



# Commerce City

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

## Meeting Agenda - Final-revised City Council

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Monday, June 5, 2023

6:00 PM

Council Chambers, 7887 E. 60th Ave Commerce City, CO 80022. The meeting will be live on Channel 8 and [c3gov.com/video](https://c3gov.com/video). Zoom Registration: [https://c3gov.zoom.us/webinar/register/WN\\_gj8ohgkbQl6iQ3NKeJ93Aw](https://c3gov.zoom.us/webinar/register/WN_gj8ohgkbQl6iQ3NKeJ93Aw)

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Times given are estimates only.  
Revised 6/5/2023 @ 12:00 PM

1. **Call to Order/Roll Call - 6:00 PM**
2. **Pledge of Allegiance**
3. **Approval of Agenda**
4. **Citizen Communication**

[23-119](#)

Citizen Communication - 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 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 in person, via Zoom, or in advance through mail or email. Visit [c3gov.com/council](https://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, June 5, 2023.

5. **Proclamations and Recognitions - 6:30 PM**

[23-070](#)

Swearing in of nine new Police Recruits.

[Proc 23-13](#)

Proclamation Declaring June 19, 2023 as Juneteenth in Commerce City, Colorado

**Attachments:** [Juneteenth Proclamation](#)

[Proc 23-14](#) Proclamation Declaring June 2023 as LGBTQIA+ Pride Month in Commerce City, Colorado

**Attachments:** [Pride Month Proclamation](#)

[Proc 23-15](#) Proclamation Declaring June 2023 as Men's Health Month in Commerce City, Colorado

**Attachments:** [Mens Health Month Proclamation](#)

## 6. Consent Agenda - 7:00 PM

[Min 23-145](#) Minutes of the May 15, 2023 Regular Meeting

**Attachments:** [May 15, 2023 Minutes](#)

[Ord 2498](#) SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE COMMERCE CITY SALES AND USE TAX CODE, ARTICLE I OF CHAPTER 20 OF THE COMMERCE CITY REVISED MUNICIPAL CODE, REGARDING ECONOMIC NEXUS AND THE OBLIGATION OF REMOTE SELLERS TO COLLECT AND REMIT SALES TAX

**Attachments:** [Council Communication](#)

[Ordinance 2498](#)

[Ord 2499](#) SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE SALES AND USE TAX CODE OF THE CITY OF COMMERCE CITY TO ESTABLISH AN EXEMPTION FROM THE CITY'S SALES AND USE TAX FOR CERTAIN RETAIL DELIVERY FEES AND CARRYOUT BAG FEES ENACTED BY THE STATE OF COLORADO

**Attachments:** [Council Communication](#)

[Ordinance 2499](#)

[Ord 2509](#) SECOND AND FINAL READING OF AN ORDINANCE TO AMEND COMMERCE CITY REVISED MUNICIPAL CODE (CCRMC) SECTION 12-4003 TO COMPLY WITH STATE V. MORENO, 2022 CO 15, CASE NO. 21SA181 (2022)

**Attachments:** [Council Communication](#)

[Ordinance 2509](#)

[Ord 2523](#) SECOND AND FINAL READING OF AN ORDINANCE AMENDING COMMERCE CITY REVISED MUNICIPAL CODE (CCRMC) SECTION 2-2001 TO INCREASE THE NUMBER OF REGULAR CITY COUNCIL MEETINGS FROM TWO TO THREE A MONTH AND DECREASE THE NUMBER OF STUDY SESSIONS FROM TWO TO ONE A MONTH

**Attachments:** [Council Communication](#)

[Ordinance 2523](#)

[Z-544-91-94-23](#) SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 3741 E. 64th AVENUE FROM HEAVY-INTENSITY INDUSTRIAL WITH CONDITIONS (I-3 WITH CONDITIONS) TO HEAVY-INTENSITY INDUSTRIAL (I-3)

**Attachments:** [Council Communication](#)  
[Zoning Ordinance Z-544-91-94-23](#)  
[Staff Report](#)  
[Vicinity Map](#)  
[Applicant Narrative](#)  
[1991 Zoning Ordinance](#)  
[Neighborhood Meeting Summary](#)  
[Drainage Report](#)  
[Environmental Review Agency](#)  
[Agency Review Comments Compiled](#)  
[Estimated Landfill extents](#)  
[Public Hearing Sign Posted](#)  
[Affidavit for May 15](#)  
[April 18, 2023 Planning Commission Meeting Minutes](#)  
[Staff Presentation](#)  
[Applicant Presentation](#)

[Z-994-23](#)

SECOND AND FINAL READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 3801 E. 64TH AVENUE FROM AGRICULTURAL (AG) TO HEAVY-INTENSITY INDUSTRIAL (I-3)

**Attachments:** [Council Communication](#)

[Zoning Ordinance Z-994-23](#)

[Staff Report](#)

[Vicinity Map](#)

[Applicant Narrative](#)

[Neighborhood Meeting Summary](#)

[Drainage Report](#)

[Environmental Review Agency](#)

[Agency Review Comments Compiled](#)

[Estimated Landfill extents](#)

[Public Hearing Sign Posted](#)

[Affidavit for May 15](#)

[April 18, 2023 Planning Commission Meeting Minutes](#)

[Staff Presentation](#)

[Applicant Presentation](#)

[Res](#)  
[2023-044](#)

