. One employee completed thirty years of service.
- The Cemetery had sixty-four internments.
- The Golf Course has 175 memberships.
- The Swimming Pool had 12,932 in attendance and 183 swimming lessons.
- The Senior Center had 10,249 in attendance and 471 members.
- The transit gave out a little over 16,000 rides.
- Recreation had 1,135 sports registrations, 191 volunteers, sixty-five officials/workers.
- The Tree Dump took in 1,334 loads.

J. Community Events/Council Reports

- The 124th Chamber Banquet had 240 attendees.

K. Governing Body Reports

1. Council Member Rikhof: Rural Start Up Days, organized by Start Up Colorado is February 25-27.

There being no further business, the meeting adjourned at 6:25 p.m.

ATTEST:**CITY OF LA JUNTA**

 Melanie R. Scofield, City Clerk

 Joseph Ayala, Mayor

ORDINANCE NO. 1690

AN ORDINANCE CREATING A NEW CHAPTER 9.10 OF TITLE 9 OF THE LA JUNTA MUNICIPAL CODE, ENTITLED “GAMBLING DEVICES”

WHEREAS, the City Council of the City of La Junta, Colorado (“City Council”), is authorized pursuant to Article XX of the Colorado Constitution and §§ 31-15-401 and 31-15-103, C.R.S., to enact ordinances to protect the public health, safety, morals, and general welfare of the community; and

WHEREAS, the City Council finds that certain gambling activities and gambling devices not expressly authorized by state law pose risks to public safety, contribute to nuisance conditions, and facilitate criminal activity; and

WHEREAS, the City Council desires to adopt local enforcement provisions that are consistent with and complementary to Colorado law governing gambling and limited gaming;

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

SECTION 1.

Title 9 of the La Junta Municipal Code is hereby amended by the addition of a new Chapter 9.10, to read as follows:

CHAPTER 9.10 – GAMBLING DEVICES

9.10.010 – Purpose and intent.

The City Council of the City of La Junta finds and declares that gambling activities and gambling devices, when not expressly authorized by state law, pose risks to the public health, safety, morals, and general welfare of the community, including increased criminal activity, public nuisance conditions, and consumer deception.

This Chapter is enacted pursuant to the City’s police powers to regulate conduct affecting the public peace, morals, and safety, and to provide local enforcement mechanisms consistent with state law.

9.10.020 – Construction with state law.

This Chapter is intended to be consistent with and complementary to Title 18, Article 10 of the Colorado Revised Statutes and Article XVIII, Section 9 of the Colorado Constitution, and shall be interpreted and applied accordingly.

9.10.030 – Definitions.

For purposes of this Chapter, the following words and phrases shall have the meanings set forth below. Terms not defined herein shall be construed consistently with Title 18, Article 10, C.R.S.

(a) Gambling.

“Gambling” means risking anything of value for gain contingent in whole or in part upon chance, or the operation of a gambling device.

(b) Gambling device.

“Gambling device” means any device, machine, paraphernalia, or equipment, including any electronic, mechanical, or computerized system, that is used or usable in the playing phases of any gambling activity.

(c) Simulated gambling device.

“Simulated gambling device” means any device or system that simulates or replicates the appearance, operation, or experience of gambling or slot machine play, including but not limited to video displays, electronic sweepstakes systems, or interactive terminals, where the outcome is predominantly determined by chance and a thing of value may be won or awarded.

(d) Slot machine.

“Slot machine” has the meaning set forth in Article XVIII, Section 9 of the Colorado Constitution, and includes any mechanical, electrical, electronic, or computerized device that, upon insertion of consideration, operates or may be operated, and by reason of chance delivers or entitles a person to receive money, credit, allowance, or thing of value.

(e) Thing of value.

“Thing of value” means any money, credit, deposit, token, merchandise, prize, or other consideration having monetary or exchange value.

9.10.040 – Prohibited acts.

(a) Operation or possession

It is unlawful for any person to knowingly own, possess, operate, maintain, display, lease, or make available for use any gambling device or simulated gambling device within the City, except as expressly authorized by state law.

(b) Prima facie evidence of operation.

The possession of a simulated gambling device in a commercial establishment open to the public shall constitute prima facie evidence of operation for purposes of enforcement under this Chapter.

