



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
c3gov.com

Meeting Minutes - Final

City Council

Monday, September 16, 2024

6:00 PM Council Chambers, 7887 E 60th Ave, Commerce City, CO 80022. The meeting will also be conducted in a hybrid format via Zoom. Registration link: https://c3gov.zoom.us/webinar/register/WN_x932AUUZRUqymrBjBtjYsA

Regular Meeting

Times given are estimates only.

Revised 9/16/2024 at 12:00 PM.

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 Douglas on September 16, 2024, at 6:00 PM.

Present: 9 - Mayor Steven J. Douglas, Mayor Pro Tem Susan Noble, Council Member Oscar Madera, Council Member Rocky Teter, Council Member Renee Millard-Chacon, Council Member Craig Kim, Council Member Charles Dukes, Council Member Sean Ford and Council Member Kristi Douglas

2. Pledge of Allegiance

The pledge of Allegiance was recited.

3. Approval of Agenda

A motion was made by Council Member Ford, seconded by Council Member Teter, to approve the agenda as amended to continue the public hearings on cases Z-979-24 and Z-980-24 to October 7, 2024. VOTE: 9 - Aye;

4. Public Comment

[24-140](#)

Public Comment - City Council will conduct this meeting in person at the Commerce City Civic Center, 7887 E 60th Ave, Commerce City, CO 80022. There will be the opportunity for public comment at the meeting during public comment and/or for each agenda item. Comments may be consolidated under the Public Comment part of the meeting. The public can submit their comments live during the meeting in person, via Zoom, or in advance through mail or email. Visit c3gov.com/council and click on "Meeting agendas" for the full meeting agenda and "Virtual Meeting and Public Comment Instructions" for instructions on how to submit live verbal and written comments. The deadline to register via Zoom or submit written comments is noon on Monday, September 16, 2024.

Ean Tafoya invited council to attend an Air Quality Public Hearing at Eagle Pointe Recreation Center on September 17, 2024.

The following spoke on Dr. Russo's departure from the City:

Dr. Shere Walker-Ravenell

Nikie Wells

Rachel Lehman

Laura Martinez

Louisa Melina

Devon Reynolds

Frank Martinez spoke on a car port violation he received.

Jackie Valdez spoke on traffic in her neighborhood and damage to her property.

David Sanchez spoke on city government leadership positions demographics.

5. Noticed Council Business

[24-216](#)

27J Foundation Annual Golf Tournament Sponsorship

A motion was made by Council Member Dukes, seconded by Council Member Chacon, to sponsor the 27J Foundation Annual Golf Tournament in the amount of \$1,500. VOTE: 9 - Aye

[24-217](#)

Stead School Harvest Festival Event Sponsorship

A motion was made by Council Member Noble, seconded by Council Member Kim, to provide \$1,000 sponsorships to STEAD High School, Adams County High School, and Prairie View High School for upcoming events. VOTE: 9 - Aye

[24-218](#)

Colorado Youth Mariachi Program Sponsorship

A motion was made by Council Member Kim, seconded by Council Member Chacon, to donate \$1,000 to Colorado Youth Mariachi Program to help and support the continued success of our youth to harness their talents through this opportunity. VOTE: 9- Aye

[24-223](#)

Proposal for Installation of Speed Bumps to Improve Traffic Calming

A motion was made by Mayor Douglas, seconded by Council Member Kim, to add the installation of speed bumps, to include Olive St./60th south to 58th St., Onieda/60th south to 58th St., and 60th St. to 58th St. southbound/northbound runs along Newport and Magnolia St. to be included in the 2025 budget.

VOTE: 9- Aye

[24-227](#)

A Resolution In Support Of The South Adams County Water And Sanitation District's De-Brucing Measure, To Be Included On This Year's Ballot

A motion was made by Mayor Douglas, seconded by Council Member Dukes, to have the City Attorney draft a resolution in support of South Adams County Water and Sanitation District ballot measure for de-brucing. VOTE: 8- Aye, 1- Nay (Madera)

6. Proclamations and Recognitions

[Proc 24-014](#)

Proclamation Declaring October 2024 as Code Enforcement Month in Commerce City, Colorado

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Millard-Chacon, that this Proclamation be approved. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Proc 24-015](#)

Proclamation Declaring October 2024 as Domestic Violence Awareness Month in Commerce City, Colorado

A motion was made by Council Member Millard-Chacon, seconded by Mayor Pro Tem Noble, that this Proclamation be approved. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Proc 24-034](#)

Proclamation Declaring September 28, 2024, as Good Neighbor Day in Commerce City, Colorado

A motion was made by Council Member Teter, seconded by Council Member Kim, that this Proclamation be approved. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

7. Consent Agenda

A motion was made by Council Member Madera, seconded by Council Member Kim, to approve the Consent Agenda as presented. ROLL CALL VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Min 24-150](#)

Minutes of the August 19, 2024 Regular Meeting

[Min 24-154](#)

