

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
October 2, 2023
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

Ayala

Ochoa

Vela

Pantoya

MINUTES OF PREVIOUS MEETINGS (Mayor) (Action)

Regular Meeting September 18, 2023

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

NEW BUSINESS

A. Liquor Licenses (City Attorney) (Action)

1. Application for Renewal of a Beer & Wine Liquor License by Tran & Yen LLC d/b/a Asian Café, 414 W. 1st Street

2. Application for Renewal of a Liquor Store Liquor License by J & S Liquor LLC d/b/a J & S Liquor Store, 302 E. 1st Street

B. First Reading/AN ORDINANCE CONCERNING AN ANNEXATION FOR PROPERTY OWNED BY BOB G. VIGIL (City Attorney) (Action)

C. First Reading/AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS AN APPLICATION FOR ANNEXATION BY BOB G. VIGIL (City Attorney) (Action)

D. A Resolution Concerning a Petition for Annexation filed by Bob G. Vigil (City Attorney) (Action)

E. First Reading/AN ORDINANCE CONCERNING AN ANNEXATION FOR PROPERTY – Tract 1 (City Attorney) (Action)

F. First Reading/AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS AN APPLICATION FOR ANNEXATION BY PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBA AND ROSS LEYBA (City Attorney) (Action)

G. A Resolution Concerning e Petition for Annexation filed by Peggy Valerio, Patricia Membreno, Diana Alcaraz, Irene Leyba and Ross Leyba – Tract 1 (City Attorney) (Action)

- H. First Reading/AN ORDINANCE CONCERNING AN ANNEXATION FOR PROPERTY – Tract 2 (City Attorney) (Action)
- I. First Reading/AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS AN APPLICATION FOR ANNEXATION BY PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBA AND ROSS LEYBA – Tract 2 (City Attorney) (Action)
- J. A Resolution Concerning a Petition for Annexation filed by Peggy Valerio, Patricia Membreno, Diana Alcaraz, Irene Leyba and Ross Leyba – Tract 2 (City Attorney) (Action)
- K. First Reading/AN ORDINANCE AMENDING AN ORDINANCE (ORDINANCE NUMBER 1579) WHICH ESTABLISHED THE CITY OF LA JUNTA HISTORIC PRESERVATION ADVISORY AUTHORITY, PROVIDING FOR THE DESIGNATION OF HISTORIC LANDMARKS, HISTORIC BUILDINGS, HISTORIC SITES AND HISTORIC DISTRICTS; PROVIDING FOR NOTIFICATION TO THE HISTORIC PRESERVATION ADVISORY AUTHORITY OF THE INTENDED ALTERATION, REMOVAL OR DEMOLITION OF DESIGNATED HISTORIC BUILDINGS, LANDMARK SITES AND DISTRICTS; PROVIDING FOR THE REVOCATION OF DESIGNATIONS OF HISTORIC LANDMARKS, HISTORIC BUILDINGS, HISTORIC SITES AND HISTORIC DISTRICTS; AND DECLARING AN EFFECTIVE DATE FOR THIS ORDINANCE (City Attorney) (Action)
- L. Committee/Board Reports
- M. City Manager's Comments
- N. Governing Body Comments
- O. ADJOURN

**Subject to approval at
the October 2, 2023
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 18, 2023, at 6:00 p.m. in the Council Chambers of the Municipal Building.

INVOCATION: Mayor Ayala gave the invocation.

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

ROLL CALL: The following Council Members were present:

Damon Ramirez, Ward 1
Joe Ayala, Mayor
Chandra Ochoa, Ward 2
Edward Vela, Ward 3
Lisa Pantoya, Ward 3

Absent: Paul Velasquez, Ward 1

Also present:	Rick Klein, City Manager	Janae/Matt McIntyre, Swink
	Bill Jackson, Asst. City Manager	Elaine McIntyre, La Junta
	Phil Malouff, Jr., City Attorney	Mitch Cruz, La Junta
	Melanie Scofield, City Clerk	Jenny Hernandez, La Junta
	Paula Mahoney, Admin. Asst.	Maya Rodriguiz, La Junta
	Martin Montoya, Dir. of Engineering	Connie Shane, La Junta
	Kathy Martinez, La Junta	Lisa Trigilio, La Junta
	Bobbie Rains, La Junta	Henry/Pat Valdez, La Junta
	CaSandra Thomas, La Junta	Jake/Sydney Williams, La Junta
	Bethany Bender, La Junta	Douglas Golding, La Junta
	Norma Haugen, La Junta	Sue Vance, Swink
	Baljit Nagra, Big D's Liquor	Phyllis Kelley, La Junta
	Paramuirs Mann, Big D's Liquor	Chad Penner, La Junta
	Jagjeet Singh, Big D's Liquor	Angie Swedhin, La Junta
	Robert Grasmick, La Junta	Jamie Mc Nerney, La Junta
	Brittney Baylor, Inspiration Field	Robin Lopez, La Junta
	Dawn Block, Sr. Center Coord.	Connie Lopez, La Junta
	Susan Dietrich, La Junta	Nancy Bennett, La Junta
	David Polley, La Junta	Gary Cranson, UB Vice-Chair
	Ed/Clara Lee Stafford, La Junta	Angela Ayala, La Junta
	Linda Rhodes, La Junta	Stacey/Zeke Ayala, La Junta
	Adrian Hart, SECO News	Elaine Lewis, La Junta
	Bette McFarren, RF Gazette	Toby Tyler, La Junta

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 5, 2023. Council Member Vela added a correction to page 6, right after Carly Boudreau's name, it was omitted that I said, "she stuck her tongue out at me." Hearing no further corrections or additions, the mayor asked for a motion to approve the minutes as amended.

MOTION TO ACCEPT THE SEPTEMBER 5, 2023 MINUTES AS AMENDED: Ochoa

SECOND: Ramirez

DISCUSSION: There was no further discussion

VOTE: The motion carried 5-0 (Velasquez absent/Ward 2 Vacancy)

CITY COUNCIL MEETING – September 5, 2023**PRESENTATION OF YEARS OF SERVICE PLAQUE** by City Manager Klein and Mayor Ayala.

Elaine McIntyre (November 2001 – February 2006 and November 2017 – August 2023)

“WHERE ARE THEY NOW?” Poem by Ed Stafford. City Manager Klein recognized Mr. Stafford with having his first poem displayed on the back wall of the council chambers. He then asked him to read his newest poem “Where Are They Now?” that he penned when Colorado Preservation Inc. was here.

PUBLIC HEARING: Application for Transfer of Ownership of a Retail Liquor Store License by Punjabi 4 Corp., d/b/a Big D’s Liquor Mart, 26730 W US Hwy 50.

The City Attorney opened the hearing and gave some general information regarding the application. He then presented his preliminary findings as follows:

1. That the application is in proper order, the necessary fees having been paid, and the requisite checks and drawings are in order.
2. That the premises sought to be licensed is located at 26730 W US Hwy 50, in La Junta, Colorado.
3. That the premises is presently zoned in a manner that will accommodate the proposed business.
4. That the premises sought to be licensed is currently under a similar type of liquor license.
5. That the premises is properly occupied by the applicant.
6. That the proposal premises outlet is not within 500 feet of any public school or parochial school.
7. Notice of hearing has been given by posting of the premises as required by law and by publication in a newspaper of general circulation with the City of La Junta, being the La Junta Tribune-Democrat, more than ten days prior to the hearing date.
8. That the neighborhood to be served is designated as the City of La Junta.
9. That the closest outlet with a liquor license within the City of La Junta is at Loaf N’ Jug, 918 W. 3rd Street, La Junta, Colorado, which is 1.5 miles from the premises sought to be licensed.
10. That there are other outlets of similar nature within the neighborhood.