(c) Facilitation or promotion.

It is unlawful for any person to knowingly aid, finance, manage, supervise, promote, or profit from gambling or the use of a gambling device or simulated gambling device within the City.

(d) Premises liability.

The owner, lessee, manager, or person in control of any premises where a violation of this Chapter occurs may be charged separately for permitting or allowing such activity.

9.10.050 – Seizure and safekeeping.

Any gambling device or simulated gambling device used or possessed in violation of this Chapter may be seized by a peace officer for evidentiary purposes and placed in safekeeping pending final disposition of the matter.

Seizure under this Section is for evidentiary and enforcement purposes only and shall not constitute forfeiture absent a court order.

All seizures and dispositions under this Chapter shall be subject to the jurisdiction of the La Junta Municipal Court.

9.10.060 – Disposition upon judgment.

Upon entry of a final judgment of guilt or other lawful disposition, the Municipal Court may order the destruction, forfeiture, or other lawful disposition of any gambling device or simulated gambling device seized pursuant to this Chapter.

9.10.070 – Penalties.

Any person who violates this Chapter shall be subject to the general penalties provided in Chapter 1.08 of this Code. Each day a violation continues shall constitute a separate offense.

9.10.080 – Exemptions.

This Chapter shall not apply to gambling activities or devices expressly authorized by the Colorado Constitution or by state statute, including but not limited to activities regulated under Title 44, Articles 30 through 32, C.R.S.

9.10.090 – Severability.

If any provision of this Chapter or its application to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Chapter that can be given effect without the invalid provision or application.

SECTION 2.

The City Clerk is authorized to codify this Ordinance in the La Junta Municipal Code.

SECTION 3.

This Ordinance shall become effective as provided by law.

INTRODUCED, READ ON FIRST READING, AND ORDERED PUBLISHED this 2nd day of February, 2026.

ADOPTED ON SECOND READING AND FINAL PASSAGE this 17th day of February, 2026.

CITY OF LA JUNTA, COLORADO

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1691

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA JUNTA,
COLORADO, ADOPTING CHAPTER 9.14 OF THE LA JUNTA MUNICIPAL CODE
REGARDING ADMINISTRATIVE CLOSURE OF PREMISES ENGAGED IN
UNLAWFUL ACTIVITY**

WHEREAS, the City of La Junta is a home rule municipality vested with broad police powers under Article XX of the Colorado Constitution and §§ 31-15-401 and 31-15-402, C.R.S., to enact ordinances necessary to protect the public health, safety, morals, and general welfare of its residents; and

WHEREAS, the City Council has adopted criminal ordinances prohibiting certain unlawful activities, including but not limited to illegal gambling devices and operations, which may be prosecuted in Municipal Court; and

WHEREAS, the City Council finds that certain unlawful activities conducted on or within commercial premises may present ongoing and immediate risks to public safety, including increased calls for police service, associated criminal conduct, disorderly behavior, and adverse impacts on surrounding neighborhoods; and

WHEREAS, criminal prosecution alone may not always provide a sufficiently timely mechanism to interrupt ongoing unlawful conduct occurring at a specific location, particularly where such conduct continues while a criminal investigation or court proceeding is pending; and

WHEREAS, the City Council further finds that the City has long relied upon administrative nuisance-abatement procedures, including notice, hearing, and abatement authority, to promptly address conditions that threaten the safety, peace, and welfare of the community, as reflected in existing provisions of the La Junta Municipal Code, including Chapter 9.28 (Defaced Property); and

WHEREAS, the City Council intends to establish a complementary administrative enforcement tool that operates in conjunction with—not in place of—criminal statutes, allowing the City to temporarily close premises engaged in specified unlawful activity while preserving due process protections and the availability of judicial review; and

WHEREAS, the purpose of this ordinance is to ensure that City authorities have the necessary tools to swiftly and lawfully address establishments and situations that endanger the safety and peaceful living of City of La Junta residents, while maintaining transparency, fairness, and accountability in municipal enforcement actions;

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

Section 1. Adoption of Chapter 9.14.

Title 9 of the La Junta Municipal Code is hereby amended to add Chapter 9.14, entitled “Administrative Closure of Premises Engaged in Unlawful Activity,” to read as set forth below:

CHAPTER 9.14 – ADMINISTRATIVE CLOSURE OF PREMISES USED FOR UNLAWFUL ACTIVITY

9.14.010 – Purpose and legislative intent.

