



Meeting Minutes - Final City Council

Monday, April 1, 2013

5:30 PM

Council Chambers

1. Call to Order/Roll Call

A regular meeting of the City Council of the City of Commerce City was called to order by Mayor Ford on April 1, 2013, at 5:30 PM.

Present: 9 - Mayor Sean Ford , Council Member Jim Benson, Council Member Jadie Carson, Council Member Rick A. Teter, Mayor Pro-Tem René Bullock, Council Member Crystal Elliott, Council Member Jason McEldowney, Council Member Steven J. Douglas and Council Member Andrew Amador

2. Executive Session

A motion was made by Council Member McEldowney, seconded by Council Member Teter, that the executive session be held pursuant to CRS 24-6-402(4)(b) and CRS 24-6-402(4)(e) for the purpose of receiving legal advice and developing a strategy for potential negotiations involving the Victory Crossing Master Development Agreement; and pursuant to CRS 24-6-402(4)(e) for the purpose of discussing a real estate proposal from the Commerce City Historical Society. VOICE VOTE: Unanimous, all present affirmed.

[13-0015](#)

An executive session pursuant to Colorado Revised Statutes 24-6-402(4)(b) and (e) for the purpose of receiving legal advice and developing a strategy for potential negotiations involving the Victory Crossing Master Development Agreement

[13-0016](#)

An executive session pursuant to Colorado Revised Statute 24-6-402(4)(a) for the purpose of discussing a real estate proposal from the Commerce City Historical Society

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions

[13-0011](#)

Quality Community Foundation Check Presentation

Quality Community Foundation Chairman Daniel Alire distributed checks to each of the grant recipients. Mayor Ford and Council congratulated each of the recipients.

[Proc 13-04](#)

Proclamation declaring April 2013 as Child Abuse Prevention & Awareness Month

City Attorney Gehler read a proclamation declaring April as Child Abuse Prevention Month in Commerce City.

CASA Representative Lisandra Gonzalez came forward to accept the proclamation.

A motion was made by Council Member McEldowney, seconded by Mayor Pro-Tem Bullock, that the proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.

[Proc 13-06](#)

Proclamation declaring April 7-13, 2013 as Boys & Girls Clubs Week

City Attorney Gehler read a proclamation declaring April 7-13, 2013, as Boys & Girls Club Week in Commerce City.

Tina Martinez and several members of the Boys & Girls Club of Metro Denver came forward to accept the proclamation.

A motion was made by Mayor Pro-Tem Bullock, seconded by Council Member McEldowney, that the proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.

6. Citizen Communication

Susanna Osario and Cristina Antillon-Garcia, appeared on behalf of EduExpo to invite Council to attend the upcoming event on Saturday, April 6, 2013, at Adams City High School.

Kirk Webb, appeared before Council on behalf of CDOT to announce upcoming public meetings in April regarding the I-70 construction project. In response to Council's questions, Mr. Webb stated that construction is anticipated to begin in 2016 and that I-270 is not an alternative route for this project. Anticipated project cost is approximately \$2 billion.

7. Approval of Minutes

[Min 13-22](#)

Minutes of February 11, 2013

Council members McEldowney and Teter moved and seconded to allow Councilwoman Carson to abstain from voting on the minutes of February 11, 2013, because of her excused absence.

VOICE VOTE: 8 aye, 1 abstain (Carson)

A motion was made by Mayor Pro-Tem Bullock, seconded by Council Member McEldowney, that the minutes be approved. VOTE:

Aye: 8 - Mayor Ford, Council Member Benson, Council Member Teter, Mayor Pro-Tem Bullock, Council Member Elliott, Council Member McEldowney, Council Member Douglas and Council Member Amador

Abstained: 1 - Council Member Carson

[Min 13-20](#)

Minutes of March 4, 2013

A motion was made by Council Member McEldowney, seconded by Council Member Amador, that the minutes be approved. VOICE VOTE: Unanimous, all present affirmed.

[Min 13-23](#)

Minutes of March 18, 2013

A motion was made by Council Member McEldowney, seconded by Council Member Amador, that the minutes be approved. VOICE VOTE: Unanimous, all present affirmed.

8. Consent Agenda

A motion was made by Mayor Pro-Tem Bullock, seconded by Council Member McEldowney, to approve the consent agenda as presented. ROLL CALL VOTE:

Aye: 9 - Mayor Ford, Council Member Benson, Council Member Carson, Council Member Teter, Mayor Pro-Tem Bullock, Council Member Elliott, Council Member McEldowney, Council Member Douglas and Council Member Amador

[Ord 1951](#)

AN ORDINANCE AMENDING THE 2013 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY TRANSFERRING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE CIPP FUND IN THE AMOUNT OF \$663,786, FOR PAVEMENT MANAGEMENT AND PARKS AND RECREATION CAPITAL PROJECT PLANNING AND PREPARATION AND AUTHORIZING THE EXPENDITURE THEREOF.

[Ord 1952](#)

AN ORDINANCE ESTABLISHING AND CREATING THE COMMERCE CITY E-470 COMMERCIAL AREA GENERAL IMPROVEMENT DISTRICT; MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATED THERETO; AND WAIVING ALL REQUIREMENTS FOR NOTICE, PUBLICATION, PUBLIC HEARING, ELECTION AND FILING OF A BOND AS PERMITTED BY STATUTE

[Z-717-00-13](#)

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE BELLE CREEK PUD ZONE DOCUMENT

[Res 2013-21](#)

RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT BETWEEN THE COMMERCE CITY E-470 COMMERCIAL AREA GENERAL IMPROVEMENT DISTRICT AND THE CITY OF COMMERCE CITY REGARDING INFRASTRUCTURE PROJECTS

9. Resolutions

[Res 2013-17](#)

RESOLUTION IN SUPPORT OF APPLICATION FOR GREAT OUTDOORS COLORADO LOCAL PARKS AND OUTDOOR RECREATION GRANT FOR CENTRAL PLAYGROUND ENHANCEMENT PROJECT (PHASE 1)

A motion was made by Mayor Pro-Tem Bullock, seconded by Council Member Teter, that this resolution be adopted. VOICE VOTE: Unanimous, all present affirmed.

10. Presentations

[Pres 13-116](#)

Victory Crossing Update

City Manager McBroom introduced Mark Lucas from Kroenke

Mark Lucas stated that the Kroenke organization is committed to seeing the Victory Crossing site developed. The focus for the site is as a sport-driven complex, with a focus on three primary areas: Victory Plaza District, Central Park Boulevard District and the Merchant District along Quebec. In response to Council questions, the site is receiving more interest today than they have in five years.

This Presentation was discussed and closed

[Pres 13-112](#)

QCI Preliminary Project Analysis - New Recreation Center

Recreation Manager Karen O'Donnell reviewed the schedule that includes funding approval for a consultant, public outreach in April, public polling in May and June and produce a conceptual design presentation with refined preliminary cost estimates in June and July. Based on 2009 cost estimates, a new center, without aquatics, would cost \$19,350,000 in capital investment and operations and maintenance at \$913,500. Pros & cons discussed included: meet population needs and impact on the Reunion Recreation Center. Three parks sites being considered for a new center include: First Creek at 102nd & Havana, Second Creek at 112th & Highway 76 and the Buckley site at 96th & Buckley.

Mayor Pro-Tem Bullock stated that the youth commission received a similar presentation and are excited about a new center and renovations to the existing center. Council discussed not considering the 96th & Buckley site and conducting a broad outreach.

This Presentation was continued

[Pres 13-113](#)

QCI Preliminary Project Analysis - Community/Neighborhood Parks

Parks Planning and Operations Manager Mike Brown addressed Council regarding Quality Community Initiative recommendations and staff's preliminary project analysis related to community and neighborhood parks. Staff is following an aggressive schedule to refine what it is the citizens would like built and a second phase of public outreach asking for support to build. Mr. Brown reviewed the capital investment and operations and maintenance costs of: First Creek Community Park, Second Creek Neighborhood, Villages at Buffalo Run and Turnberry Neighborhood all based on 2010 estimates. Pros and Cons that Council identified at their retreat were reviewed and an inventory of current park and park sites was provided. Mr. Brown stated that community parks require between 65 and 140 acres and are intended to serve multiple neighborhoods and a larger geographical area. They also provide greater opportunities for recreation than a neighborhood park. Neighborhood parks are generally between 10 and 20 acres and are intended to serve the surrounding neighborhood within one-half mile.

This Presentation was continued

11. Administrative Council Business

Councilwoman Carson would like a presentation from the water department regarding potential restrictions this summer.

Mayor Ford received a letter regarding pushcart vendors in the neighborhoods and would like staff to follow up.

Mayor Ford dispelled rumors that Council directed staff to be lenient on unpermitted building remodeling.

Councilman Benson would like to use his discretionary funds to attend ICSC.

Council members Bullock and Douglas moved and seconded to allow Councilman Benson to use his discretionary funds to attend ICSC.

ROLL CALL VOTE: 7 aye, 2 nay (Carson, McEldowney)

Councilman Benson would like to invite DRCOG Representative Taylor to address Council on a Sustainable Community Initiative.

Councilman Douglas said he has had citizens ask about raising domestic chickens in their backyards. He also asked how the GID tax breaks down and how it is applied?

[13-0014](#)

City Council Discretionary Fund

City Attorney Gehler reviewed with Council the use of their discretionary funds. He stated that each Council member is allotted \$1,500 per calendar year for expenditures. The expenditures are limited to attendance at functions and activities not already budgeted, and that serve a benefit to Commerce City.

Council input included: the need to attach a simple summary to any proposed form, discussing the policy further at a later study session.

12. Reports

City Manager McBroom highlighted items from his weekly report emailed to Council earlier in the evening.

City Attorney Gehler reported that the Housing Authority is receptive to receiving training from CIRSA.

Mayor Ford asked that CIRSA training be offered to all of the city's boards and commissions.

Mayor Ford would like staff to prepare a letter to CDOT requesting improved maintenance on Highway 2.

Council members Bullock and McEldowney moved and seconded to direct staff to prepare a letter to CDOT for Mayor Ford's signature regarding maintenance issues along Highway 2.

VOICE VOTE: Unanimous; all present affirmed

Mayor Ford and Council reported on their attendance at various meetings and

events.

13. Adjourn to Northern Infrastructure General Improvement District Meeting - 9:35

In accord with the City Charter, the city attorney read the title to all ordinances and resolutions that were adopted by the City Council at this meeting.

The meeting adjourned at 9:33 pm.