Minutes of the August 26, 2024 Special Meeting

[Ord 2614](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE U.S. DEPARTMENT OF ENERGY GRANT IN THE AMOUNT OF \$121,660 FOR ELECTRIC VEHICLE (EV) CHARGING STATIONS AT THE MUNICIPAL SERVICES CENTER

[Ord 2615](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DIVISION OF CRIMINAL JUSTICE GRANT IN THE AMOUNT OF \$100,000 FOR A LIGHTING STUDY IN THE CORE CITY

[Ord 2618](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FOR PARKS, RECREATION AND GOLF (PRG) IMPROVEMENTS IN THE AMOUNT OF \$1,525,000 AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

[AN-263-24](#)

AN ORDINANCE ANNEXING THE PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF EAST 88th AVENUE AND TOWER ROAD TO THE CITY OF COMMERCE CITY, COLORADO IN CASE AN-263-24 KNOWN AS THE TOWER LANDFILL ANNEXATION

[V24-0001](#)

AN ORDINANCE VACATING RIGHT-OF-WAY COMPRISED OF A PORTION OF SEVENTH AVENUE GENERALLY LOCATED NORTH OF EAST 84th AVENUE BETWEEN ROSEMARY STREET AND ULSTER STREET, COMMERCE CITY, COLORADO

[V-93-24](#)

AN ORDINANCE VACATING RIGHT-OF-WAY COMPRISED OF A PORTION OF HIMALAYA STREET, APPROXIMATELY 3,286 FEET IN LENGTH, EXTENDING SOUTH OF EAST 88TH AVENUE IN COMMERCE CITY, COLORADO.

[Z-705-99-00-09-24](#) AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY ZONING THE PROPERTY ANNEXED AS THE TOWER LANDFILL ANNEXATION FROM ADAMS COUNTY A-3 TO A PUD ZONE DISTRICT AND APPROVING A PUD ZONE DOCUMENT

[Z23-0001](#) AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 6540 HIGHWAY 2 FROM GENERAL COMMERCIAL DISTRICT (C-2) TO MULTI FAMILY RESIDENTIAL DISTRICT (R-3)

[Res 2024-053](#) A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR AXON BODY WORN CAMERA, INTERVIEW ROOM AND TASER HARDWARE AND SOFTWARE, LICENSES AND CLOUD STORAGE FOR THE COMMERCE CITY POLICE DEPARTMENT TO AXON ENTERPRISE, INC

[Res 2024-093](#) A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR AUTOMATIC IDENTIFICATION SYSTEM-TRAFFIC ENFORCEMENT TO AMERICAN TRAFFIC SOLUTIONS, INC. DOING BUSINESS AS VERRA MOBILITY

[Res 2024-101](#) A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR DOCUMENT MANAGEMENT SYSTEM LICENSES, HOSTING, SUPPORT AND IMPLEMENTATION SERVICES TO ECS IMAGING.

[Res 2024-102](#) A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR AN ASSET MANAGEMENT SYSTEM LICENSING, SUPPORT AND IMPLEMENTATION SERVICES TO OPENGOV INC.

8. Public Hearings

[CU-131-24](#)

TSL Company Holdings, LTD. on behalf of Crown Associates LLC, is requesting approval of a Conditional Use Permit for the stacking of shipping containers higher than 20 feet. The subject property is currently zoned I-3 (Heavy-Intensity Industrial), consisting of approximately 28.24 acres, and is located at 10051 Dallas Street.

Mayor Douglas opened the public hearing.

Alyssa Knutson, Planner, and Dave Hastings, CEO, representing TSL Company Holdings, LTD., gave the applicant's presentation and were present to take questions from Council.

Dalton Guerra, Senior Planner, provided the staff presentation to Council.

There was no public testimony on the matter.

Mayor Douglas closed the public hearing.

A motion was made by Council Member Ford, seconded by Council Member Dukes, that this Conditional Use Permit be adopted. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Nay: 1 - Council Member Millard-Chacon

[PUDA23-0003](#)

AN ORDINANCE APPROVING THE COMMONS AT 104TH 2ND AMENDMENT PUD ZONE DOCUMENT AMENDMENT TO ALLOW ADDITIONAL LAND USES, INCLUDING SIT DOWN RESTAURANTS WITH A DRIVE THRU, EV CHARGING STATIONS, AND RETAIL STORES FOR PLANNING AREA A CONSISTING OF 6.97 ACRES GENERALLY LOCATED AT THE SOUTHEAST CORNER OF EAST 104TH AVENUE AND POTOMAC STREET

Mayor Douglas opened the public hearing.

Mark Campbell, President of Southwestern Property Corporation, gave the applicant's presentation and was present to take questions from Council.

Dalton Guerra, Senior Planner, provided the staff presentation to Council.

There was no public testimony on the matter.

Mayor Douglas closed the public hearing.

Mayor Pro Tem Noble offered a friendly amendment to the motion for fuel sales to remain as conditional use on the PUD. Mayor Douglas accepted the friendly amendment as the presiding officer.

A motion was made by Council Member Ford, seconded by Council Member Teter, that this Zoning Ordinances be introduced by council as seated and approved on first reading as amended. VOTE:

Aye: 9 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Ord 2616](#)

AN ORDINANCE ADOPTING THE COMMERCE CITY 2045 COMPREHENSIVE PLAN

Mayor Douglas opened the public hearing.