The City Council of the City of La Junta finds and declares that certain unlawful activities conducted on commercial or nonresidential premises, including but not limited to illegal gambling operations, constitute a threat to the public health, safety, morals, and general welfare of the community.

The purpose of this Chapter is to provide a prompt administrative mechanism to abate ongoing unlawful activity occurring on premises within the City, to prevent continued harm to the community, and to supplement criminal enforcement remedies where immediate action is necessary to protect the public.

This Chapter is intended to operate independently of, and in addition to, any criminal prosecution or civil enforcement authorized by law.

9.14.020 – Definitions.

For purposes of this Chapter, the following terms shall have the meanings set forth below:

(a) Premises.

“Premises” means any building, structure, or portion thereof, and the real property upon which it is located, whether publicly or privately owned, including any business establishment.

(b) Responsible party.

“Responsible party” means the owner, lessee, tenant, operator, manager, or any person in control of the premises.

(c) Unlawful activity.

“Unlawful activity” means conduct occurring on or within a premises that violates the La Junta Municipal Code or applicable state law, including but not limited to violations of Chapter 9.10 (Gambling Devices).

(d) Administrative closure.

“Administrative closure” means the temporary closure of a premises to the public pursuant to this Chapter.

9.14.030 – Declaration of public nuisance.

Any premises upon which unlawful activity is conducted, permitted, or maintained is hereby declared to be a public nuisance.

The existence of a public nuisance under this Section shall not depend upon the filing or outcome of any criminal charge related to the unlawful activity.

9.14.040 – Authority to order administrative closure.

(a) When the City Manager, Director of Public Safety, or their designee determines that unlawful activity is occurring on a premises and that immediate action is necessary to protect the public health, safety, or welfare, the City may issue an administrative closure order pursuant to this Chapter.

(b) An administrative closure order may be issued upon a showing of probable cause that unlawful activity has occurred or is occurring on the premises.

(c) The issuance of an administrative closure order shall not require a prior criminal conviction.

9.14.050 – Notice and service of closure order.

(a) The administrative closure order shall be in writing and shall state:

1. The address of the premises;
2. The nature of the unlawful activity;
3. The effective date and duration of the closure; and
4. The right to request an administrative hearing.

(b) The closure order shall be served upon the responsible party by personal service, posting on the premises, or any other method reasonably calculated to provide notice.

(c) The City may post a notice on the premises stating that the premises has been closed by order of the City of La Junta.

9.14.060 – Administrative hearing.

- (a) A responsible party may request an administrative hearing by submitting a written request to the City Clerk within ten (10) days of service of the closure order.
 - (b) The hearing shall be conducted by a hearing officer designated by the City Manager.
 - (c) At the hearing, the City shall bear the burden of demonstrating, by a preponderance of the evidence, that unlawful activity occurred on the premises.
 - (d) Following the hearing, the hearing officer may:
 - 1. Uphold the closure order;
 - 2. Modify the duration or conditions of the closure; or
 - 3. Rescind the closure order.
-

9.14.070 – Emergency closure authority.

- (a) If the City determines that unlawful activity on a premises presents an immediate threat to public safety, the City may order an emergency administrative closure effective immediately.
 - (b) In the case of an emergency closure, the responsible party shall be entitled to an administrative hearing upon written request submitted to the City Manager, which shall be scheduled as soon as practicable but no later than fourteen days following the City’s receipt of the hearing request.
-

9.14.080 – Effect of closure.

- (a) During the period of administrative closure, the premises shall not be open to the public.
 - (b) No person shall knowingly enter or remain upon a premises subject to an administrative closure order, except for purposes expressly authorized by the City.
 - (c) Utilities may be secured or disconnected as necessary to effectuate the closure, consistent with applicable law.
-

9.14.090 – Relationship to criminal proceedings.

- (a) An administrative closure under this Chapter is a civil, remedial action and shall not be deemed a criminal penalty.
- (b) The initiation or resolution of a criminal case shall not preclude administrative action under this Chapter, nor shall administrative closure be conditioned upon criminal prosecution.

9.14.100 – Violations and penalties.

