Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
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Commerce CITY

Meeting Minutes - Final

City Council

Monday, July 15, 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_dXozB_LFQ-KKO0kMvnjRIw**

Regular Meeting

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 July 15, 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 Madera, seconded by Council Member Dukes, to approve the agenda. VOTE: 9 - Aye, 0 - Nay

4. Public Comment

24-138 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, July 15, 2024.

- Robert Shecter spoke on opposing the PRG Master Plan until amendments are made.

- Keith Rogers spoke on traffic issues and street maintenance in the City.

- Jackie Valdez spoke on 18-wheeler traffic in the City and car traffic in their neighborhood.

5. Proclamations and Recognitions

Proc 24-013 Proclamation Declaring August 2024 as Employee Appreciation Month in Commerce City, Colorado

A motion was made by Council Member Ford, seconded by Council Member Dukes, 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

6. Presentations

Pres 24-150 Senior Commission Yearly Report

Carli Plummer, Senior Commission chair, presented the Senior Commission's annual update.

Pres 24-400 Metro District Review

Jim Tolbert, Assistant City Manager, presented the metro district audit review.

A motion was made by Council Member Kim, seconded by Mayor Pro Tem Noble, to direct City Staff to explore GID's and SID's and also include how other areas in the City have been able to develop without Metro Districts, and to present the findings during a future study session. VOTE: 5 - Aye, 4 - Nay (Dukes, Madera, Teter, Ford).

7. Noticed Council Business

24-108 Independent Commission to Review and Oversee Metro Districts

A motion was made by Council Member Madera, seconded by Council Member Dukes, to direct City staff to draft a resolution creating an independent commission (no Council Members) composed of 9 citizens with equal representation (two from each ward and one at-large citizen) to oversee and review metro district activity and report annually to the City Council any findings. The commission will work with City staff to engage outside professionals to perform audits of all metro districts within Commerce City limits. Professional service fees will be funded through the annual oversight fee that is charged to all metropolitan districts pursuant to the Commerce City Revised Municipal Code. VOTE: 5 - Aye, 4 - Nay (Noble, Douglas, Chacon, Douglas).

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Chacon, to amend the motion so that membership on this independent commission to be proportional to the wards with existing metro districts.
VOTE: 4 - Aye, 5 - Nay (Teter Ford, Kim, Madera, Dukes). Motion failed.

24-109 Costs Associated with Metro District Audit - Alternative Funding Methods

A motion was made by Council Member Madera, seconded by Council Member Dukes, to direct the City Manager and City Attorney to collaborate on creating a fiscal impact report detailing the financial costs associated with conducting additional metro district audits and research to explore alternative funding methods for future infrastructure projects.
This report should encompass various expenses, such as the cumulative retainer costs for outside legal counsel and the cumulative salary and benefits of city employees involved in this research effort. This report should begin Dec. 1, 2023, and conclude when the alternative "framework" is presented for funding infrastructure.
VOTE: 6 - Aye, 3 - Nay (Kim, Douglas,Chacon).

24-166 Discussion of a joint meeting between the City Council and the Chamber of Commerce

A motion was made by Council Member Kim, seconded by Council Member Madera, to hold a joint meeting with the Chamber of Commerce to discuss roles and responsibilities of supporting future businesses in the City.
VOTE: 9 - Aye

24-167 Internet and Cellular Service Capabilities Discussion

A motion was made by Council Member Kim, seconded by Council Member Madera, to organize a study session to explore and analyze the internet and cell service infrastructure in our city. This session will focus on assessing the reliability, speed, coverage, and overall quality of connectivity available to residents and businesses. Request an examination of factors such as network infrastructure, service providers, technologies used, and potential areas for improvement. The goal is to gather insights that can help us understand the current state of connectivity in our city and identify opportunities for enhancement. VOTE: 9 - Aye

