



Meeting Minutes - Final

City Council

Monday, April 18, 2016

6:00 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 18, 2016, at 6:00 PM.

A motion was made by Mayor Pro-Tem Bullock, seconded by Council Member Diaz, to excuse Council Member McEldowney from tonight's meeting.

VOTE: 8 aye, 1 excused (McEldowney)

Present: 8 - Mayor Sean Ford, Council Member Jadie Carson, Council Member Rick A. Teter, Mayor Pro Tem René Bullock, Council Member Crystal Elliott, Council Member Steven J. Douglas, Council Member Andrew Amador and Council Member Paolo Diaz

Excused: 1 - Council Member Jason McEldowney

2. Executive Session

[16-26](#)

An executive session (1) pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice, and (2) pursuant to C.R.S. 24-6-402(4)(e) for the purpose of developing strategy for negotiations and instructing negotiators, both concerning pending litigation (Hammer et al. v. City of Commerce City and City of Commerce City v. H4 Investments, LLLP, et al.)

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Elliott, that an executive session, pursuant to CRS 24-6-402(4)(b) for the purpose of receiving legal advice, and (2) pursuant to CRS 24-6-402(4)(e) for the purpose of developing strategy for negotiations and instructing negotiators, both concerning pending litigation (Hammer et al. v. City of Commerce City and City of Commerce City v. H4 Investments, LLLP, et al.), be held. VOTE:

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

Excused: 1 - Council Member McEldowney

3. Pledge of Allegiance

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, to amend the agenda to move the Community Reach Center Health Home Grant up before the Pledge of Allegiance.

VOTE: 8 aye, 1 excused (McEldowney)

The Pledge of Allegiance was recited.

4. Audience Introduction

The audience introduced themselves.

5. Proclamations and Recognitions

[16-01](#)

Recognition of citizen commendations from Commerce City Police Department

Interim Police Chief Richardson recognized five people who assisted the Commerce Police Department. Mr. Newman and Mr. Tompkins were present and received commendations.

[16-11](#)

Recognition of Commerce City Nominees for Adams County Mayors and Commissioners Youth Awards

Recreation Supervisor Nordholdt stated that the Adams County Mayors and Commissioners Youth Awards Selection Committee elected three students from Commerce City. Those students are: Dominc Miranda, Adam TerBest, and Angelique Vargas.

[16-24](#)

Recognizing the Quality Community Foundation Grant Award Recipients

Finance Director Carstens and Foundation Chair Medina distributed grant awards to various non-profits in the community.

[Proc 16-10](#)

Proclamation for Sex Assault Awareness Month

Interim City Attorney Sheesley read a proclamation declaring April 2016, as Sex Assault Awareness Month in Commerce City.

A motion was made by Council Member Teter, seconded by Mayor Pro Tem Bullock, that this proclamation be approved. VOTE:

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

Excused: 1 - Council Member McEldowney

6. Citizen Communication

Thelma Cole, 5841 E. 67th Pl., invited council to purchase tickets to the seniors' pancake breakfast.

Tina Martinez, appeared on behalf of the Boys & Girls Club. Within six months of opening their new facility, they are at full capacity and have a waiting list of over 200 families. She provided an update of the programs being offered at the club.

7. Approval of Minutes

[Min 16-39](#)

Meeting Minutes of February 1, 2016

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Amador, to allow Council Members Diaz and Carson to abstain from voting on the minutes because of their excused absence.

VOTE: 6 aye, 2 abstain (Carson, Diaz), 1 excused (McEldowney)

A motion was made by Council Member Douglas, seconded by Council Member Teter, that the minutes be approved. VOTE:

Aye: 6 - Mayor Ford, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Amador

Excused: 1 - Council Member McEldowney

Abstained: 2 - Council Member Carson and Council Member Diaz

[Min 16-35](#)

Meeting Minutes of March 7, 2016

A motion was made by Council Member Carson, seconded by Council Member Diaz, to allow Mayor Pro Tem Bullock and Council Member Douglas to abstain from voting on the minutes because of their excused absence.

VOTE: 6 aye, 2 abstain (Bullock, Douglas), 1 excused (McEldowney)

A motion was made by Council Member Elliott, seconded by Council Member Amador, that the minutes be approved. VOTE:

Aye: 6 - Mayor Ford, Council Member Carson, Council Member Teter, Council Member Elliott, Council Member Amador and Council Member Diaz

Excused: 1 - Council Member McEldowney

Abstained: 2 - Mayor Pro Tem Bullock and Council Member Douglas

[Min 16-41](#)

Special Meeting Minutes of March 14, 2016

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

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

Excused: 1 - Council Member McEldowney

[Min 16-42](#)

Meeting minutes of March 21, 2016

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Douglas, to allow Council Members Diaz and Teter to abstain from voting on the minutes because of their excused absence.

VOTE: 6 aye, 2 abstain (Teter, Diaz), 1 excused (McEldowney)

A motion was made by Council Member Carson, seconded by Council Member Amador, that the minutes be approved. VOTE:

Aye: 6 - Mayor Ford, Council Member Carson, Mayor Pro Tem Bullock, Council Member Elliott, Council Member Douglas and Council Member Amador

Excused: 1 - Council Member McEldowney

Abstained: 2 - Council Member Teter and Council Member Diaz

8. Consent Agenda

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

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

Excused: 1 - Council Member McEldowney

[Res 2016-02](#) RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR TOWER ROAD WIDENING PROJECT, PROJECT NO. PW-03-2014

[Res 2016-30](#) RESOLUTION APPROVING AWARD OF CONTRACT TO ATKINS NORTH AMERICA, INC. FOR CONSTRUCTION MANAGEMENT & INSPECTION SERVICES FOR THE HIGHWAY 2 WIDENING PROJECT

[Res 2016-52](#) RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY

[Res 2016-53](#) RESOLUTION AUTHORIZING NEGOTIATIONS, PURCHASE, AND THE EXERCISE OF THE CITY'S POWERS OF EMINENT DOMAIN TO ACQUIRE CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE RELOCATION OF THE BELLE CREEK INTERSECTION AT 104TH AVENUE

9. Resolutions

[Res 2016-42](#) RESOLUTION IN SUPPORT OF PUBLIC ART INSTALLATION FOR PARADICE ISLAND POOL AT PIONEER PARK

Cultural Council Member Debra Bullock and Public Art Consultant Deanna Miller explained the process for selecting the artist and proposed piece of art.