Any responsible party who violates an administrative closure order issued pursuant to this Chapter commits a municipal offense punishable under Chapter 1.08 of this Code.

Each day a violation continues shall constitute a separate offense.

9.14.110 – Severability.

If any provision of this Chapter or its application to any person or circumstance is held invalid, such invalidity shall not affect the remaining provisions or applications of this Chapter.

Section 2. Concurrent Remedies.

The remedies provided in Chapter 9.14 are cumulative and non-exclusive and shall not be construed to limit or preclude the enforcement of any criminal ordinance, state statute, licensing action, civil nuisance action, or other remedy available to the City under law.

Section 3. Severability.

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 4. Effective Date.

This ordinance shall take effect thirty (30) days after final passage and publication, as provided by law.

Section 5. Safety Clause.

The City Council hereby finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public health, safety, and welfare of the City of La Junta and its residents.

INTRODUCED, read by title, and ordered published on first reading this 2nd day of February, 2026.

PASSED, read by title, and ordered published on second reading this 17th day of February, 2026.

CITY OF LA JUNTA, COLORADO

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1692

AN ORDINANCE ADOPTING CHAPTER 8.14 OF THE LA JUNTA MUNICIPAL CODE ENTITLED “PUBLIC NUISANCE ABATEMENT, INJUNCTIONS, AND RELATED REMEDIES”

WHEREAS, the City Council of the City of La Junta finds and declares that certain ongoing activities conducted within the City, including but not limited to repeated violations of municipal criminal ordinances, pose a substantial threat to the public health, safety, morals, and general welfare of City residents; and

WHEREAS, the City Council further finds that establishments used for repeated unlawful activity may attract associated criminal conduct, degrade neighborhood safety, and undermine the peaceful use and enjoyment of surrounding properties; and

WHEREAS, the City has a legitimate and compelling interest in providing civil enforcement mechanisms, in addition to criminal prosecution, to promptly restrain and abate conditions that constitute public nuisances; and

WHEREAS, Colorado law recognizes that municipalities may define and abate public nuisances and may seek injunctive relief in district court to restrain ongoing or threatened nuisance activity;

WHEREAS, Colorado law provides for the civil forfeiture of property used in, derived from, or maintained in connection with certain public nuisance activity, subject to strict procedural safeguards, standards of proof, and protections for innocent owners, and the City Council intends to confirm that such remedies may be invoked by the City Attorney on behalf of the City only where authorized by and pursued in strict accordance with state law, and only as a supplemental component of nuisance abatement and injunctive relief; and

WHEREAS, the City Council intends that this Chapter operate concurrently with criminal enforcement under Title 9 of the La Junta Municipal Code and with administrative closure authority, and not as a substitute for criminal prosecution;

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

Section 1.

Title 8 of the La Junta Municipal Code is hereby amended to add a new Chapter 8.14, to read as follows:

CHAPTER 8.14 – PUBLIC NUISANCE ABATEMENT, INJUNCTIONS, AND RELATED REMEDIES

8.14.010 – Legislative intent.

The City Council finds and declares that certain conditions, activities, and uses of property may constitute public nuisances when they threaten the public health, safety, morals, or general welfare of the community.

This Chapter is enacted to provide civil remedies to restrain, enjoin, and abate such nuisances in a prompt and effective manner, supplementing criminal enforcement and administrative remedies available under this Code and state law.

8.14.020 – Definitions.

For purposes of this Chapter:

- (a) “**Public nuisance**” means any condition, activity, use of property, or conduct that is declared by this Code to be a nuisance, or that endangers the public health, safety, morals, or general welfare, or that interferes with the peaceful enjoyment of life or property by the public.
 - (b) “**Chronic violation property**” means any property upon which two or more violations of the La Junta Municipal Code have occurred within a twelve-month period, including but not limited to violations of Title 9, or as otherwise determined by a court of competent jurisdiction based on a pattern of violations.
 - (c) “**Person**” includes any individual, partnership, corporation, association, or other legal entity, and any owner, operator, tenant, manager, or person in control of property.
-

8.14.030 – Declaration of public nuisance.

