



Meeting Minutes - Draft

City Council

Monday, June 17, 2019

7:00 PM

Council Chambers

Immediately Following the Urban Renewal Authority

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 June 17, 2019, at 7:43 PM.

Present: 9 - Mayor Sean Ford, Mayor Pro Tem Rick A. Teter, Council Member Oscar Madera, Council Member Nicole Frank, Council Member Steve Davis, Council Member Steven J. Douglas, Council Member Benjamin Huseman, Council Member Craig Hurst and Council Member Jose Guardiola

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Audience Introduction

The audience introduced themselves.

4. Proclamations and Recognitions

19-45 Recognition of the Adams County School District 14 State Wrestling Champions

Council recognized the Adams County School District 14 wrestling team and coaching staff for their recent championship and invited them forward for a photo.

5. Citizen Communication

The following spoke on oil and gas development in the city:

*Jim Travis, 10233 Salida Street
Jason Grubb, 1800 Glenarm Place, Denver
Gabriel Thather, 11841 Joplin Court
Allen Toth, 11775 Helena Street
Marlin Hull, 11811 Chambers Drive
Russ Waterson, 11259 Kalispell Street
Greg Campbell, 11514 Oswego Street
Luke Coats, 2426 Chandler Court, Fort Collins
Garret VonKrosigk, 15500 East 121st Street
Matt Mansfield, 6592 South Biloxi Way, Aurora
Nick Klebenstein, 14178 Sunblaze Loop, Broomfield*

*Ed Balderes, 11780 Ash Street, Thornton
Seth Berry, 10069 Yampa Street
Katie Berry, 10069 Yampa Street
Travis Vitek, 3924 Bingham Hill Road, Fort Collins
Cody A. Doane, 1229 Nonaham Lane, Erie
Lexie Torres, 9752 Jasper Drive
Dan Renshaw, 13865 Trenton Street, Thornton
Floyd Trijillo, 11232 West Mesa Run
Mike Maher, 3575 North Forest, Denver
Megan Grimes, 11788 Fairplay Street
Stefan Romero, 2631 Xavier Street, Denver
Susan Noble, 10642 Olathe Street
Lucy Molina, 6650 Clermont Street
Lisa Gudmondson, no address given
Judy Dorris, 11882 Chambers Drive
Sean Cuevo, no address given
Danette Barrett, 15397 East 118th Avenue
Charles Barrett, 15397 East 118th Avenue
Ron Bruce, 15800 East 121st Avenue
Ronna Sanchez, 10680 Waco Street
Susan Crabal, no address given
Guillermo Serna, 14122 East 102nd Place*

John Poyton, 1217 Venice Street, Longmont, came before council to announce the Adams County School District 14 scholarship winners and to highlight the accomplishments of the past year.

Kawika Berthelette, Westminster, representing the Adams County Republican Party, spoke on their endorsement of council's action to pass Resolution 2019-55 on second amendment rights at the June 3, 2019 meeting.

6. Consent Agenda

A motion was made by Council Member Huseman, seconded by Council Member Madera, to approve the consent agenda as presented. ROLL CALL VOTE:

Aye: 9 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Davis, Council Member Douglas, Council Member Huseman, Council Member Hurst and Council Member Guardiola

Min 19-89 Minutes of June 3, 2019

Ord 2211 AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE OF THE CIPP FUND AND TRANSFERRING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE GENERAL FUND FOR COSTS ASSOCIATED WITH THE DIA MITIGATION PROJECT AND PROPERTY ACQUISITION ON THE SOUTH SIDE OF EAST 88TH AVENUE IN COMMERCE CITY AND AUTHORIZATION OF THE EXPENDITURE THEREOF.

