



# Commerce City

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

## Meeting Minutes - Final

### City Council

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Monday, August 2, 2021

6:00 PM Council Chambers, 7887 E. 60th Ave Commerce City, CO  
80022. The meeting will also be live on Channel 8 and  
c3gov.com/video

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This regular meeting will be held in person in the City Council Chambers (location above). There will be no general public physical access to this meeting. Public access is provided through Channel 8 and c3gov.com/video.

Revised 8/2/2021 at 3:00 p.m.

#### 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 Huseman on August 2, 2021, at 6:01 PM.*

*A motion was made Mayor Pro Tem Frank, seconded by Council Member Grimes, to excuse members not present. VOTE: 7 - Aye, 2 - Excused (Madera, Smith)*

**Present:** 7 - Mayor Benjamin Huseman, Mayor Pro Tem Nicole Frank, Mayor Pro Tem Jennifer Allen-Thomas, Council Member Susan Noble, Council Member Jose Guardiola, Council Member Craig Hurst and Council Member Meghan Grimes

**Excused:** 2 - Council Member Oscar Madera and Council Member Robyn Smith

#### 2. Pledge of Allegiance

*The Pledge of Allegiance was recited.*

#### 3. Citizen Communication

[21-116](#)

Citizen Communication - City Council will conduct this meeting virtually via Zoom as the Civic Center remains closed out of precaution for COVID-19. There will be the opportunity for public comment at the meeting during citizen communication and/or for each agenda item. Comments may be consolidated under the Citizen Comment part of the meeting. The public can submit their comments live during the meeting via Zoom or in advance using the online form or mail. Visit [c3gov.com/council](http://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 to comment and to submit written comments is noon on August 2.

*Trevor Steen spoke on overcrowding in schools in Commerce City.*

*Steve Douglas spoke on parking in the northern area of Commerce City.*

*Kristi Douglas spoke on overcrowding in schools, metro districts, and the Mile High Grey Hound Park development in Commerce City.*

#### 4. Presentations

[Pres 21-425](#)

COVID-19 Update

*City Manager Tinklenberg provided council an update on the city's response to the COVID-19 pandemic.*

[Pres 21-90](#)

Environmental Planning & Policy Monthly Update  
- Oil and Gas Update

*Domenic Martinelli, Environmental Planner, provided the environmental planning & policy monthly update.*

#### 5. Consent Agenda

*Council Member Noble requested that Resolution 2021-39 be pulled from the consent agenda.*

**A motion was made by Mayor Pro Tem Frank, seconded by Council Member Allen-Thomas, to approve the consent agenda as amended. ROLL CALL VOTE:**

**Aye:** 7 - Mayor Huseman, Mayor Pro Tem Frank, Mayor Pro Tem Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst and Council Member Grimes

**Excused:** 2 - Council Member Madera and Council Member Smith

[Min 21-161](#)

Minutes of June 7, 2021

[Min 21-162](#)

Minutes of June 21, 2021

[Res 2021-39](#)

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

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

**Aye:** 7 - Mayor Huseman, Mayor Pro Tem Frank, Mayor Pro Tem Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst and Council Member Grimes

**Excused:** 2 - Council Member Madera and Council Member Smith

[Res 2021-63](#)

A RESOLUTION AUTHORIZING THE REMOTE CONDUCT OF CERTAIN PUBLIC MEETINGS OF CITY COUNCIL, CITY COUNCIL SUBCOMMITTEES, BOARDS, AND COMMISSIONS FOR THE CITY OF COMMERCE CITY IN THE ABSENCE OF A DECLARED EMERGENCY

[21-114](#)

Application for Assistance as Affirmative Defense in Eviction Proceedings Letter of Support

[21-117](#)

Ratification of U.S. Conference of Mayors' Letter on DACA

## 6. Public Hearings

*Mayor Huseman opened the joint public hearing.*

*John Bourjaily, management analyst, gave the staff presentation.*

*Scott Carlson gave the applicant presentation.*

*Steve Douglas spoke on mill levies.*

*Mayor Huseman closed the public hearing.*

*A motion was made by Council Member Noble, seconded by Council Member Allen-Thomas, to continue resolutions 2021-51 and 2021-52 and provide an opportunity for renegotiations to occur with the applicant and for the city to adopt new metro district policies. VOTE: 7 - Aye, 2 - Excused (Madera, Smith)*

[Res 2021-51](#) RESOLUTION APPROVING THE AMENDED AND RESTATED SERVICE PLAN FOR BUCKLEY CROSSING METROPOLITAN DISTRICT AND THE RELATED INTERGOVERNMENTAL AGREEMENT

[Res 2021-52](#) RESOLUTION APPROVING THE SERVICE PLAN FOR BUCKLEY CROSSING METROPOLITAN DISTRICT NO. 2 AND THE RELATED INTERGOVERNMENTAL AGREEMENT