The following are hereby declared to be public nuisances:

- (a) Any property used, maintained, or operated in a manner that results in repeated violations of the La Junta Municipal Code;
 - (b) Any property used to facilitate or conduct unlawful activities prohibited under Title 9 of this Code;
 - (c) Any condition or activity that, based on its nature or frequency, presents an ongoing threat to public safety or order.
-

8.14.040 – Concurrent remedies.

The remedies provided in this Chapter are cumulative and in addition to any other remedies available under this Code or state law, including but not limited to criminal prosecution, administrative closure, forfeiture, or abatement proceedings.

Civil forfeiture of property may be pursued only as expressly authorized under Section 8.14.085 of this Chapter and applicable provisions of state law, and shall not be deemed an equitable remedy available under other sections of this Chapter.

Nothing in this Chapter shall be construed to preclude prosecution for violations of the La Junta Municipal Code or applicable state statutes.

8.14.050 – Authority to seek injunction.

The City Attorney is authorized to commence a civil action in a court of competent jurisdiction, including the Otero County District Court, to restrain, enjoin, or abate any public nuisance declared under this Chapter.

Such action may seek temporary restraining orders, preliminary injunctions, permanent injunctions, closure orders, or other equitable relief as necessary to abate the nuisance.

8.14.060 – Standard of proof.

In any action brought under this Chapter, the City shall establish the existence of a public nuisance by a preponderance of the evidence.

A violation of the La Junta Municipal Code shall constitute prima facie evidence supporting a finding of a public nuisance.

8.14.070 – Relief authorized.

Upon a finding that a public nuisance exists, the court may order any equitable relief reasonably necessary to abate the nuisance, including but not limited to:

- (a) Prohibiting specified conduct or activities;
- (b) Closing or restricting use of the property;
- (c) Requiring affirmative actions to prevent recurrence;
- (d) Authorizing enforcement measures to ensure compliance.

Relief authorized under this Section shall not include forfeiture of property, except as separately authorized and pursued pursuant to Section 8.14.085 and applicable state law.

8.14.080 – Costs and attorney fees.

The City may recover costs and expenses incurred in enforcing this Chapter, including reasonable attorney fees, where authorized by law or court order.

8.14.085 – Civil forfeiture related to public nuisance activity.

(a) **Authority.** In addition to injunctive and abatement relief authorized under this Chapter, the City Attorney is authorized to seek civil forfeiture of property used in, derived from, or maintained in connection with a public nuisance, where such forfeiture is authorized by and pursued in accordance with applicable provisions of state law, including but not limited to Sections 16-13-301 et seq. and 16-13-501 et seq., C.R.S.

(b) **Property subject to forfeiture.** Property subject to forfeiture under this Section may include, but is not limited to:

(1) Gambling devices, equipment, proceeds, or instrumentalities used to facilitate unlawful activity declared to be a public nuisance;

(2) Personal property used to maintain, operate, or profit from a chronic violation property;

(3) Proceeds traceable to unlawful nuisance activity, as permitted by state law.

(c) **Separate proceeding required.** Civil forfeiture under this Section shall be pursued only through a separate civil forfeiture action filed in a court of competent jurisdiction, and shall not be ordered solely as incidental relief in an injunction or abatement action under this Chapter.

(d) **Governing law.** Any forfeiture pursued pursuant to this Section shall be governed exclusively by the procedures, standards of proof, and defenses set forth in state law.

(e) **Standard of proof.** The City shall establish grounds for forfeiture by the standard of proof required under applicable state forfeiture statutes.

A judicial determination that property was used in connection with a public nuisance may constitute relevant evidence in a forfeiture proceeding, but shall not by itself be dispositive.

(f) **Disposition of forfeited property and proceeds.** Disposition of forfeited property and proceeds shall be governed by applicable state law and Chapter 2.56 of the La Junta Municipal Code.

All forfeited monies or proceeds received by the City shall be deposited and administered in accordance with Chapter 2.56, including required approvals, accounting, and reporting.

(g) **Protection of innocent owners.** Nothing in this Section shall be construed to eliminate or diminish any defenses, exemptions, or protections afforded to innocent owners or lienholders under state law.

(h) **Non-exclusive remedy.** Forfeiture authorized under this Section is cumulative and non-exclusive, and may be pursued independently of or concurrently with criminal prosecution, administrative closure, or civil injunction proceedings, subject to the procedural requirements of state law.

8.14.090 – Severability.