- Ord 2212** AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY TRANSFERRING \$1,450,000 FROM THE 2K FUND BALANCE IN THE GENERAL FUND TO THE CIPP FUND FOR COSTS ASSOCIATED WITH THE VETERANS MEMORIAL PARK RENOVATION PROJECT AND AUTHORIZATION OF THE EXPENDITURE THEREOF.
- Res 2019-60** RESOLUTION WAIVING DEVELOPMENT-RELATED AND OTHER CITY FEES FOR CERTAIN NON-PROFIT ORGANIZATIONS AND AUTHORIZING THE REBATE OF USE TAX COLLECTED FOR CERTAIN NEW DEVELOPMENT BY OR FOR CERTAIN NON-PROFIT ORGANIZATIONS IN THE CITY OF COMMERCE CITY
- Res 2019-61** RESOLUTION AUTHORIZING ADDITIONAL PROFESSIONAL ENGINEERING AND TECHNICAL SUPPORT SERVICES FOR JACOBS ENGINEERING GROUP, INC.
- Res 2019-62** RESOLUTION AUTHORIZING ADDITIONAL PROFESSIONAL ENGINEERING AND TECHNICAL SUPPORT SERVICES BY MICHAEL BAKER INTERNATIONAL, INC.
- Res 2019-63** RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR THE NOVEMBER 5, 2019 COORDINATED MAIL BALLOT ELECTION
- Res 2019-64** RESOLUTION AUTHORIZING APPROVAL OF MACK TRUCK PURCHASE AND UPFIT SERVICES FROM BRUCKNER TRUCK SALES, INC. AND AUTOTRUCK GROUP, LLC
- Res 2019-65** RESOLUTION AUTHORIZING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND ADAMS COUNTY SCHOOL DISTRICT 14 FOR SCHOOL RESOURCE OFFICERS
- Res 2019-66** RESOLUTION AUTHORIZING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND BRIGHTON SCHOOL DISTRICT 27J FOR SCHOOL RESOURCE OFFICERS

7. Resolutions

- Res 2019-58** RESOLUTION APPROVING MATTERS RELATING TO THE SALE AND DEVELOPMENT OF AUTHORITY PROPERTY AT THE FORMER MILE HIGH GREYHOUND PARK INCLUDING AN AMENDED AND RESTATED PHASED REDEVELOPMENT AGREEMENT FOR THE FORMER MILE HIGH GREYHOUND PARK AND A PURCHASE AND SALE AGREEMENT AND PROVIDING FOR OTHER RELATED MATTERS

Deputy City Manager Roger Tinklenberg gave an overview of the Mile High Greyhound

Park's history. The resolution is for the approval of the escrow agreement, that is part of the purchase and sale agreement between the Urban Renewal Authority and the developer. Mr. Tinklenberg highlighted the financial obligations of the escrow agreement for each party to the agreements.

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

Aye: 7 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Davis, Council Member Huseman and Council Member Hurst

Nay: 2 - Council Member Douglas and Council Member Guardiola

Res 2019-68 RESOLUTION PROVIDING THE CONSENT OF THE CITY COUNCIL OF THE CITY OF COMMERCE CITY TO A PROPOSED EXCLUSION OF LAND FROM THE BUFFALO HIGHLANDS METROPOLITAN DISTRICT

A motion was made by Council Member Huseman, seconded by Council Member Davis, that this resolution be adopted. VOICE VOTE: Unanimous, all present affirmed.

8. Ordinances on 1st Reading

Ord 2225 AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE TONY GRAMPSAS YOUTH SERVICES GRANT FUNDS IN THE AMOUNT OF \$57,807.00 FOR THE SUPPORT OF YOUTH EPIC PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

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

Aye: 9 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Davis, Council Member Douglas, Council Member Huseman, Council Member Hurst and Council Member Guardiola

Ord 2226 AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE WALMART COMMUNITY FOUNDATION GRANT IN THE AMOUNT OF \$4,000.00 TO BE USED FOR PUBLIC SAFETY, AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Council Member Frank, seconded by Council Member Davis, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Davis, Council Member Douglas, Council Member Hurst and Council Member Guardiola