Baljit Nagra appeared in person at the hearing and spoke in favor of the issuance of the license. There was no one in attendance to speak against the issuance of the license. The City Attorney closed the hearing and the following action was taken:

MOTION TO GRANT A RETAIL LIQUOR STORE LICENSE TO PUNJABI 4 CORP. D/B/A BIG D’D LIQUOR MART, 26730 W US HWY 50: Vela

SECOND: Pantoya

DISCUSSION: Mr. Nagra is not the owner of the Yak & Yeti.

VOTE: The motion carried 5-0 (Velasquez absent/Ward 2 vacancy)

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

1. CaSandra Thomas, 324 Bradish Avenue: Thank you council for your service to the community and the opportunity to speak. I hate to beat a dead horse but I am concerned about the financial stability of our town. At past meetings, I have spoken about the necessity of the proposed sales tax increase. I have reiterated what we already know. Everything costs more when we shop and travel and dine out, buy vehicles, pay insurance. Everything the city purchases costs more also. That’s why we need the sales tax increase just to keep up with the costs associated with running a town. I’ve also discussed the need to keep all of our town’s amenities, parks and ball fields, libraries, senior center, golf course, bus transportation, swimming pool. No one wants to live in a town without amenities. If these places don’t exist anymore, then less people will come visit our towns. That means less sales tax generated. More than half of our sales taxes come from outsides and sales tax is the only source of revenue our city has to operate. The amenities I mentioned are on the chopping block because they aren’t necessities like police and fire and EMS, road crews, etc. But

CITY COUNCIL MEETING – September 5, 2023

think about this, right now, without the tax increase, we have just enough money to keep the necessities going. But if we lose visitors because all of our amenities are gone, then there are less sales taxes brought in. That means less for the city to operate on and then the necessities will have to take budget cuts next. And if no one is coming to visit our town, then we as citizens are left to generate enough sales taxes to run our town on our own, and keep it going. That won't last long before the town is broke. I did something this weekend that I never thought I would have to do. I looked at real estate in Lamar. I realized that if the city loses amenities, the desire to live in La Junta will diminish. My real estate values will go down and I won't enjoy living here anymore. Now, I believed that I would grow old or rather older here. La Junta is the only place that I see myself living. To the average citizen, it will cost about \$100 or less a year. Isn't that worth it to keep our town financially sound? I desperately hope everyone will vote yes for the sales tax increase. Thank you for your time.

2. Douglas Golding, 1316 Lincoln Avenue: Sad to make this statement but many will probably be glad to hear that this will be my last comment and appearance at city council. After the recent rant I took by the city manager, basically saying that I was his problem in keeping him from doing the more important business. It is quite obvious that the open citizen forum is anything but. If your comments do not support the approved narrative, they are apparently not welcome. I maintain that I'm not the problem but rather the problem lay with La Junta citizens who choose to rant and go off on Mr. Klein over a suggestion concerning the youth recreation program that I made. I told him to direct them to me. As of this time, two weeks from the last council, I have received no calls. If these citizens would bother to do a little homework, they would see by the 2024 budget that the rec program is not being eliminated and I did not advocate doing that. If not me, then who was Mr. Kleins problem when the city decided to eliminate the library, senior center, pool and golf course? These closures are also supported by that same budget. The saying goes don't expect a different result if you keep doing the same thing over and over. If council, city manager, and citizens are not open to the ideas, even those that don't like and willing to put them out on the table for discussion and consideration. Well, we'll travel down the same road. I thank the council for the opportunity to speak but fear this forum is a little more than a positive pat on the back from some and a thorn in the side by others. And, therefore, its probably a waste of time and should be eliminated. Reporting on some of the things I said, it was not included in any of the suggestions. It sounds like I come up here and I just criticize but I give the city and council many suggestions to cut expenses to raise revenues, things that have worked in other towns, and I have yet seen any of these. I will conclude with a few head scratchers. First, I did make the suggestion to close the 5th Street refuse transfer. Instead, the city decided to have it open the entire month of October. Monday through Saturday. If we are short of funds for required city duties, why are we spending money to do this instead? Second, the city is increasing issuing tickets to citizens for weed violations when it itself is one of the offenders of the same ordinance. Finally, I'll conclude with the recent town hall meeting concerning law enforcement revealed police having their hands tied by federal, state laws and mandates. How can we use this as an excuse? When some of us voted for the legislators who passed these. If you want police to be able to do their job, then vote for pro-police candidates. Thank you.
3. Greg Kolomitz, 717 Belleview Avenue: (Representing the Chamber of Commerce). A huge thank you to the City of La Junta for everything you guys did to help us with Early Settler Day. Police, Fire, Electric, Parks, Sanitation, Streets, and anybody else that I missed. It was a great day. Never would have been able to happen without the support of the city. I called Lisa a few times to help out. You guys all participated in the senior citizen lunch. On behalf of the Chamber, thank you.
4. Robin Lopez, 517 Santa Fe Avenue: Want to give another perspective on if the 2A doesn't pass. I've been an employee for the Woodruff Memorial Library for 16 years now. The job that I love very much. I have wonderful co-workers and I enjoy our patrons. I do not want to lose my job because this tax does not go through. We've served so many people at the library. If anybody doesn't know what we do there, please come visit the library and see what we do. And for the Senior Center, I just want to say, I started doing swim exercise with Dawn when she started out many years ago. Please vote for this 2A. It'll be very much appreciated. Thank you.
5. Connie Lopez, 415 W. 9th Street: I'm new to La Junta. I've been here for almost a year. I have family here. I wanted to advocate for the 2A for the citizens of La Junta to vote yes on it. In the time that I've been here, I go to the library a lot. My kids do. We utilize every part of it. That's where we learned about the free movies that they had at the Fox Theater here which I thought was pretty

CITY COUNCIL MEETING – September 5, 2023

awesome. As well as, I started a book club with La Junta and I'm able to rent books there that are part of the book club rather than having to buy them all the time. Which I thin is pretty great and I just wanted to point out a few things hoping I would love to advocate for the 2A. Like I said, I've only been here for almost a year. And I think that these buildings are a huge impact for La Junta. It's really cook to have this here. I take care of an elderly lady. She uses Meals on Wheels which is provided to the senior center. I think it'd be really said if that went. I was trying to see how many seniors actually use the Meals on Wheels in La Junta. Taking that away would be devastating for them. As I can tell, a lot of seniors reside here. People live here, stay here, grow old here. I don't know why that would be wanted to be taken away. The swimming pool, it was packed for the summer and I don't know how much income. These are things I would love to learn. I just started getting more into this but for the low-income families that have their kids here, for the parents that know their kids can to swimming there from that time, why would you, why would that want to be taken away. I don't understand why people who live here would want that taken away. This is something that you should vote yes on. I don't know if you know but La Junta is the second hottest place in Colorado to live. So, why would you want to have that for your kids as well as the swim classes are there for seniors. The library has air conditioned. Its an entertainment place for low-income families to rent DVD's, to rent books for these kids. These are just reminders as well and it's just a dollar per cent. A 1% of a dollar increase. I just think it's just a penny more that's going to increase to keep these buildings that are part of La Junta and the poem that he read, you reflect on that from a person passing though and you have these amenities that are used for people to come here and be like this is great. It's a great library. It's a great senior center. Get involved. Help your seniors out. People that do our caretakers and work for these individuals and know that that's utilized for them and just a swimming pool itself. I just think that the poem he read is a great reflection on why this should be a vote, a big yes for 2A. I know this is the third time coming through and it's been voted no twice before. So, just want to help advocate. I know the tarantula parade is coming to town and would be a great place to talk to people and let them know. I know a lot of out-of-towners come into La Junta and they shop here. I'm a big local person. I like to shop locally, even though I come from a big city. I support small businesses more than I support corporate. Thank you for your time. I appreciate you all.

6. Dawn Block, Senior Center Coordinator: I have a few, "Did You Know?" about the Senior Center. Did you know that since 2015, 620 people have taken our big trips. Several of you in this rom have gone on our big trips with us. We've taken trips to Branson, Boston, San Antonio, Albuquerque, San Diego, Memphis, Nashville, Branson Christmas, just this last spring, we went to Mackinac Island and we went to Mexico. Currently, we have 514 members from: La Junta, Swink, Rocky Ford, Manzanola, Pueblo, Pueblo West, Las Animas, Cheraw, Canon City, Fountain, Kim, Parker, Thorton, Wiley, Model, Colorado Springs, Trinidad and as far as away as Grover Texas. Did you know that the Colorado Rockies have senior days? Some of you here have been to those. For six years now, we've been able to get Rocky's tickets for \$12 and then \$13 and these are not cheap seat tickets. These are bottom level right underneath the shades. Pre-COVID, we also took two buses. That's about 50 people that we were hauling to the Rocky's games. We have chair yoga, tai chi for balance, our water exercise, and exercise classes. These are all free. They don't cost our senior anything. Flower arranging classes, wreath making classes, stepping stone workshop, and we just started our life story book workshops. We have a garden club. We have a bird watching club. We have a Chinese cooking class and we have a free movie tomorrow night at the Fox at 7:00 for those of you that don't have anything to do. We are able to do this because most of our instructors donate their time. That shows the partners that we have with people like the Fox and Marty Fleischacker at Promenade. We do receive \$12,00 grant from the Lower Arkansas Valley Area Agency on Aging. That allows us to do a lot of programming that we do but if we don't have a building, there's no programming. We have free Wi-Fi. We provide shelter from the cold, heat, rain, snow. We also have walking space. Did you know that three laps in our building is equal to a half a mile? In 2022, we had 19,130 people through our doors. Through mid-August of 2023, we've already had 11,201 people. The end of 202, we took 61 members out of our database. Compared to 30 a year before. I can't stress how important socializing is. AARP just recently put out an article about well being for seniors. So, the Senior Center, the pool, the library, the golf course, we're a package deal. It's all or none. So, even if you have never attended or used any of these facilities or if you've used all of them, I encourage you to think about how you vote. It's going to affect so many others besides just yourself.

CITY COUNCIL MEETING – September 5, 2023

7. Chad Penner, 1105 Belleview Ave: I am not an advocate for 2A. I don't want to go into all the reasons why I personally don't think we talk enough about how we're going to save like everybody else has to talk about in their families. IF the families have to save and cut back, I think the city probably needs to do the same thing. Maybe you guys have talked about how you're going to save and that kind of stuff and where you're going to cut back. What hard decisions you're going to have to make but I don't know that I've heard any of them. Also, bringing up the matter of Mr. Vela last week, I would hope just thinking about that that you all, the council and the city, would show the same zest and zeal for matters at the pool and at the library. My wife was at the pool this summer and it was lady swim and there was a man there, male, with a bikini top on, with his child or somebody's child, who knows whose it was. So, I would like the same kind of stuff because there's books in there also. Hopefully that stuff isn't a problem with the golf course and the Senior Citizens Center. I do thank you guys for the hard work you do. Its work that not a lot of people know about. You guys gotta face a lot of angry faces and you are the decision makers and a lot of the stuff you gotta live with your decisions and I applaud you guys for standing up and doing that. Thank you.
8. Lisa Trigilio, 25 Chaparral Circle, Program Director of Ft. Lyon: We are a residential community for recovery and I'm here to invite each and every one of you to come to a celebration that we're having. It's on October 11th, between 11:00 a.m. and 2:00 p.m. There is a QR code that you can use just to register. All you have to is say that you're coming. You only have to put your name. We're just trying to figure out how many people we are going to have for lunch. But we are providing free lunch to everyone and we just want to celebrate the great work that we've done. We've been there now for 10 years. We have served over 2700 residents of the State of Colorado. I would like people to come out and learn the truth about what we do there instead of some of the things you hear that may not be accurate. We really have changed so many lives and we have so many former residents of our program that are successful in this community. We have over 60 employees out there now. We actually even operate the facility. We took over all the maintenance which was Bent County but now, Colorado Coalition for the Homeless does that as well and I think probably 50-60% of our employees reside in Otero County and the City of La Junta. So, I hope that you would take the time to come and just see what we are. We're a great resource for people that really want to recover. We know that there are issues in our society and this is a place for help and it is a resource. We currently have 195 people out there. Our capacity is about 225 at one time. They just have to be a resident of Colorado. It is a 2-year program. Recovery is hard and when you're only given 30 to 60 days, it's just really challenging but the 2-year program really does give you a chance. But recovery has to come from within. We can't make them recover. So, we just really help try to support them and then we have people that fail and they come back again. Some don't but the majority, if they fail, want to try again and we're there to support them again. Thank you.
9. Toby Tyler, 703 Adams Avenue: As 2A is written, I'm not in support of it but I am in support of the Senior Center and the library. This makes it kind of difficult. You put people into a difficult situation where its an all or nothing. I don't know why it couldn't have been written better. I do support the seniors and they have paid their taxes. So, they should be rewarded with benefits and the library is to educate our community but I don't know when the government got involved in golfing. I know it's an amenity and I know its fun for certain people. But if its not profitable, why are we doing it? Like what Chad said, when you have to cut back as a family, you cut back on the excesses, things that you shouldn't be doing. Now, maybe it's a way to bring in people into our community and its great. If we can afford it. But has anybody looked into other communities where it's been an asset, where they've made money, made a profit? I know that's a dirty word in government. They just like to increase taxes but is there a way to make it profitable? Where it makes money for the community? That would be great. Now, I know the pool was very busy this year. My kids used it. So, I'm in support of that too but when you've gotta cut things, I'm not necessarily sure that the 1% increase is going to pay for those things and if they do, how much longer is it going to pay for this? The cost of everything is going up so fast. You can increase it 1% now, but is that going to cover it next year? The year after that? Weill you guys be going back begging for another 1% and then another 1%? I shop local unless there's something you can't buy here. I always buy local. Even if it costs more. I'm a businessman. I want people to use me and so I use them. I just don't know if you guys can even solve this problem because it may be out of your depth. Maybe you should start asking professionals, experts. Lamar seems to have a really nice golf course and maybe it makes them money. Has anybody asked them? I haven't heard any of that. But if you can't afford it, maybe we shouldn't do it. But the Senior Center, I totally support that. Totally support the library. I'm iffy on

CITY COUNCIL MEETING – September 5, 2023

the pool and I'm a definite no on the golf course. So, you put voters in a no-win situation. WE can't just vote for part of it. It's either all of it or none, which is why it's failed the last two times. Maybe you guys should think about how to word things and change the wording. But that's just my two cents. Thank you very much.

10. Bethany Bender, 802 Carson Avenue: If you have been to the previous meetings, you would know what my opinion is on 2A. So, I'm not going to state it today but what I do want to state is I have agreed with multiple people up here that you would be surprised by. I want to thank everybody who showed up to this, the camera can't see it right now, but I would say we have more people than what we've had in the past few months leading up to 2A. I do want to say that honestly, the people who are here and who care about our community are going to do what's best for it. I want us to take a step back from La Junta specifically and look at the economy of the world and where it's at right now. Inflation is going up everywhere. I know people from big towns moving to small towns everywhere. So, it just really depends on what those families are wanting and looking for and I'm going to end on a call to action for the people who are in their late twenties to thirties to early forties to come and get involved in your community because if you don't want this sales tax to pass, if you don't agree with it, then, you need to be contributing. You need to be saying what stores and restaurants and retail that you want because there's many solutions to this problem. It's not a one fix all. Thank you.
11. Mitch Cruz, 702 Smithland Avenue: I am a 1978 graduate of La Junta High School. Just moved back in November because I wanted to be close to my mom. I lost my mom a couple of months ago. She attended Senior Citizens Center religiously. Four times a week for exercise, two times a week for tai chi, dinners. She was involved. That's the kind of stuff that people around here need. I myself, I use the library, I use City Park. I'm preaching to the choir but 2A should be a positive vote. It should be something big for La Junta. We gotta keep this town going. We gotta keep it growing. We need to get back to the way it used to be.
12. Angela Ayala, 1514 San Juan Avenue: Here to tell you today about the 3rd Community Clean-up that I have organized for our community and inviting everyone in the audience to roll up your sleeves and pitch in and help out. It's going to be Saturday, September 23rd from 7:00 a.m. to 10:00 a.m. The meet up point is WW Feeds in La Junta. I'm a big social media person and I have heard through the grapevine that we don't like the Christmas trees on Highway 50. So, instead of complaining, I am a doer. If I do it by myself, that's okay, but I really hope all of you will come and help me. We're going to take care of the Highway 50 corridor. Our hope is to start at the Shell Station and work our way on both sides of Highway 50 as close to the bridge as we can get. The reason this is important is because when people drive through our community, if you haven't been here before, you're going to think that Highway 50 is all we have. I really think that we're bringing a lot of outsiders in for the Tarantula Fest, for Early Settlers Day, for the Art Project. I'm a firm believer in putting your best foot forward. Picking up trash, painting curbs and gutters, painting the crosswalks. All of these are things that me and many others in the community have already started to do. So, if this is something that you are interested in, it's going to be Saturday, September 23rd at 7:00 a.m. The meet up place is WW Feeds. We already have permission from the appropriate entities to be on the property. I have a huge group of college kids coming to volunteer. I hope you guys will join us as well. Thank you.

UNFINISHED BUSINESS

- A. Second Reading/AN ORDINANCE AMENDING MANDATORY SURCHARGES.** The ordinance was introduced by title only, there being copies available to those in attendance.

MOTION TO PASS THE ORDINANCE ON SECOND READING: Ochoa

SECOND: Vela

DISCUSSION: there was no discussion

VOTE: The motion carried 5-0 (Velasquez absent/Ward 2 Vacancy)

CITY COUNCIL MEETING – September 5, 2023

NEW BUSINESS

A. Liquor Licenses.

1. **Application for a Special Event Permit by Inspiration Field, Brittany Baylor, Event Manager. The event is the Hall of Fame to be held September 30, 2023 from 1:00 p.m. to 11:00 p.m. at 612 Adams Avenue.** 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 INSPIRATION FIELD FOR THE HALL OF FAME TO BE HELD SEPTEMBER 30, 2023 FROM 1:00 P.M. TO 11:00 P.M. AT 612 ADAMS AVENUE: Ochoa

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Velasquez absent/Ward 2 Vacancy)

2. **Application for a Special Event Permit by Inspiration Field, Brittany Baylor, Event Manager. The event is the Monster Bash Costume and Dance to be held October 28, 2023 from 7:15 p.m. to 11:59 p.m. at 612 Adams Avenue.** 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 INSPIRATION FIELD FOR THE MONSTER BASH COSTUME AND DANCE TO BE HELD OCTOBER 28, 2023 FROM 7:15 P.M. TO 11:59 P.M. AT 612 ADAMS AVENUE: Ramirez

SECOND: Ochoa

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Velasquez absent/Ward 2 Vacancy)

3. **Application for a Special Event Permit by Inspiration Field, Brittany Baylor, Event Manager. The event is the Sip and Shop to be held November 4, 2023 from 9:00 a.m. to 3:00 p.m. at 612 Adams Avenue.** 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 INSPIRATION FIELD FOR THE SIP AND SHOP TO BE HELD NOVEMBER 4, 2023 FROM 9:00 A.M. TO 3:00 P.M. AT 612 ADAMS AVENUE: Pantoya

SECOND: Vela

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Velasquez absent/Ward 2 Vacancy)

4. **Application for a Special Event Permit by Inspiration Field, Brittany Baylor, Event Manager. The event is the SECOM/SECPA Christmas Party to be held December 8, 2023 from 4:00 p.m. to 11:00 p.m. at 612 Adams Avenue.** 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 INSPIRATION FIELD FOR THE SECOM/SECPA CHRISTMAS PARTY TO BE HELD DECEMBER 8, 2023 FROM 4:00 P.M. TO 11:00 P.M. AT 612 ADAMS AVENUE: Ochoa

SECOND: Pantoya

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Velasquez absent/Ward 2 Vacancy)

CITY COUNCIL MEETING – September 5, 2023

- B. **A Resolution Concerning the Acceptance of a Dola Grant.** City Attorney Malouff explained that the State of Colorado has adopted a program known as Proposition 123. This program seeks participation by municipalities and other government entities providing for updating of their zoning ordinances and for providing acceptable and affordable housing. This resolution is simply a statement saying that the City of La Junta opts to participate at this point.

Economic Development Director Nieb: This allows us to join forces with our six-county region under a newly formed Regional Housing Authority. To become eligible to tap into a portion of the \$478 million dollars of affordable housing funding available through the Department of Local Affairs and Colorado Housing and Finance Authority, there are some requirements that La Junta has already completed. La Junta has already updated its entire zoning code to allow for higher density in its own district. The city is active in removing blighted homes from its existing neighborhoods and allow for infill development next to existing utilities and infrastructure. The city has also adopted fast track review policies for the creation of affordable housing. The city took part in regional efforts in 2021 through 2023 to build affordable housing across the six-county region and it is proposed that we continue this work.

City Manager Klein: The workforce housing project is where we built 83 houses throughout Southeast Colorado, three in La Junta. The sales of those buildings went back into a pool to build more housing and its truly needed all the way through every community in Southeast Colorado. The other communities and counties are working on unifying their land use codes to make it similar to La Junta. We chose SECED to be the entity to run this Regional Housing Authority because they were the ones that helped us with the workforce housing project. They did a wonderful job. They had their act together and we can solve some problem in Southeast Colorado and in La Junta by creating this Regional Housing Authority and being able to access this fund. Without the Regional Housing Authority, we won't be able to get to these funds.

Resolution No. R-11-2023 was presented for Council's consideration as follows:

WHEREAS, SECED received a DOLA Planning Grant to assist the six-county region with housing and zoning code updates. The DOLA IHOP grant offers Counties and Municipalities across the six-county region the opportunity to update zoning codes that incentivize housing development through the adoption of "Qualified Strategies"; and

WHEREAS, the SECED board is moving forward with the potential creation of a six-county Multijurisdictional Regional Housing Authority (RHA). This is a quasi-governmental entity that will be able to leverage funds collaboratively across the region; and

WHEREAS, this Board is being formed at the county level to ensure local municipalities can bring forward projects for funding or other development assistance without placing local elected municipal leaders or planning commissioners in a position that could possibly jeopardize their quasi-judicial authority of reviewing a development within their jurisdiction; and

WHEREAS, the RHA also ensures through its legal IGA creation that our local municipal governments retain their land use authority on reviewing housing development applications; and

WHEREAS, the RHA will use SECED to be the managing agency to oversee the finances and complete a yearly audit as required by law; and

WHEREAS, by "opting in", the City of La Junta will be eligible to access funding from the State Affordable Housing Fund. Opting in is committing the City of La Junta to increase its affordable housing stock by 3% a year or 9% over the next three years; and

WHEREAS, if the City of La Junta opts into Prop 123, the City is required to have passed policies by resolution or codified zoning codes that included expedited review (or fasted track review) processes for affordable housing land development applications by 2026; and

CITY COUNCIL MEETING – September 5, 2023

WHEREAS, AFFORDABLE HOUSING UNIT is defined as a dwelling unit which is available for rental or purchase on terms that would be affordable to households earning sixty (60%) percent or less of the median income for rentals or earning one hundred (100%) percent or less of the area median income (AMI) for ownership of County residents, as adjusted for family size; and

WHEREAS, projects containing Affordable Housing shall be fast tracked by being scheduled for the next available public hearing, if required, within 90 days of a complete application and proper public noticing being completed.

BE IT THEREFORE RESOLVED BY THE CITY OF LA JUNTA, COLORADO:
That the City opts to participate in this grant process.

MOTION TO ADOPT RESOLUTION NO. R-11-2023: Vela

SECOND: Ramirez

DISCUSSION: There was no discussion

VOTE: The motion carried 5-0 (Velasquez absent/Ward 2 Vacancy)

C. Committee/Board Reports

1. There were no committee/board reports.

D. City Manager's Comments

- The Brick and Tile trail is being done by TLM Constructors and we are working with CDOT on necessary documentation, so we can order the bridges and start the project.
- Ayers and Associates are the contractor for the Brownfield grant.
- Weeds!
- Working with consultants on federal funding to help with water mains, meters and valves. This is with the Build Back Better program.
- We are redoing Carson Avenue between 1st and 5th Street. The work is being done by city crews in order to help save money and train the new employees.
- Pool closed 6th of August. Dog Day was August 12th from 11:00 a.m. to 1:00 p.m.
- Football has started. Volley ball practices have started.
- Art Project/City of La Junta 3-on-3 basketball tournament was a success.
- We picked up 218 Harriet Avenue to demo thru EPA.
- We hosted a crime town hall meeting.
- We helped last week with Rural Philanthropy Days at the College and Rocky Ford. All of the major funders were there.
- We're in conversations with Big W right now regarding the porta potties at the kids park as to why they are being left on trailers and why they are not being serviced.

E. Governing Body Comments

1. Council Member Pantoya:
 - The 2A4LJ committee is currently planning a community outreach for the Tarantula Fest. They're waiting for confirmation on a dunk tank. The committee would be honored and grateful if those city council members and department heads would show their support by volunteering for a shift in the dunk tank. Our good-natured mayor has already agreed to participate. When they have more details, the co-chair Dee Leyba, will email the information out.

CITY COUNCIL MEETING – September 5, 2023

2. Council Member Ramirez:

- I just want to thank the community members that are coming out to these meetings. It's been more and more people coming out and the people that speak, I want to let you know that we are listening to you. We're not really in a response mode but we're listening to your concerns and listening to what you have to say. Whether you think we're listening or not, we are and we take that stuff into consideration. Thank you.

MOTION TO GO INTO EXECUTIVE SESSION 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 carried 5-0 (Velasquez absent/Ward 2 Vacancy)

Council went into Executive Session from 7:34 p.m. until 7:41 p.m.

There being no further business, the meeting adjourned at 7:41 p.m.

ATTEST:

CITY OF LA JUNTA

Melanie R. Scofield, City Clerk

Joe Ayala, Mayor

ORDINANCE NO. 1649

**AN ORDINANCE CONCERNING AN ANNEXATION FOR PROPERTY
OWNED BY BOB G. VIGIL**

WHEREAS, there was filed with the City Council of the City of La Junta, Colorado, a Petition for Annexation and Subdivision to the City of La Junta, the real estate in this Ordinance described; and

WHEREAS, said territory is eligible for annexation under the provisions of Colorado Revised Statutes 1973, Chapter 31, Article 12, and said Petition and documents and maps thereto attached comply with the requirements of Colorado Revised Statutes 1973, 31-12-104 and 31-12-105; and

WHEREAS, the Petition is in substantial compliance of Colorado Revised Statutes 1973, 31-12-107;

WHEREAS, the owner of 100 percent of the area to be annexed has petitioned for annexation;

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

Section 1. All proceedings for the annexation of the City of La Junta, Colorado, of the lands hereinafter described are approved.

Section 2. There is hereby annexed to the City of La Junta, Colorado, real estate described as follows, to-wit:

Lot 4, Block 2; Orchard Place except the East 338.7 Ft. thereof. County of Otero, State of Colorado.

Section 3. The City Clerk of the City of La Junta is hereby directed, upon final passage and approval of this Ordinance to keep on file in her office, a map or plat of the annexed territory, and to file two copies of said map or plat and two certified copies of said ordinance with the County Clerk and Recorder of Otero County, Colorado; one copy of the

Ordinance and the map to be retained by the Clerk and Recorder and the other copy of the Ordinance and map to be filed with the Division of Local Government of the Department of Local Affairs.

PASSED on first reading this 2nd day of October, 2023.

ADOPTED AND APPROVED on second reading and final reading this _____ day of October, 2023.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1650

**AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE
ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS
AN APPLICATION FOR ANNEXATION BY BOB G. VIGIL**

WHEREAS, the Planning Commission of the City of La Junta has recommended that certain changes be made to Ordinance Number 1242;

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

Section 1. That the zoning map which is a part of Ordinance Number 1242 be amended as follows:

Lot 4, Block 2; Orchard Place except the East 338.7 Ft. thereof. County of Otero, State of Colorado.

Section 2. That said lands be zoned "R-3".

PASSED on first reading this 2nd day of October, 2023.

ADOPTED AND APPROVED this _____ day of October, 2023.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

RESOLUTION NO. R-12-2023

A RESOLUTION CONCERNING THE ANNEXATION FILED BY BOB G. VIGIL

WHEREAS, the Planning Commission of the City of La Junta has held a public hearing on September 21, 2023 concerning the Petition for Annexation filed by Bob G. Vigil, concerning certain lands; and

WHEREAS, after hearing the City Council of La Junta finds as follows:

1. The applicable sections of Section 31-12-104 entitled "Eligibility for Annexation", and the applicable sections of Section 31-12-105 entitled "Limitations" have been met;
2. That there is no requirement of an election pursuant to the terms of 31-12-107(2); and
3. The terms of 31-12-107(1)(g) are applicable and controlling.
4. That all other requirements of the Petition for Annexation having been met;

WHEREAS, the recommendation of the Planning Commission is that the sites described above and in the Petition for Annexation should be annexed into the City, zoned "R-3".

WHEREAS, the Petition for Subdivision should be granted.

BE IT RESOLVED that the above findings are made absolute.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1651

AN ORDINANCE CONCERNING AN ANNEXATION FOR PROPERTY

WHEREAS, there was filed with the City Council of the City of La Junta, Colorado, a Petition for Annexation and Subdivision to the City of La Junta, the real estate in this Ordinance described; and

WHEREAS, said territory is eligible for annexation under the provisions of Colorado Revised Statutes 1973, Chapter 31, Article 12, and said Petition and documents and maps thereto attached comply with the requirements of Colorado Revised Statutes 1973, 31-12-104 and 31-12-105; and

WHEREAS, the Petition is in substantial compliance of Colorado Revised Statutes 1973, 31-12-107;

WHEREAS, the owner of 100 percent of the area to be annexed has petitioned for annexation;

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

Section 1. All proceedings for the annexation of the City of La Junta, Colorado, of the lands hereinafter described are approved.

Section 2. There is hereby annexed to the City of La Junta, Colorado, real estate described as follows, to-wit:

A tract of land for annexation purposes lying in the NE/4SE/4 of Section 4, Township 24 South, Range 55 West of the 6th P.M., being more particularly described as follows:

Beginning at the Northeast corner of the N/2SE/4 of said Section 4 as monumented by a 3/4" rebar and 3-1/4" aluminum cap marked PLS 12103 and considering the North line of said N/2SE/4, (as monumented by a 2" brass cap in concrete marked LS 12103 at its West end bearing S.88°16'08"W., with all other bearings contained herein being relative thereto; thence S.88°16'08"W., along the North line of said N/2SE/4, a distance of 602.00 feet; thence S.1°45'36"E., 228.50 feet to the TRUE POINT OF BEGINNING; thence

S.88°16'08"W., 188.00 feet; thence
S.1°45'36"E., 118.00 feet; thence
S.88°16'08"W., 40.00 feet; thence S.1°16'08"E.,
70.00 feet; thence N.88°16'08"E., 70.00 feet;
thence S.1°31'52"E., 12.62 feet; thence
S.89°14'20"W., 277.39 feet; thence
N.1°45'36"W., 232.21 feet; thence
N.88°16'18"E., 240.34 feet; thence
N.0°21'14"E., 48.23 feet; thence S.6°10'30"E.,
78.00 feet; thence S.89°40'48"E., 188.00 feet to
the True Point of Beginning. County of Otero,
State of Colorado. The Tract contains 56,387
Square Feet.

Section 3. The City Clerk of the City of La Junta is hereby directed, upon final passage and approval of this Ordinance to keep on file in her office, a map or plat of the annexed territory, and to file two copies of said map or plat and two certified copies of said ordinance with the County Clerk and Recorder of Otero County, Colorado; one copy of the Ordinance and the map to be retained by the Clerk and Recorder and the other copy of the Ordinance and map to be filed with the Division of Local Government of the Department of Local Affairs.

PASSED on first reading this 2nd day of October, 2023.

ADOPTED AND APPROVED on second reading and final reading this _____ day of October, 2023.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1652

AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS AN APPLICATION FOR ANNEXATION BY PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBA and ROSS LEYBA

WHEREAS, the Planning Commission of the City of La Junta has recommended that certain changes be made to Ordinance Number 1242;

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

Section 1. That the zoning map which is a part of Ordinance Number 1242 be amended as follows:

A tract of land for annexation purposes lying in the NE/4SE/4 of Section 4, Township 24 South, Range 55 West of the 6th P.M., being more particularly described as follows:

Beginning at the Northeast corner of the N/2SE/4 of said Section 4 as monumented by a 3/4" rebar and 3-1/4" aluminum cap marked PLS 12103 and considering the North line of said N/2SE/4, (as monumented by a 2" brass cap in concrete marked LS 12103 at its West end bearing S.88°16'08"W., with all other bearings contained herein being relative thereto; thence S.88°16'08"W., along the North line of said N/2SE/4, a distance of 602.00 feet; thence S.1°45'36"E., 228.50 feet to the TRUE POINT OF BEGINNING; thence S.88°16'08"W., 188.00 feet; thence S.1°45'36"E., 118.00 feet; thence S.88°16'08"W., 40.00 feet; thence S.1°16'08"E., 70.00 feet; thence N.88°16'08"E., 70.00 feet; thence S.1°31'52"E., 12.62 feet; thence S.89°14'20"W., 277.39 feet; thence N.1°45'36"W., 232.21 feet; thence N.88°16'18"E., 240.34 feet; thence N.0°21'14"E., 48.23 feet; thence S.6°10'30"E., 78.00 feet; thence S.89°40'48"E., 188.00 feet to the True Point of Beginning. County of Otero, State of Colorado. The Tract contains 56,387 Square Feet.

Section 2. That said lands be zoned "R-1".

PASSED on first reading this 2nd day of October, 2023.

ADOPTED AND APPROVED this _____ day of October, 2023.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

RESOLUTION NO. R-13-2023

A RESOLUTION CONCERNING AN ANNEXATION

WHEREAS, the Planning Commission of the City of La Junta has held a public hearing on September 21, 2023 concerning the Petition for Annexation filed by PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBA and ROSS LEYBA, concerning certain lands; and

WHEREAS, after hearing the City Council of La Junta finds as follows:

1. The applicable sections of Section 31-12-104 entitled "Eligibility for Annexation", and the applicable sections of Section 31-12-105 entitled "Limitations" have been met;
2. That there is no requirement of an election pursuant to the terms of 31-12-107(2); and
3. The terms of 31-12-107(1)(g) are applicable and controlling.
4. That all other requirements of the Petition for Annexation having been met;

WHEREAS, the recommendation of the Planning Commission is that the sites described above and in the Petition for Annexation should be annexed into the City, zoned "R-1".

BE IT RESOLVED that the above findings are made absolute.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1653

AN ORDINANCE CONCERNING AN ANNEXATION FOR PROPERTY

WHEREAS, there was filed with the City Council of the City of La Junta, Colorado, a Petition for Annexation and Subdivision to the City of La Junta, the real estate in this Ordinance described; and

WHEREAS, said territory is eligible for annexation under the provisions of Colorado Revised Statutes 1973, Chapter 31, Article 12, and said Petition and documents and maps thereto attached comply with the requirements of Colorado Revised Statutes 1973, 31-12-104 and 31-12-105; and

WHEREAS, the Petition is in substantial compliance of Colorado Revised Statutes 1973, 31-12-107;

WHEREAS, the owner of 100 percent of the area to be annexed has petitioned for annexation;

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

Section 1. All proceedings for the annexation of the City of La Junta, Colorado, of the lands hereinafter described are approved.

Section 2. There is hereby annexed to the City of La Junta, Colorado, real estate described as follows, to-wit:

A tract of land for annexation purposes lying in the NE/4SE/4 of Section 4, Township 24 South, Range 55 West of the 6th P.M., being more particularly described as follows:

Beginning at the Northeast corner of the N/2SE/4 of said Section 4 as monumented by a 3/4" rebar and 3-1/4" aluminum cap marked PLS 12103 and considering the North line of said N/2SE/4, (as monumented by a 2" brass cap in concrete marked LS 12103 at its West end bearing S.88°16'08"W., with all other bearings contained herein being relative thereto; thence S.88°16'08"W., along the North line of said N/2SE/4, a

distance of 602.00 feet; thence S.1°45'36"E., 74.85 feet to the TRUE POINT OF BEGINNING; thence continuing S.1°45'36"E., 153.65 feet; thence N.89°40'48"W., 188.00 feet; thence N.6°10'30"W., 78.00 feet; thence S.89°11'13"E., 24.17 feet; thence N.2°29'20"E., 70.42 feet; thence N.88°16'08"E., 164.52 feet to the True Point of Beginning. County of Otero, State of Colorado. The Tract contains 27,018 Square Feet.