If any provision of this Chapter or its application is held invalid, such invalidity shall not affect the other provisions or applications of this Chapter that can be given effect without the invalid provision or application.

Section 2.

Safety clause.

The City Council hereby finds, determines, and declares that this Ordinance is necessary for the immediate preservation of the public health, safety, and welfare.

Section 3.

Introduction, reading, and adoption.

This Ordinance shall be introduced at a regular meeting of the City Council of the City of La Junta and read by title only on first reading. The Ordinance shall be considered for passage on second reading at a subsequent regular or special meeting of the City Council, following notice as required by law.

Section 4.

Publication.

The City Clerk is hereby directed to publish this Ordinance by title only, together with a notice that copies of the full Ordinance are available for inspection at the office of the City Clerk, in the manner required by law.

Section 5.

Effective date.

This Ordinance shall take effect **thirty (30) days after final passage**, as provided by Section 31-16-105, C.R.S., unless a later date is specified herein.

INTRODUCED, READ BY TITLE ONLY, AND ORDERED PUBLISHED on first reading this 2nd day of February, 2026.

READ BY TITLE ONLY, PASSED, AND ADOPTED on second reading this 17th day of February, 2026.

CITY OF LA JUNTA, COLORADO

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

CITY OF LA JUNTA
ORDINANCE NO. 1693

**AN ORDINANCE CREATING A NEW ARTICLE WITHIN CHAPTER 9.08 OF TITLE 9
OF THE LA JUNTA MUNICIPAL CODE PROHIBITING GAMBLING AND
SIMULATED GAMBLING DEVICES, PROVIDING DEFINITIONS, ESTABLISHING
PENALTIES, DECLARING GAMBLING PREMISES A PUBLIC NUISANCE, AND
AUTHORIZING SEIZURE AND FORFEITURE OF GAMBLING DEVICES AND
PROCEEDS.**

RECITALS

WHEREAS, the City of La Junta is a home rule municipality vested with authority under Article XX of the Colorado Constitution and Title 31, C.R.S., to protect the public health, safety, morals, and welfare of its residents; and

WHEREAS, the State of Colorado has recognized a close relationship between professional gambling and other criminal activity; and

WHEREAS, simulated gambling devices and similar electronic gambling operations are prohibited under Colorado law; and

WHEREAS, the City Council finds that establishments operating simulated gambling devices present a risk to public safety and are reasonably associated with increased violent crime, financial exploitation, and related criminal activity; and

WHEREAS, the City desires to enact clear local prohibitions to allow prompt municipal enforcement and abatement of such activities;

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

SECTION 1.

Amendment to Title 9, Chapter 9.08

A new Article ___ is hereby added to Chapter 9.08 of Title 9 of the La Junta Municipal Code to read as follows:

ARTICLE ___.

Gambling and Simulated Gambling Devices Prohibited

Sec. 9.08. __.010 — Definitions.

For purposes of this Article:

(a) Gambling

Means risking money, credit, deposits, or anything of value for gain contingent in whole or in part upon chance, the operation of a gambling device, or the outcome of an event over which the participant has no control.

(b) Simulated Gambling Device

Means any mechanical, electronic, or digital machine, system, network, software, or device that displays or simulates gambling-style games or outcomes and that is used in connection with a sweepstakes, promotion, or game in which a prize may be awarded, whether directly or indirectly.

This term includes devices simulating slot machines, video poker, bingo, roulette, keno, lottery-style games, or chance-based matching of symbols, numbers, or images.

(c) Prize

Means money, credit, goods, services, or anything of value that may be awarded, redeemed, or transferred.

(d) Gambling Premises

Means any building, room, enclosure, vehicle, or place used or intended to be used for gambling or the operation of simulated gambling devices.

(e) Gambling Proceeds

Means all money or things of value wagered, received, or displayed in connection with gambling or professional gambling.

Sec. 9.08. __.020 — Gambling Prohibited.

It shall be unlawful for any person to engage in gambling or professional gambling within the City.

Sec. 9.08. __.030 — Simulated Gambling Devices Prohibited.

It shall be unlawful for any person to:

1. Own, operate, possess, lease, sell, transport, or make available any simulated gambling device;

2. Maintain or permit the operation of a gambling premises; or
3. Offer, facilitate, or promote gambling or simulated gambling through any device or system.