Excused: 1 - Council Member Huseman

Ord 2227

AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FUNDS IN THE AMOUNT OF \$750,000.00 FOR THE VETERAN'S MEMORIAL PARK RENOVATION PROJECT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

A motion was made by Council Member Huseman, seconded by Council Member Guardiola, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 9 - Mayor Ford, Mayor Pro Tem Teter, Council Member Madera, Council Member Frank, Council Member Davis, Council Member Douglas, Council Member Huseman, Council Member Hurst and Council Member Guardiola

9. Presentations**Pres 19-340****Commerce City Community Festival Presentation**

Maria Gonzalez, President of Adelante Community Development, came before council to present the proposed 2019 Commerce City Community Festival with a tentative date of Sunday, September 8, 2019, at the Civic Center. Ms. Gonzalez asked council to consider becoming a presenting sponsor for the event by making a \$10,000 donation in cash and a \$5,000 donation in kind.

10. Administrative Council Business

A motion was made by Council Member Huseman, seconded by Council Member Guardiola, to direct staff to look into installing signs throughout the city notifying motorists of the state law that requires giving at least a 3-foot clearance when passing cyclists on the roadway.

Vote: Unanimous, all present affirmed.

A motion was made by Council Member Huseman, seconded by Council Member Guardiola, to expend \$10,000 in city funds and \$5,000 in-kind donations as a presenting sponsor at the 2019 community festival.

Vote: 8 - Aye, 1 - Nay (Teter)

Council Member Guardiola asked that the breed specific ban ordinance study session item be moved from the July 8 study session to sometime in August so a student who has done a research project on breed specific bans may be available to attend.

Council Member Douglas asked for an update on the action council took in 2018 to direct staff to look into receiving state funds to install charging stations throughout the city for electric vehicles.

Council Member Douglas stated that turn signals along Highway 2 were not functioning properly over the weekend. Public Works Director Joe Wilson stated the control unit was struck by lightning during the storm and shorted out. Mr. Wilson said a temporary unit was installed over the weekend, and a permanent replacement unit was installed this morning.

Council Member Frank asked the City Attorney to revise Council Policy #2 to change the frequency of the City Manager's review from annually to semi-annually. City Attorney Sheesley stated he would revise the policy and bring it back to council for approval.

A motion was made by Council Member Davis to adjourn the meeting and postpone the the rest of the council business and the NIGID meeting to a later date. City Attorney Sheesley stated the council could not postpone the NIGID meeting; the NIGID board would have to convene in order to postpone the business on the agenda, but that the business of the NIGID meeting should not take very long. Council Member Davis withdrew his motion.

Pres 19-106 Oil and Gas Monthly Update

Community Development Director Chris Cramer presented the monthly oil and gas update. Mr. Cramer stated that no new applications have been received and that two additional meetings were scheduled for the oil and gas focus group.

Council Member Huseman asked why the presentation did not reflect the change in ownership for an application received at the state. Mr. Cramer said when the presentation was finalized the change in ownership was not confirmed, but that the information would be included in the next monthly oil and gas update once the change in ownership was finalized.

Pres 19-287 Oil and Gas Impact Fee Study

Elliot Sulsky, representing Felsburg, Holt & Ullevig, presented an overview of the fee study. He highlighted what constitutes a transportation impact fee, the unique impacts that oil and gas development has on city infrastructure, the process for conducting the study, estimating oil and gas development transportation impacts, and the process for calculating fees for oil and gas transportation impact.

11. Reports

City Manager McBroom highlighted items presented in his weekly report provided to council earlier. The mayor and council reported on their attendance at various meetings and events.

A motion was made by Council Member Huseman, seconded by Council Member Frank, to authorize the Mayor to sign a letter to the Colorado delegation of representatives and senators on railroad advocacy within Commerce City.

Vote: Unanimous, all present affirmed.

Mayor Ford appointed Council Member Madera as acting mayor in his absence from June 18 through June 21st.

12. Adjourn

The meeting adjourned at 11:41 p.m.

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:

Dylan A. Gibson, Deputy City Clerk