

**Subject to approval at the
August 14, 2018
City Council Meeting**

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

A Regular Meeting of the Board of Utilities Commissioners of the City of La Junta, Colorado, was called to order by Chairman Lorenz Sutherland on Tuesday, June 10, 2018, at 4:00 p.m. in the Power Board Room of the Municipal Building.

Roll was called and the following Board Members were present:

Present Jim Goodwin, Commissioner
 Frank McKenzie, Vice-Chairman
 Jeffri Pruyne, Mayor
 P. Lorenz Sutherland, Chairman

Absent: Mike Bourget, Commissioner

Also present: Rick Klein, City Manager
 Bill Jackson, Asst. City Manager
 Phil Malouff Jr., City Attorney
 Melanie Scofield, City Clerk
 Tom Seaba, Administrative Coordinator
 Reuben DeLeon, Electric Superintendent
 Darren Adame, Director of Engineering
 Aliza Libby-Tucker, Director of Finance
 Gary Cranson, ARPA Representative
 Elaine McIntyre, Council Member
 Shannon Lovato, Council Member
 Edward Vela, Council Member
 Thomas Martin, La Junta
 Bette McFarren, Tribune Democrat

MINUTES OF PREVIOUS MEETING

Chairman Sutherland asked if there were any corrections to the minutes of the Regular Meeting of June 12, 2018. Hearing none, he declared the minutes approved as published.

Chairman Sutherland: Many years ago, the Utilities Board had its own fund to help people who demonstrated that they had economic problems and could not pay their utilities. It was then decided that this is something City government should not do but we still wanted to help in any way that we could. So this Board created a policy that at the end of two years, we would take any unclaimed meter deposits and give them to Associated Charities. Chairman Sutherland presented Commissioner Goodwin with a check in the amount of \$900.00 payable to Associated Charities.

CITIZEN PARTICIPATION

1. Thomas Martin, 205 Smithland: I would like to know why I am still paying a dormancy fee on my electrical side on a property that I am paying lights on a pole.

Finance Director Libby-Tucker: I took the electric dormant fee off because you're paying a vapor light.

Thomas Martin: It showed up on our bill again.

Finance Director Libby-Tucker: I'll check it for you. I thought we went over yours but I will remove it if it's still there.

Thomas Martin: Here's my other problem, I'm a landlord and I have quite a few properties in the area, and my son has a property that we have utilities in our name together. I notice, once in awhile,

a bill is added to his that's not his bill and Aliza has had to remove that multiple times and write that off because it appears on my bill. I was just wondering how that could happen in a city this large.

Finance Director Libby-Tucker: I actually don't write it off, I move it from one bill to another. If you have multiple accounts in your name, like you do, and a bill isn't paid after we final it, then we will transfer it to an open account as opposed to writing it off and sending it to collections.

Thomas Martin: The problem was is that it wasn't my bill. It was the tenant's bill. But the problem was that I have gone to the utility department to have my name removed from landlord accounts that's no longer valid and it never was. I have been getting calls from the City of La Junta from Code Enforcement asking me on a house at 1410 Adams why I don't clean it up.

Finance Director Libby-Tucker: Not everything, like a weed notice, comes from our department. Sometimes, it depends on what's on the county website as well. Thomas, we will remove all of your landlord agreements, every single one.

Thomas Martin: Why is there even such a thing as a landlord agreement? Why is that? Turn them off. I could care less. I'll just let you know, this is my biggest grief with the city. I had a tenant move out recently and I told the utility department that she owes me \$1,500 in rent. She is not able to pay you and she doesn't live at this address.

Finance Director Libby-Tucker: What we're doing now, is that you have to give your tenant something that says you have allowed them to move in and then we put you in as a third party. So, if they don't pay their bill, you get notification of that.

Thomas Martin: If you're going to have a policy for when landlords rent out houses and how the bills are paid, then that policy needs to be set in stone and followed every time. In the end, I have to pay the water bill and I'm not a rich person. I just had to write off \$2,500 in debt and \$6,000 in repairs. I lost the whole year in rent. But, when I go through the eviction process, the judge is going to want to know what I am asking for. I can't do anything because I don't know what's owed on the utilities. The city won't tell me. So I evict the tenant and then I have to go back to court again, and it's really expensive and time consuming.

City Attorney Malouff: Colorado law doesn't allow for you to ask for that information for your eviction unless you paid it. That's the law.