Each day a violation continues constitutes a separate offense.

Sec. 9.08.____.040 — Penalties.

A violation of this Article is a Class 1 municipal offense unless otherwise provided by law. The remedies provided herein are cumulative and in addition to any other remedies available.

Sec. 9.08.____.050 — Gambling Premises Declared Public Nuisance.

Any gambling premises operated in violation of this Article is hereby declared a public nuisance and is subject to abatement, injunction, or other lawful remedies pursuant to this Code and applicable law.

Sec. 9.08.____.060 — Seizure and Forfeiture of Gambling Devices and Proceeds.

(a) Declaration of Contraband.

All simulated gambling devices, gambling devices, instruments, and gambling proceeds used, possessed, or maintained in violation of this Article are hereby declared contraband.

(b) Seizure.

Any peace officer is authorized to seize such devices and proceeds upon probable cause that they are being used or possessed in violation of this Article.

(c) Forfeiture and Disposition.

Upon conviction or other adjudication of a violation of this Article, the Municipal Court may order that any seized gambling devices and gambling proceeds be forfeited and destroyed or otherwise lawfully disposed of.

(d) Judicial Oversight Required.

No forfeiture or destruction of property shall occur except pursuant to an order of the Municipal Court or other court of competent jurisdiction.

(e) No Expansion of Forfeiture Authority.

Nothing in this section shall be construed to authorize civil asset forfeiture beyond the specific devices and proceeds used in violation of this Article.

Sec. 9.08. ___ .070 — Exemptions.

Nothing in this Article prohibits:

1. Activities expressly authorized under Colorado law, including lawful limited gaming and sports betting conducted in accordance with state law; or
2. Bona fide amusement devices that do not award prizes of value and are not used for gambling.

SECTION 2.

Severability.

If any provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions.

SECTION 3.

Effective Date.

This Ordinance shall take effect thirty (30) days after final adoption.

INTRODUCED, READ BY TITLE ONLY, AND ORDERED PUBLISHED on first reading this 2nd day of February, 2026.

READ BY TITLE ONLY, PASSED, AND ADOPTED on second reading this 17th day of February, 2026.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1694

AN ORDINANCE AMENDING THE 2026 BUDGET FOR THE CITY OF LA JUNTA, COLORADO, WATER FUND, AND MAKING A SUPPLEMENTAL APPROPRIATION

WHEREAS, pursuant to C.R.S. § 29-1-109, if during the fiscal year it becomes apparent that the amount appropriated in the adopted budget is insufficient, the governing body may adopt a supplemental budget and make supplemental appropriations by ordinance; and

WHEREAS, the Board of Utilities Commissioners of the City of La Junta adopted Resolution No. RUB-1-2026 on February 10, 2026, recommending amendment of the 2026 Water Fund budget; and

WHEREAS, the Board of Utilities Commissioners determined that expenditures were not anticipated at the time of adoption of the 2026 budget, including capital expenditures for Holbrook Canal Headgate Replacements; and

WHEREAS, sufficient funds are available in the Water Fund balance to support the recommended supplemental appropriation; and

WHEREAS, the City Council finds that amendment of the 2026 budget and appropriation of additional funds for the Water Fund is necessary and proper.

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

Section 1. Supplemental Budget Adoption.

The 2026 Budget for the City of La Junta is hereby amended to reflect an increase in expenditures and revenues within the Water Fund.

Section 2. Water Fund Appropriation.

There is hereby appropriated to the Water Fund an additional sum of **Eighty-Three Thousand Seven Hundred Dollars (\$83,700.00)** for the following purpose:

Capital Outlay – Holbrook Canal Headgate Replacements
\$83,700.00

Section 3. Source of Funds.

The supplemental appropriation authorized herein shall be funded by:

Transfer from Water Fund Balance
\$83,700.00

Section 4. Severability.

If any section, subsection, sentence, clause, or provision of this Ordinance is held invalid, such decision shall not affect the validity of the remaining portions.

Section 5. Effective Date.

This Ordinance shall take effect upon final passage and publication as required by law.

PASSED ON FIRST READING this 17th day of February, 2026.

PASSED ON SECOND READING AND ADOPTED this 17th day of February, 2026.

CITY OF LA JUNTA

Joe Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk