



City Council Communication

AGENDA DATE: December 15, 2025 **LEGISTAR ITEM #:** Ord 2734

PRESENTER: Theresa Wilson

DEPARTMENT: Finance

| | | |
|---|-------------------------------------|---|
| <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Resolution | <input type="checkbox"/> Public Hearing |
|---|-------------------------------------|---|

REQUEST

Approve a budget amendment ordinance to recognize funding from the Colorado Department of Public Health and Environment (CDPHE) and for a City-wide Supplemental Environmental Project. This is a 2026 Budget amendment, with projects planned to begin in January 2026 and end in March 2027.

BACKGROUND

This ordinance had incorrect reading dates written on first reading, which occurred December 15, 2025. The final reading date will be on January 5th, 2026 for second reading.

Commerce City was recently selected to participate in the CDPHE's Supplemental Environmental Project (SEP) Program in an effort to fund local projects of benefit to the environment and public health. SEPs are funded through environmental enforcement actions where settlements have included monetary penalties. The City submitted a proposal for a Sand Creek Clean-Up Initiative, and was approved to receive \$315,000 to put towards environmental projects throughout the City. Of those environmental projects, Public Works, in coordination with the Energy, Equity, and the Environment Team, selected four to distribute the funding towards:

- 1.) **Sand Creek and Second Creek Cleanup Initiative:** Utilizing volunteer participation, Commerce City will organize two cleanup events for both the Sand Creek and Second Creek watersheds. This project will include the removal of trash/debris as well as the planting of native riparian species. Take-home materials will be provided to all participants as well as food and water during the

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event. The SEP funding will be used to purchase the take-home materials, hosting materials, safety equipment for volunteers, and waste hauling contracts.

- SEP Funding Utilized: \$7,826.21

2.) **Xeriscape and Pollinator Garden Installation:** Commerce City is consistently looking for ways to invest in green infrastructure and low-impact development. Using previous research, Public Works would like to distribute a portion of the SEP funding towards the implementation of a Community Accessible Xeric Garden that would not only educate residents on sustainable infrastructure but also promote the conservation of water resources. Alongside the environmental and social benefits, the garden will provide cost-efficient value to Commerce City through its water-efficient practices.

- SEP Funding Utilized: \$50,373.79

3.) **Fairfax Park Storm Infrastructure Improvements:** Fairfax Park Recreational Space has faced persistent flooding issues over the last few years. This flooding and the debris it conveys into the park through the Municipal Separate Storm Sewer System is a public health hazard. Commerce City intends to dedicate a portion of the SEP funding to improvements within the park, including a jet cleaning of the surrounding Storm Pipe to remove blockages, as well as the installation of a maintenance access road. The removal of blockages and installation of a maintenance road will improve the efficiency of the current stormwater system and reduce the risk to Public Health.

- SEP Funding Utilized: \$204,800.00

4.) **Greenhouse Gas Inventory:** In order to maintain and track the targets outlined in Commerce City's Sustainability Action Plan, Commerce City would like to complete a Greenhouse Gas Inventory to analyze current emissions. The data collected from this study will serve as a benchmarking tool to track emission reduction progress. The survey will also help Commerce City to gain analytical insight that is required for long-term planning and targeted decision-making.

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- SEP Funding Utilized: \$52,000.00

Total SEP Funding: \$315,000

FINANCIAL IMPACT

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|----------------------------------|--|
| Contractor | TBD |
| Amount of Request/Contract | \$315,000 |
| Amount Not To Exceed | \$315,000 |
| Amount Budgeted | \$N/A |
| Budget Year | FY2026 |
| Funding Source | Civitas Resources, Inc. (Through CDPHE SEP Program). |
| Additional Funds Needed | \$N/A |
| Funding Source (if funds needed) | N/A |

PROJECT TIMELINE

| | |
|-------------------------------------|----------------------------------|
| Estimated Start Date | Estimated End Date |
| January 1, 2026 | March 30, 2027 |
| Years and Months of Contract | Number of Times Renewable |
| 1 year and 3 months | N/A |

JUSTIFICATION

| | | | |
|--|--|------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> Council Goal | <input type="checkbox"/> Strategic Plan | <input type="checkbox"/> Work Plan | <input type="checkbox"/> Legal |
| Citation | The CDPHE Supplemental Environmental Project directly supports the City Council's Public Health and Safety Goal. This environmental initiative will contribute toward Commerce City's outlined Environmental Targets and encourage sustainable development within a growing community. Further, this project will engage Commerce City residents in green infrastructure projects and demonstrate the City's commitment to sustainability. | | |

PUBLIC OUTREACH

CITY COUNCIL COMMUNICATION CONTINUED

Public outreach boards describing the Xeric Garden were displayed at two Community Centers in December 2024 and January 2025. The goal of the boards was to receive public input regarding community values and aesthetics for the development of the garden. Additionally, the Sand Creek and Second Creek Cleanup Initiatives will engage volunteers from throughout Commerce City to participate in planting activities, debris removal, and educational materials.

AVAILABLE ACTIONS

- Available Action #1. Approve as submitted.
- Available Action #2. Propose further research or public outreach into qualifying environmental projects throughout Commerce City, which would also entail declining this funding opportunity.

STAFF RECOMMENDATION

Staff recommends action #1, approval of the item.