Thomas Martin: But I have to go back to court again. If I have to pay a bill, why can't I know what the bill is? That's my biggest grief

Finance Director Libby-Tucker: You are jumping ahead of yourself. At this time, the Board has not made any decisions. You are not responsible for any of those fees. At this point in time, no discussion has been brought to this Board.

City Attorney Malouff: Mr. Chairman perhaps we can ask the gentlemen to list his objections or his concerns on a piece of paper and submit them to Aliza so she can audit the accounts and get a written response back to him so he gets an answer to his questions. It needs to start with specific questions so we don't ignore any areas. Sir, will you submit a detailed letter to Mr. Klein so that we can answer it so that your frustration level will go down and if we've got problems we can fix them internally?

Thomas Martin: Sure, I can do that.

2. Edward Vela, Council Member: A constituent brought to my attention that he has a rental situation on his property and he's got a 1" line going into all his property and he's got multiple rental units there in about 700 square feet. They each pay their own utility bill. So when they pay, they pay at the 1" price and that's sixty some dollars as opposed to the other homes that are paying \$47.00. Can we do anything about that?

Finance Director Libby-Tucker: \$66.00 is the sewer and the only way that could be corrected is if they hired a plumber and changed the line. They would have to reduce the 1" line to a ¾" line.

Edward Vela, Council Member: So that would be the answer to give him?

Chairman Sutherland: Yes.

REPORTS

A. **Water & Wastewater Treatment.** Tom Seaba gave the following report:

1. R.O. Plant
 - Repaired broken valve on RO cleaning unit.
 - Repaired AC unit, installed hail screens.
 - Test # pump in south booster.
 - Quarterly tanks inspections completed.
 - 17.42 million gallons more treated June 2018 than in June 2017.
2. Distribution
 - Installed new service on south San Juan Avenue.
 - Repaired several service leaks.
 - Installed new valve on service to high school as they install new water line to buildings.
 - Working with School District and Lewis Bolt & Nut on new construction projects.
3. Wastewater
 - Selenium DSV approved by Water Quality Control Commission, currently open for public comments.
 - Plant discharged 29.387 million gallons of treated water and removed 32 ft³ of screenings and 28 ft³ of grit.
 - New plant progress listed at 50% complete.
 - Jetted 3,681 feet of main due to emergency calls and 12,831 feet for annual jetting program.
 - Inspected and approved the collection line installed by Wayne Walter Construction at City Park.
4. All Departments
 - Meter reading.
 - Monthly safety meeting on general safety practices.
 - Three employees passed certification tests.

B. **Power Distribution.** Reuben DeLeon gave the following report:

1. Line Crew
 - Continue to tree trim on the LP52-4 which is the east loop and should wrap that up in about a week. Will then move on to the Industrial Park.
 - Been working on the new primary service for the new building at Lewis Bolt Anchor plant.
 - Removed seven trees at 807 Bradish for the Street Department to get in to demolish the home at that address.
 - Replaced a street light at 1st and Harriet that was hit by a driver who drove off and was never found.
 - The LP52-4 which is the east loop, lost power when a truck hit a pole in the alley behind 518 Bradish. The pole was changed out and power was restored in about an hour.
 - The crew came across two residential properties that had current diversion. The occupants either removed the tabs or installed jumpers in the cans.
 - The crew has many other jobs, they installed a pole at the Pistol Range for the new gate opener, worked on lights at Tippy Martinez field, fixed primary underground fault at Santa Fe Village, fixed secondary after wind hit, and replaced a pole at 2107 Cimarron that had butt rot.

C. **Power Plant.** Bill Jackson gave the following report:

1. We had a visit from HDR engineering, they visited all the sites, went through all of the equipment. Rick Miell went along, so they had all the specifications for what they needed to start their report for task#2, which is the distributed generation. Task #3 is the actual decommissioning of the plant structure. You received the report last month and so this month, after talking with them,

they need to start task#3 at the same time as task#2. I need permission for an additional \$29,400.00.

MOTION TO APPROVE THE ADDITIONAL FUNDS OF \$29,400.00: Goodwin

SECOND: McKenzie

DISCUSSION: There was no further discussion

VOTE: The motion carried unanimously

D. Sanitation. Darren Adame gave the following report:

1. Year-to-date numbers are as follows:
 - Special pickups down by 19
 - 40-yard boxes up by 4
 - 20-yard boxes up by 3
 - Containers from the shop down by 10
 - Compactor Box Service down by 1
 - New dumpster up by 3
 - New 40-yard box rents down by 4
 - New 20-yard box rents up by 7
2. Two Bagsters are currently out.
3. New sanitation trucks are operating well.
4. Everything at OCLI continues to be great.

NEW BUSINESS

- A. **Resolution to Recommend to City Council an amendment to the Electric Fund, Water Fund, and Wastewater Fund for the 2018 Operating Budget.** Resolution No. RUB-1-2018 was presented for the Board's consideration:

WHEREAS, the Board of Utility Commissioners of the City of La Junta have determined that it would be necessary to make additional expenditures in various City Utility Funds; and

WHEREAS, the Electric Fund, anticipates expenditures not otherwise anticipated at the time of the creation of the 2018 budget; and

WHEREAS, the Water Fund anticipates expenditures not otherwise anticipated at the time of the creation of the 2018 budget; and

WHEREAS, the Wastewater Fund anticipates expenditures not otherwise anticipated at the time of the creation of the 2018 budget; and

BE IT THEREFORE RESOLVED AS FOLLOWS:

BE IT RECOMMENDED that the Board of Utility Commissioners of the City of La Junta to the City Council amend the 2018 operating budget as follows:

SECTION 1. Electric Fund - That an additional \$218,000.00 be appropriated for the following expenditures:

- A. That the expenditures shall be for the following:

1. Building Maintenance.....	\$ 73,600.00
2. Power Plant De-Commission.....	\$144,400.00

B. That the revenue sources shall be as follows:

1. Other Income - Insurance Funds.....	\$ 73,600.00
2. Fund Balance-Power Plant De-Commission	\$144,400.00

SECTION 2. Water Fund - That an additional \$ 1,400.00 be appropriated for the following expenditures:

A. That the expenditures shall be for the following:

1. Building Maintenance.....	\$ 1,400.00
------------------------------	-------------

B. That the revenue sources shall be as follows:

1. Other Income - Insurance Funds.....	\$ 1,400.00
--	-------------

SECTION 3. Wastewater Fund - That an additional \$50,000.00 be appropriated for the following expenditures:

A. That the expenditures shall be for the following:

1. Repair of Old Plant - Influent Line....	\$ 50,000.00
--	--------------

B. That the revenue sources shall be as follows:

1. Fund Balance - Repair Influent Line....	\$ 50,000.00
--	--------------

BE IT FURTHER RESOLVED that this Resolution be forwarded to the City Council with the request of the Council to amend the 2018 Budget accordingly.

MOTION TO ADOPT RESOLUTION NO. RUB-1-2018 RECOMMENDING TO CITY COUNCIL THE 2018 SUPPLEMENTAL BUDGET FOR THE ELECTRIC, WATER, AND WASTEWATER FUNDS:
Goodwin

SECOND: McKenzie

DISCUSSION: There was no further discussion

VOTE: The motion carried unanimously

Council Member Goodwin's previous motion has now been interlineated into Resolution No. RUB-1-2018

B. City Manager's Comments.

1. Starting the budget process early this year.
2. Should check out 809 Bradish Avenue.

3. Have been working with the EPA and Department of Public Health on these properties.

C. City Attorney's Comments.

1. Always a privilege.

D. Governing Body's Comments.

1. Commissioner McKenzie: Commenting on the citizen's participation. The landowners are the ones renting the properties and they stand to make the money when the renters are good. I don't like being attacked. I've got some rentals and I'm on the other side. I want to get the bills when they don't get paid so I can do something about it. Landlords can choose to rent or not rent their houses. We get stuck that we have to provide them with utilities whether we want to or not. I'm really irritated by that situation by that earlier presentation.

I would like to thank Darren and the Sanitation Department. The La Junta Cares group did a project that was way too big to handle. There was almost 100 cubic yards of weeds out of this particular yard. We turned to the City and they donated us the boxes and serviced them.

2. Mayor Pruyn: Something to think about would be to possibly put a time limit on the citizen's participation section of the agenda they way Council did.

There being no further business, the meeting adjourned at 4:53 p.m.

CITY OF LA JUNTA

ATTEST:

P. Lorenz Sutherland, Chairman

Melanie R. Scofield, City Clerk