Section 3. The City Clerk of the City of La Junta is hereby directed, upon final passage and approval of this Ordinance to keep on file in her office, a map or plat of the annexed territory, and to file two copies of said map or plat and two certified copies of said ordinance with the County Clerk and Recorder of Otero County, Colorado; one copy of the Ordinance and the map to be retained by the Clerk and Recorder and the other copy of the Ordinance and map to be filed with the Division of Local Government of the Department of Local Affairs.

PASSED on first reading this 2nd day of October, 2023.

ADOPTED AND APPROVED on second reading and final reading this _____ day of October, 2023.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1654

AN ORDINANCE AMENDING ORDINANCE NUMBER 1242 (THE ZONING ORDINANCE) OF THE CITY OF LA JUNTA AS CONCERNS AN APPLICATION FOR ANNEXATION BY PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBA and ROSS LEYBA

WHEREAS, the Planning Commission of the City of La Junta has recommended that certain changes be made to Ordinance Number 1242;

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

Section 1. That the zoning map which is a part of Ordinance Number 1242 be amended as follows:

A tract of land for annexation purposes lying in the NE/4SE/4 of Section 4, Township 24 South, Range 55 West of the 6th P.M., being more particularly described as follows:

Beginning at the Northeast corner of the N/2SE/4 of said Section 4 as monumented by a 3/4" rebar and 3-1/4" aluminum cap marked PLS 12103 and considering the North line of said N/2SE/4, (as monumented by a 2" brass cap in concrete marked LS 12103 at its West end bearing S.88°16'08"W., with all other bearings contained herein being relative thereto; thence S.88°16'08"W., along the North line of said N/2SE/4, a distance of 602.00 feet; thence S.1°45'36"E., 74.85 feet to the TRUE POINT OF BEGINNING; thence continuing S.1°45'36"E., 153.65 feet; thence N.89°40'48"W., 188.00 feet; thence N.6°10'30"W., 78.00 feet; thence S.89°11'13"E., 24.17 feet; thence N.2°29'20"E., 70.42 feet; thence N.88°16'08"E., 164.52 feet to the True Point of Beginning. County of Otero, State of Colorado. The Tract contains 27,018 Square Feet.

Section 2. That said lands be zoned "R-1".

PASSED on first reading this 2nd day of October, 2023.

ADOPTED AND APPROVED this _____ day of October, 2023.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

RESOLUTION NO. R-14-2023

A RESOLUTION CONCERNING AN ANNEXATION

WHEREAS, the Planning Commission of the City of La Junta has held a public hearing on September 21, 2023 concerning the Petition for Annexation filed by PEGGY VALERIO, PATRICIA MEMBRENO, DIANA ALCARAZ, IRENE LEYBA and ROSS LEYBA, concerning certain lands; and

WHEREAS, after hearing the City Council of La Junta finds as follows:

1. The applicable sections of Section 31-12-104 entitled "Eligibility for Annexation", and the applicable sections of Section 31-12-105 entitled "Limitations" have been met;
2. That there is no requirement of an election pursuant to the terms of 31-12-107(2); and
3. The terms of 31-12-107(1)(g) are applicable and controlling.
4. That all other requirements of the Petition for Annexation having been met;

WHEREAS, the recommendation of the Planning Commission is that the sites described above and in the Petition for Annexation should be annexed into the City, zoned "R-1".

BE IT RESOLVED that the above findings are made absolute.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

ORDINANCE NO. 1655

AN ORDINANCE AMENDING AN ORDINANCE (ORDINANCE NUMBER 1579) WHICH ESTABLISHED THE CITY OF LA JUNTA HISTORIC PRESERVATION ADVISORY AUTHORITY, PROVIDING FOR THE DESIGNATION OF HISTORIC LANDMARKS, HISTORIC BUILDINGS, HISTORIC SITES AND HISTORIC DISTRICTS; PROVIDING FOR NOTIFICATION TO THE HISTORIC PRESERVATION ADVISORY AUTHORITY OF THE INTENDED ALTERATION, REMOVAL OR DEMOLITION OF DESIGNATED HISTORIC BUILDINGS, LANDMARK SITES AND DISTRICTS; PROVIDING FOR THE REVOCATION OF DESIGNATIONS OF HISTORIC LANDMARKS, HISTORIC BUILDINGS, HISTORIC SITES AND HISTORIC DISTRICTS; AND DECLARING AN EFFECTIVE DATE FOR THIS ORDINANCE.

WHEREAS, the City Council of La Junta, (hereinafter referred to as the "Council") previously determined that the economic, cultural and aesthetic standing of the City of La Junta, (hereinafter referred to as "City") cannot be maintained if the heritage of the City is disregarded; and

WHEREAS, the Council declared that the protection, preservation and enhancement of the City's cultural, historic and architectural heritage is essential to the public health, safety and welfare; and

WHEREAS, the Council is authorized pursuant to C.R.S. 30-11-107(bb) to provide for the preservation of the cultural, historic and architectural history within the City;

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

SECTION 1: Sections 2.38.00 through 2.38.100 are repealed in their entirety.

SECTION 2: The following sections are hereinafter enacted:

Section 2.38.00: Purpose:

The purpose of the La Junta Certified Local Government is to promote the public health, safety and welfare through:

- (a) the protection and preservation of the historic and cultural heritage of the City by providing for the designation of the historic buildings, landmarks, sites, and districts (collectively referred to hereinafter as "Historic Sites" in accordance with this ordinance;
- (b) the enhancement of property values and the stabilization of historic neighborhoods, sites of historical events, and the like;
- (c) the increase of economic and financial benefits as a

result of the attraction of tourists and visitors to the City; and

- (d) the provision of educational opportunities to increase public appreciation of the City's unique heritage.

Section 2.38.020: Authority Established:

The La Junta Certified Local Government was created and known as the City's Historic Preservation Advisory Authority (the "Preservation Authority"), which has been given the principal responsibility for matters of historic preservation as set forth in newly enacted Sections 2.38.040 through 2.38.100 herein.

- (a) Membership: The Preservation Authority shall consist of at least five (5) duly appointed members.
- (b) All members of the Preservation Authority shall serve without compensation except for such amounts determined appropriate by the Preservation Authority to offset expenses incurred by Preservation Authority members in the performance of their duties as Preservation Authority members.

Section 2.38.030: Meetings:

The Preservation Authority shall hold at least four regularly scheduled meetings annually or as necessary to take action on pending matters. Minutes shall be kept of all Preservation Authority meetings. The Preservation Authority shall comply with all requirements of the Open Public Meetings Act (C.R.S. 24-6-401 & 402 et seq.) applicable to "local public bodies" as defined in that Act.

Section 2.38.040: Powers and Duties: The Preservation Authority shall:

- (1) Review applications for designation of sites as being historic pursuant to this ordinance and make recommendations to the City Council as to whether the Preservation Authority should, by resolution, designate the site described in the application for such designation based upon the criteria established in Section 2.38.050.
- (2) As needed, review the criteria for designation of historic sites set forth in Section 2.38.050 and make recommendations to the City Council for amendments thereto which the Preservation Authority believes appropriate or necessary.

In addition to the above duties, the Preservation Authority may, at its discretion:

- (3) Advise and assist owners of historic properties on the physical and financial aspects of preservation, renovation, rehabilitation and reuse including nomination to the Colorado and National Registers of Historic Places.
- (4) Develop and assist in public education programs including, but not limited to walking tours, brochures, a marker program of historic properties, lectures and conferences.
- (5) Conduct surveys of historic sites for the purpose of defining those of historic significance and prioritizing the importance of identified historic sites.
- (6) Advise the Urban Renewal Authority on matters related to preserving the historic character of the City.
- (7) Pursue financial assistance for preservation-related programs.
- (8) Perform duties or functions as assigned by the City Council and allowable by law.
- (9) The Preservation Authority may establish additional rules of operation that are consistent with its duties as enumerated herein.
- (10) Review and make recommendations based on the Secretary of the Interior Standards for the Treatment of Historic Properties for any application to alter, relocate or demolish a designated building, structure, site, object or such within a district.