A motion was made by Council Member Douglas, seconded by Council Member Amador, that this resolution be adopted. VOTE:

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

Excused: 1 - Council Member McEldowney

[Res 2016-19](#)

RESOLUTION APPROVING PHASED REDEVELOPMENT AGREEMENT FOR THE FORMER MILE HIGH GREYHOUND PARK

Community Development Director Cramer reviewed the proposed changes to the master development agreement from the agreement presented to council on February 1, 2016: (1) definition of "incremental property taxes" related to the school district, (2) add "approximately" and "anticipated to be" to the definitions of parcels, property and urban renewal area to allow greater flexibility if certain parcels end up being excluded from the TIF as a result of other financing schemes such as Low Income Housing Tax Credit (LIHTC), (3) revisions to the schedule - Exhibit B to Exhibit C Development Plan to MDA, and (4) Section 13.5 of the MDA regarding either party being able to terminate the MDA if the Urban Renewal Plan is not approved.

Rick Wells, REGen, stated he is ready to move forward with this project.

Public Input:

*Rick Frechette, appeared on behalf of a developer, DelWest
Thelma Cole, 5841 E. 67th Pl.*

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, that this resolution be adopted. VOTE:

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

Excused: 1 - Council Member McEldowney

10. Ordinances on 1st Reading

[Ord 2086](#)

AN ORDINANCE AMENDING THE 2016 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) GRANT FUNDS IN THE AMOUNT OF \$691,600 FOR THE SUPPORT OF INFRASTRUCTURE IMPROVEMENTS FOR THE NORTH METRO RAIL LINE AT COLORADO BLVD AND E. 72ND AVENUE AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Teter, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

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

Excused: 1 - Council Member McEldowney

11. Presentations

[Pres 16-217](#)

Community Reach Center Health Home Grant

Dr. Jill Atkinson appeared on behalf of Community Reach Center. She stated that in 2014, the center received a CDBG grant to change one of their facilities in Commerce City to accommodate a health clinic, and they partnered with Salud to place a physician in their mental health center, with the idea of providing integrated care. Community Reach Center's goal is to create integrated health care in Commerce City that includes: primary care, mental health, and dental care. In 2015, Community Reach Center served 1,900. Council was invited to an open house scheduled for May 17, 2016.

[Pres 16-219](#)

Presentation and introduction from Urban Land Conservancy

Deborah Bustos and Mark Marshall from Urban Land Conservancy appeared before council. ULC is a non-profit organization in existence since 2003. The organization has real estate investments valued at over \$68 million and focused around transit corridors serving low-income populations. Ms. Bustos identified potential areas, within Commerce City, that the ULC is interested in.

[Pres 16-239](#)

Presentation on Highway 2 Widening Project Status

Public Works Director D'Andrea appeared before council. She reviewed the project goals that include: increased vehicle capacity, improved levels of service, improved safety, reduced flooding and improved water quality, environmental and contextual sensitivity, and multi-modal access. After discussion at the January retreat, the area between 112th north to Highway 76 is removed from this project and will be included in the Second Creek Infrastructure Project. The Highway 2 Widening Project now includes approximately 6.6 miles. Xcel Energy has begun relocating utilities underground from 72nd to 96th along the east side. L.E.D. streetlights will be installed along the entire length of the corridor and rain gardens will be constructed to handle storm and rain water. Safety upgrades will be made to certain intersections.

12. Administrative Council Business

Mayor Ford stated that Denver Metro Mayors and Colfax Community Network are working together to provide crock pots to families living in hotels along Colfax. The city has purchased 20 crock pots toward that effort.

Council Member Douglas asked for council approval of a \$1,765 travel request to the NLC Leadership Summit.

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member Amador, to approve the travel request.

VOTE: 7 aye, 2 excused (McEldowney, Diaz who left before the presentation portion of the agenda)

Council Member Douglas asked about the traffic signals at 96th & Highway 2 and 104th & Highway 2.

Mayor Pro Tem Bullock would like council to honor Commerce City youth at their May 2nd meeting.

Mayor Ford would like Youth in Government to give their presentation on mental illness at a future meeting.

Council Member Amador would like staff to look at a street sign at Highway 2 to Highway 85 ramp. He stated that the street lights are out at the same location too.

Council Member Elliott announced an upcoming event to be hosted by Leadership Commerce City.

13. Reports

City Manager McBroom highlighted items off his weekly report.

The mayor and council reported on attending various meetings and events.

Interim City Attorney Sheesley announced that an offer of employment had been extended to Rachel Allen of CML.

14. Executive Session

[16-28](#)

An executive session (1) pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice, and (2) pursuant to C.R.S. 24-6-402(4)(e) for the purpose of developing strategy for negotiations and instructing negotiators concerning Mile High Greyhound Park Development

The executive session was not needed.

15. Adjourn to URA Meeting

he meeting adjourned at 10:30.

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

Respectfully submitted by:

City Clerk Laura Bauer, MMC