## 7. Ordinances on 1st Reading

[Ord 2341](#) AN ORDINANCE REPEALING AND REPLACING ARTICLE II OF CHAPTER 3 AND AMENDING CHAPTER 1, CHAPTER 6, AND CHAPTER 9 OF THE COMMERCE CITY REVISED MUNICIPAL CODE RELATING TO ADMINISTRATIVE PROCESSES FOR CIVIL INFRACTIONS, NUISANCES, AND BUSINESS LICENSING

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

**Aye:** 7 - Mayor Huseman, Mayor Pro Tem Frank, Mayor Pro Tem Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst and Council Member Grimes

**Excused:** 2 - Council Member Madera and Council Member Smith

[Ord 2342](#) AN ORDINANCE REPEALING AND REENACTING SECTION 5-4500 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO ADOPT THE 2020 NATIONAL ELECTRICAL CODE, AND AMENDING THE CITY'S PREVIOUSLY ADOPTED RESIDENTIAL CODE TO INCORPORATE APPLICABLE STANDARDS OF THE 2020 NATIONAL ELECTRIC CODE

*Brian Foley, Chief Building Official, presented on current building codes, proposed changes, state mandates, code updates, and major changes to 2020 National Electric Code.*

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

**Aye:** 7 - Mayor Huseman, Mayor Pro Tem Frank, Mayor Pro Tem Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst and Council Member Grimes

**Excused:** 2 - Council Member Madera and Council Member Smith

[Ord 2343](#)

AN ORDINANCE AMENDING THE COMMERCE CITY REVISED MUNICIPAL CODE REGARDING THE AUTHORITY OF CERTAIN PERSONS DESIGNATED AS PEACE OFFICERS TO ENFORCE VIOLATIONS OF THE CHARTER AND ORDINANCES OF THE CITY OF COMMERCE CITY

**A motion was made by Council Member Hurst, seconded by Council Member Allen-Thomas, that this ordinance be introduced by council as seated and approved on first reading. VOTE:**

**Aye:** 7 - Mayor Huseman, Mayor Pro Tem Frank, Mayor Pro Tem Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst and Council Member Grimes

**Excused:** 2 - Council Member Madera and Council Member Smith

[Ord 2345](#)

AN ORDINANCE AMENDING THE 2021 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION GRANT FUNDS FOR \$189,600 FOR THE IMPLEMENTATION OF AUTOMATED TRAFFIC SIGNAL PERFORMANCE MEASURES (ATSPM) AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

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

**Aye:** 7 - Mayor Huseman, Mayor Pro Tem Frank, Mayor Pro Tem Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst and Council Member Grimes

**Excused:** 2 - Council Member Madera and Council Member Smith

## 8. Administrative Council Business

*A motion was made by Council Member Noble, seconded by Council Member Allen-Thomas, that Council Member Noble be appointed to the Boards and Commissions Subcommittee. VOTE: 3 - Aye (Allen-Thomas, Huseman, Noble), 4 - Nay, 2 - Excused (Madera, Smith), Motion Failed*

*A motion was made by Council Member Guardiola, seconded by Mayor Pro Tem Frank, to have staff prepare and deliver a presentation regarding the Council subcommittee, boards, and commissions, selection process at a study session. VOTE: 7 - Aye, 2 - Excused (Madera, Smith)*

*A motion was made by Mayor Huseman, seconded by Mayor Pro Tem Frank, to have staff draft a resolution or ordinance to extend the senior recreation center pass discount to those on disability or fixed income. VOTE: 7 - Aye, 2 - Excused (Madera, Smith)*

*A motion was made by Council Member Grimes, seconded by Mayor Pro Tem Frank, to have partitions on the dias be optional if both council members on each side agree to have them removed. VOTE: 5 - Aye, 2 - Nay (Allen-Thomas, Noble), 2 - Excused (Madera, Smith)*

*The City Council recessed at 8:00 pm to the NIGID meeting.*

*The regular meeting reconvened at 8:30 pm.*

## 9. Executive Session

*A motion was made by Council Member Allen-Thomas, and seconded by Council Member Grimes, to enter into executive sessions pursuant to C.R.S. 24-6-402(4)(a), regarding the potential acquisition of property for drainage purposes in the Irondale area; and C.R.S. 24-6-402(4)(f), regarding mid-year performance goal assessments for the City Manager. VOTE: 7 - Aye, 2 - Excused (Madera, Smith).*

[21-111](#)

An executive session, pursuant to C.R.S. 24-6-402(4)(a), regarding the potential acquisition of property for drainage purposes in the Irondale area.

[21-110](#)

An executive session, pursuant to C.R.S. 24-6-402(4)(f), regarding mid-year performance goal assessments for the City Manager and City Attorney.

## 10. Council Reports

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

## 11. Adjourn

*The meeting adjourned at 10:11 PM.*

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

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*Jordan D. Roberts, Deputy City Clerk*