Section 2.38.050: Criteria for Designation of Historic Sites:

In order to qualify for designation as a historic site pursuant to this article, the site must be determined to have historic significance due to one or more of the following factors:

- (a) Its character, interest or value as part of the development, heritage or cultural characteristics of City, County of Otero, State of Colorado, or the United States of America.
- (b) Its location as a site of a significant historic event.
- (c) Its identification with a person(s) who significantly contributed to the culture and development of the City, County of Otero, State of Colorado, or the United States of America.
- (d) Its exemplification of the cultural, economic, social or

historic heritage of the City, County of Otero, State of Colorado or the United States of America.

- (e) Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style.
- (f) Its embodiment of distinguishing characteristics of an architectural type or specimen.
- (g) Its identification as the work of an architect or master builder whose individual work has influenced the development of the City, County of Otero, State of Colorado or the United States of America.
- (h) Its embodiment of elements of architectural design, detail, materials or craftsmanship that represent a significant architectural innovation.
- (i) Its relationship to other distinctive areas that are eligible for preservation according to a plan based on a historic, cultural or architectural motif.
- (j) Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood, community or City.
- (k) Its possibility to yield important information related to prehistory or history.

Section 2.38.060: Designation of Historic Sites:

- (a) Recommendation for Designation of Historic Sites: Pursuant to the procedures hereinafter set forth in this section, the Preservation Authority may, by written recommendation to the City Council, propose the designation as a historic site any building, landmark, site, or district meeting the criteria set forth in Section 2.38.050. Each such designation recommendation shall include a description of the characteristics of the site which justify its designation and shall include a legal description of the location and boundaries of the historic site. The designation recommendation may also indicate alterations which would have a significant impact upon, or be potentially detrimental to, the historic features of the site. Any such designation shall be in furtherance of and in conformance with the purposes and standards of this Section.
- (b) Notification Requirements: This site included in any such designation shall be subject to the notification requirements set forth in Section 2.38.090 hereof.
- (c) Procedures for Designating Historic Sites for Preservation: Applications for designation must be made to the Preservation Authority. The Preservation Authority may require that such application be made in

such form as specified by the Preservation Authority. Application shall be made only by the owners of one hundred percent (100%) of the historic site for which an application is submitted.

- (1) Authority Review. The Preservation Authority shall review the application for conformance with the criteria for designation established in Section 2.38.050. The Preservation Authority shall consider the application at a regularly scheduled or special meeting. The Preservation Authority shall approve, modify and approve, or disapprove the application. The Preservation Authority shall notify the Certified Local Government Director within seven (7) days of any decision approving or disapproving an application.

- (2) Action. Unless an application is withdrawn by the applicant within sixty (60) days of the date on which the City Council is advised of any decision of the Preservation Authority recommending approval or disapproval of an application, the City Council shall approve, modify and approve, or disapprove the proposed designation. The City Council shall advise the Preservation Authority of their decision regarding the designation.

Section 2.38.070: Limitation on Resubmission and Reconsideration of Proposed Designations:

Whenever the Preservation Authority or City Council disapproves an application for designation of a historic site, no person shall submit an application that is the same or substantially the same for at least six (6) months from the effective date of the final City action on the original application.

Section 2.38.080: Amendment of Designation:

Designation of a historic site may be amended to add features or property to the site under the procedures prescribed in Section 2.38.060 for initial designations.

Section 2.38.090: Notification:

Any owner filing an application for designation of property under this article shall, as a part of the application, agree to notify the Preservation Authority of the owner's intention to alter, demolish, move or remove the site subject to the application at least thirty (30) days prior to undertaking any such work. Any such owner shall be responsible for notifying any subsequent purchaser of the property of this notification requirement and the Preservation Authority may revoke the designation of the site hereunder unless the subsequent purchaser agrees in writing to the provisions of this Section.

Section 2.38.100: Revocation of Designation:

Upon receipt of an application from the then-current owner(s)

of a site which has been designated as historic pursuant to this ordinance for revocation of that designation, the Preservation Authority shall advise the City Council of such application and the City Council shall remove the designation. In addition, upon learning of the alteration, demolition, movement or removal of a site which has been designated as historic pursuant to this ordinance, or a violation of Section 2.38.090 of this ordinance, the Preservation Authority shall, following at least fifteen (15) days written notice to the then-current owner(s) of the site subject to the designation, conduct a hearing to determine whether it should recommend to the City Council that the historic designation of the site involved be removed. Following such hearing, the Preservation Authority shall transmit its written recommendation to the City Council who shall, within sixty (60) days thereafter, determine whether to accept the recommendation and remove the designation. The City Council shall notify the Preservation Authority and property owner(s) of their decision regarding revocation of the designation.

PASSED on first reading this 2nd day of October, 2023.

ADOPTED AND APPROVED this _____ day of _____, 2023.

CITY OF LA JUNTA

Joseph Ayala, Mayor

ATTEST:

Melanie R. Scofield, City Clerk

City of La Junta
601 Colorado Avenue
La Junta, CO 81050

TO: EDWARD VELA

NOTICE OF PUBLIC CENSURE

SUBJECT: Censure of Councilmember Edward Vela

SUMMARY

The City initiated an investigation into two complaints filed by citizens and the investigation supported the council's finding that Councilmember Vela acted unprofessionally toward several minor children while in attendance at a council meeting. Because of these findings, the City Council is considering a resolution censuring Councilmember Vela.

DISCUSSION/ANALYSIS

The City Council conducted a public hearing in accordance with a citation issued to Edward Vela. The public hearing was conducted on September 5, 2023 in the Council Chambers at 601 Avenue, La Junta, Colorado.

The Respondent, Edward Vela, was provided with an opportunity to address the allegations of the citation which, in general, concerned the following:

Ms. Salazar and Ms. Mahoney attended the City Council Meeting on February 21, 2023, to introduce the Synchronicity Dance Productions group and upcoming performance. Ms. Salazar's daughter is a dancer with the group. Ms. Mahoney is the founder and director of the group. Prior to the meeting, some of the dancers were changing into their dance clothes in a locked office with Ms. Salazar and Ms. Mahoney. Mr. Vela attempted to enter the office, at which time Ms. Salazar opened the door (thinking it was a dancer attempting to enter). Ms. Salazar then informed Mr. Vela that girls were changing clothes in the office. Mr. Vela asked for a tissue. Ms. Salazar passed a box of tissues through the cracked door. Mr. Vela remained at the door which was opened a second time.

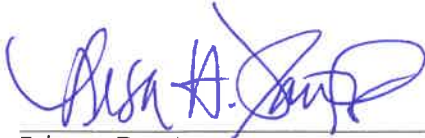
RECOMMENDATION

Approve the censuring of Councilmember Edward Vela.

COUNCIL ACTION

By taking this action, the City Council hereby reaffirms its commitment to protect citizens from hostile behavior by others.

The Council hopes that through this censure Councilmember Vela will understand the importance of professionalism and civility in all matters, including times when he is representing the City.



Lisa Pantoya



Joseph Ayara, Mayor



Damon Ramirez



Paul Velasquez, Mayor Pro Temp



Chandra Ochoa