Jeff Brasel, Acting-Community Development Director, provided the staff presentation to Council.

A motion was made by Mayor Douglas, seconded by Mayor Pro Tem Noble, to extend the meeting until midnight. VOTE: 4 - Aye; 5-Nay (Madera, Teter, Kim, Dukes, Ford); The motion failed.

A motion was made by Mayor Douglas, seconded by Council Member Chacon, to extend the meeting until 11:00 p.m. VOTE: 6 - Aye; 3-Nay (Madera, Kim, Ford);

The following spoke against Ordinance 2616:

*Audrey Goodman
Derek Gruenberger
Glen Murray*

Scott Vanhuesen spoke in favor of Ordinance 2616

A motion was made by Mayor Douglas, seconded by Council Member Chacon, to continue the hearing and all remaining agenda items to September 30, 2024.

VOTE: 4 - Aye; 5-Nay (Madera, Teter, Kim, Dukes, Ford); The motion failed.

Council Member Madera left the meeting at 10:29 p.m.

A motion was made by Mayor Douglas, seconded by Council Member Millard-Chacon, that this Ordinance be continued to September 23, 2024. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[Z-980-24](#)

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 9021 E-470 FROM AGRICULTURAL DISTRICT (AG) TO REGIONAL COMMERCIAL DISTRICT (C-3)

This public hearing was continued to October 7, 2024.

[Z-979-24](#)

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 9022 E-470 FROM AGRICULTURAL DISTRICT (AG) TO REGIONAL COMMERCIAL DISTRICT (C-3)

This public hearing was continued to October 7, 2024.

The public hearings will be conducted in a hybrid format in person and via Zoom. There will be an opportunity to testify live during the meeting or in advance via email or regular mail. Visit c3gov.com/council and click on “Virtual Meeting and Public Comment Instructions” for instructions on how to register or submit comments. The deadline to register to comment and to submit written comments is noon on Monday, September 16, 2024. Please contact the City Clerk to request paper copies of materials.

9. Ordinances on 1st Reading

[Ord 2621](#)

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT WITH THE PHOENIX LIMITED PARTNERSHIP, A WYOMING LIMITED PARTNERSHIP

This ordinance was continued to September 23, 2024.

[Ord 2626](#)

AN ORDINANCE AUTHORIZING THE LEASE OF OFFICE SPACE WITH FAMILY PROMISE OF GREATER DENVER; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

This ordinance was continued to September 23, 2024.

[Ord 2627](#)

AN ORDINANCE AUTHORIZING THE LEASE OF OFFICE SPACE WITH BLACK PARENTS UNITED FOUNDATION; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

This ordinance was continued to September 23, 2024.

[Ord 2628](#)

AN ORDINANCE AUTHORIZING THE LEASE OF OFFICE SPACE WITH SERVICIOS DE LA RAZA; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

This ordinance was continued to September 23, 2024.

[Ord 2629](#)

AN ORDINANCE AUTHORIZING THE LEASE OF OFFICE SPACE WITH BENEFITS IN ACTION; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS.

This ordinance was continued to September 23, 2024.

[Ord 2630](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY APPROPRIATING UNENCUMBERED FUND BALANCE IN THE GENERAL FUND IN THE AMOUNT OF \$1,339,685 FOR USE ON THE ADAMS TOWER 6TH FLOOR LEASE AND RENOVATION, INCLUDING SPECIFIED INTERFUND TRANSFERS, AND AUTHORIZATION OF THE EXPENDITURES THEREOF

This ordinance was continued to September 23, 2024.

10. Ordinances on 2nd Reading

[Ord 2617](#)

AN ORDINANCE APPROVING THE LEASE OF CITY OWNED PROPERTY LOCATED AT 10100 HAVANA STREET TO MURRAY FARMS, INC.

This ordinance was continued to September 23, 2024.

[LUP-058-24](#)

AN ORDINANCE AMENDING THE CITY OF COMMERCE CITY COMPREHENSIVE PLAN FOR THE PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF EAST 88TH AVENUE AND E-470, FROM DIA TECHNOLOGY TO UTILITY

This ordinance was continued to September 23, 2024.

11. Administrative Council Business

12. Council Reports

[24-222](#) Review of Work Schedule

13. Adjourn

A motion was made by Council Member Dukes, seconded by Council Member Chacon, to adjourn the meeting. VOTE: 8 -Aye, 1 -Excused (Madera)

The meeting adjourned at 10:59 PM.

In accord with the city charter, the city clerk read the title to all ordinances and resolutions adopted by Council at this meeting.

Kim Garland, Deputy City Clerk

[24-220](#) City Manager Week in Review Report

[24-221](#) City Council Policies

Any member of the public requesting accommodations, with respect to rights under the Americans with Disabilities Act, to attend or participate in any public meeting, and/or to obtain this notice in alternate formats, is asked to please contact the City Clerk at 303-227-8791 as soon as possible before the meeting.