24-182 Costs Analysis of Doing Business in Commerce City

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Chacon, to direct staff to provide an analysis of and comparison with other municipalities of start-up and ongoing costs of doing business, including use, sales, head and occupancy taxes, licenses, permits, and fees, as well as metropolitan district fee impacts, by end of Q3.
VOTE: 9 - Aye

24-183 Small Business Retention and Expansion Task Force

A motion was made by Council Member Dukes, seconded by Council Member Teter, to direct city staff
to create a Small Business Task Force (SBTF) to enhance collaboration between the City and small business owners to advance recommended policies to support small business growth and success in the City.
VOTE: 9 - Aye

24-184 Rotary Club 31st Annual Golf Tournament

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Chacon, to extend the meeting by an hour. VOTE: 8 - Aye, 1 - Nay (Madera).

A motion was made by Council Member Teter, seconded by Council Member Ford, to donate $1,000 to the Commerce City Rotary Club 31st Annual Golf Tournament.
VOTE: 9 - Aye

8. Consent Agenda

Mayor Pro Tem Noble requested to remove Resolution 2024-068 from the consent agenda.

A motion was made by Council Member Chacon, seconded by Council Member Kim, to approve the agenda as amended. VOTE: 9 - Aye

A motion was made by Council Member Millard-Chacon, seconded by Council Member Kim, to approve the Consent Agenda as amended. 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 24-114 Minutes of the July 1, 2024 Regular Meeting

Ord 2595 AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF EARLY CHILDHOOD (CDEC) GRANT FUNDS IN THE AMOUNT OF $12,023 FOR CHILD CARE STABILIZATION AND CAPACITY BUILDING AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

Ord 2600 AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) FUNDS IN THE AMOUNT OF $1,420,000 FOR THE REVITALIZING MAIN STREETS PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

Res 2024-024 A RESOLUTION AUTHORIZING ASSIGNMENT TO THE COLORADO HOUSING AND FINANCE AUTHORITY OF A PRIVATE ACTIVITY BOND ALLOCATION OF THE CITY OF COMMERCE CITY PURSUANT TO THE COLORADO PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT

Res 2024-054 A RESOLUTION ACCEPTING THE CONCEPT DESIGN FOR WAYFINDING SIGNAGE FOR THE CITY OF COMMERCE CITY

Res 2024-068 A RESOLUTION REGARDING ADOPTION OF FINAL PARKS, RECREATION AND GOLF MASTER PLAN (THE "PARKS PLAN")

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Kim, to return the master plan to the planning commission for two months. VOTE: 4 - Aye, 5 - Nay (Madera, Teter, Kim, Ford, Dukes). Motion failed.

A motion was made by Council Member Madera, seconded by Council Member Ford, that this Resolution be adopted. 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

Res 2024-069 A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF THE ANNEXATION PETITION IN CASE AN-268-24 KNOWN AS THE ANDERSON RANCH ANNEXATION AND SETTING A PUBLIC HEARING TO DETERMINE ELIGIBILITY FOR SUCH ANNEXATION

Res 2024-076 A RESOLUTION AUTHORIZING COOPERATIVE AGREEMENT FOR GENERATION WILD NORTHEAST METRO COALITION

Res 2024-079 A RESOLUTION AMENDING SECTION 5 OF THE DIRECTORY OF CITY FEES AND CHARGES TO ADD THE FEES CHARGED FOR THE BACKYARD KEEPING OF CHICKENS / BEES PERMITS

Res 2024-084 A RESOLUTION APPROVING GREAT OUTDOORS COLORADO GRANT AGREEMENT FOR GENERATION WILD NORTHEAST METRO COALITION

9. Public Hearings

Res 2024-030 A RESOLUTION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPROVING THE 2024 ANNUAL ACTION PLAN

Mayor Douglas opened the public hearing.

Maggie Baker, consultant with Civitas, presented the 2024 Community Development Block Grant Annual Action Plan.

There was no public testimony.

Mayor Douglas closed the public hearing.

A motion was made by Council Member Teter, seconded by Mayor Pro Tem Noble, that this Resolution be adopted. 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

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, July 15th. Please contact the City Clerk to request paper copies of materials.

10. Ordinances on 1st Reading

Ord 2579 AN ORDINANCE AMENDING COMMERCE CITY LAND DEVELOPMENT CODE ARTICLE VII DIVISION 5 AND ARTICLE XI DIVISION 2 TO EXPAND PERMITTED AREAS FOR XERIC LANDSCAPING PRACTICES

A motion was made by Council Member Dukes, seconded by Mayor Pro Tem Noble, that this Ordinance be introduced by council as seated and approved on first reading. 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 2583 AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 9 OF THE COMMERCE CITY MUNICIPAL CODE (CCRMC) BY ADDING A NEW DIVISION 9 ESTABLISHING A SHORT-TERM RENTAL REGISTRATION PROGRAM IN THE CITY OF COMMERCE CITY

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Teter, to extend the meeting for 30 minutes. VOTE: 5 - Aye, 4 - Nay (Madera, Ford, Teter, Kim).

A motion was made by Council Member Madera, seconded by Mayor Pro Tem Noble, that this Ordinance be introduced by council as seated and approved on first reading. 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 2611 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 $8,828,665 FOR USE ON SPECIFIED PROJECTS, INCLUDING SPECIFIED INTERFUND TRANSFERS, AND AUTHORIZATION OF THE EXPENDITURES THEREOF.

A motion was made by Council Member Madera, seconded by Council Member Kim, that this Ordinance be introduced by council as seated and approved on first reading. 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 2612 AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE SONORAN INSTITUTE GRANT IN THE AMOUNT OF $10,000 FOR THE FUNDING OF A DESIGN FOR A XERISCAPE DEMONSTRATION GARDEN.

A motion was made by Council Member Madera, seconded by Mayor Pro Tem Noble, that this Ordinance be introduced by council as seated and approved on first reading. 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

11. Ordinances on 2nd Reading

Ord 2567 AN ORDINANCE EXTENDING THE EXISTING MORATORIUM ON NEW RETAIL AND MEDICAL MARIJUANA STORE LICENSES IN WARDS I AND II IN THE CITY OF COMMERCE CITY BY AN ADDITIONAL SIX MONTHS

A motion was made by Council Member Madera, seconded by Council Member Douglas, that this Ordinance be approved on second & final reading. VOTE:

Aye: 5 - Mayor Douglas, Council Member Madera, Council Member Millard-Chacon, Council Member Kim and Council Member Douglas

Nay: 4 - Mayor Pro Tem Noble, Council Member Teter, Council Member Dukes and Council Member Ford

12. Administrative Council Business

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Kim, to have a study session to analyze core city issues (18-Wheeler Traffic, minibikes, potholes, overgrown weeds), to be brought to Council by September. VOTE: 9 - Aye

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Chacon, to hold a special meeting on a Saturday to discuss development related issues for the City Council. VOTE: 3 - Aye, 6 - Nay (Dukes, Kim, Madera,Teter, Ford, Noble). Motion failed.

A motion was made by Council Member Kim, seconded by Council Member Ford, to schedule a meeting on a Saturday or during a Study Session with City staff and developers from various development types to identify paths forward to enhance development in the City. VOTE: 8 - Aye, 1 - Nay (Chacon).

A motion was made by Mayor Douglas, seconded by Council Member Chacon, to direct the City Manager's office to create a Homeowners Association update around the City Impact and changes due to legislation by October or November of this year. VOTE: 9 - Aye

13. Council Reports

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

24-181 Review of Work Schedule

14. Adjourn

A motion was made by Council Member Kim, seconded by Council Member Chacon, to adjourn the meeting. VOTE: 9 - Aye

The meeting adjourned at 11:52 PM.

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

Brittany Rodriguez

Brittany Rodriguez, Assistant City Clerk

CITY OF COMMERCE CITY SEAL STATE OF COLORADO

24-179 City Manager Week in Review Report

24-180 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.