A RESOLUTION AUTHORIZING AN EASEMENT TO THE SOUTH ADAMS COUNTY WATER & SANITATION DISTRICT FOR WATER QUALITY MONITORING WELLS IN THE PONTIAC STREET RIGHT OF WAY

**Attachments:** [Council Communication](#)

[Resolution 2023-044](#)

[Exhibit A](#)

[Project Map](#)

[Res](#)  
[2023-064](#)

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE ADAMS TOWER FIFTH FLOOR PROJECT BETWEEN TO MW GOLDEN CONSTRUCTORS

**Attachments:** [Council Communication](#)

[Resolution 2023-064](#)

[MW Golden Construction Documents](#)

[Contract](#)

[Res  
2023-067](#)

A RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS  
AND COMMISSIONS OF THE CITY OF COMMERCE CITY

**Attachments:** [Council Communication](#)  
[Res 2023-067](#)

## 7. Public Hearings - 7:05 PM

[Res  
2023-062](#)

A RESOLUTION APPROVING LEEPER INDUSTRIAL PARK,  
AMENDMENT NO. 1 TO CREATE ONE LOT FROM TWO EXISTING  
PARCELS, CONSISTING OF APPROXIMATELY 20.587 ACRES,  
LOCATED GENERALLY AT 3741 E. 64th AVENUE AND 3801 E. 64th  
AVENUE, GENERALLY THE NORTHEAST CORNER OF MONROE  
STREET AND EAST 64TH AVENUE

**Attachments:** [Council Communication](#)  
[Resolution 2023-062](#)  
[Staff Report](#)  
[Vicinity Map](#)  
[Applicant Narrative](#)  
[Leeper Industrial Plat](#)  
[Neighborhood Meeting Summary](#)  
[Drainage Report](#)  
[Environmental Review Agency](#)  
[Agency Review Comments Compiled](#)  
[Estimated Landfill Extents](#)  
[1991 Development Agreement](#)  
[April 18 2023 Planning Commission Meeting Minutes](#)  
[Staff Presentation](#)  
[Applicant Presentation](#)  
[Public Hearing Sign Posted](#)

*Continued from May 15, 2023*

[Z-977-23](#)

FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 8780 ROSEMARY STREET FROM PLANNED UNIT DEVELOPMENT (PUD) TO LIGHT-INTENSITY INDUSTRIAL DISTRICT (I-1)

**Attachments:** [Council Communication](#)  
[Ordinance Z-977-23](#)  
[Zone Change Report Z-977-23](#)  
[Vicinity Map](#)  
[Applicant Narrative](#)  
[Irondale Plan Executive Summary](#)  
[Preliminary Drainage Report](#)  
[Traffic Impact Study](#)  
[Development Review Team Comments](#)  
[Draft Planning Commission Meeting Minutes May 16, 2023](#)  
[Public Notices for Z-977-23](#)  
[Presentation](#)  
[Written Comments](#)

[Z-989-23](#)

FIRST READING OF AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY LOCATED AT 8705 ROSEMARY STREET FROM LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1) AND AGRICULTURAL DISTRICT (AG) TO MEDIUM INTENSITY INDUSTRIAL DISTRICT (I-2)

**Attachments:** [Council Communication](#)  
[Ordinance Z-989-23](#)  
[Zone Change Report](#)  
[Vicinity Map](#)  
[Applicant Narrative](#)  
[Zone Change Document](#)  
[Irondale Plan Executive Summary](#)  
[Preliminary Drainage Report](#)  
[Traffic Study](#)  
[Development Review Team Comments](#)  
[Draft Planning Commission Meeting Minutes May 16, 2023](#)  
[Public Notices Z-989-23](#)  
[Presentation](#)

[Res  
2023-051](#)

A RESOLUTION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPROVING THE 2022 ANNUAL ACTION PLAN AMENDMENT

**Attachments:** [Council Communication](#)  
[Resolution 2022-051](#)  
[2022 Annual Action Plan Amendment](#)  
[Presentation](#)

**The public hearings will be conducted in a hybrid format in person and via Zoom. Visit [c3gov.com/council](https://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, June 5. Please contact the City Clerk to request paper copies of materials.**

**Resolutions - 8:50 PM**

[Res  
2023-063](#)

A RESOLUTION APPROVING THE SOUTH PLATTE CROSSING AFFORDABLE HOUSING ASSISTANCE AGREEMENT

**Attachments:** [Council Communication](#)  
[Resolution 2023-063](#)  
[Exhibit A - Agreement](#)  
[Exhibit A to Agreement](#)  
[Exhibit B to Agreement](#)  
[Applicant Presentation](#)

**8. Ordinances on 1st Reading - 9:10 PM**

[Ord 2511](#)

FIRST READING OF AN ORDINANCE AMENDING THE 2023 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY THE RECOGNITION OF A PORTION OF THE CITY’S SHARING AMOUNT RECEIVED FROM THE METROPOLITAN FOOTBALL STADIUM DISTRICT IN THE AMOUNT OF \$595,461.97 TO BE USED FOR YOUTH ACTIVITIES AND AUTHORIZING THE EXPENDITURE THEREOF

**Attachments:** [Council Communication](#)  
[Ordinance 2511](#)  
[Presentation](#)  
[Intended Uses of Funding Summary](#)  
[Metro Stadium District Sharing Amount Letter and Resolution](#)  
[Presentation from February 27, 2023 Study Session](#)

[Ord 2517](#) FIRST READING OF AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 2 SECTION 2-3006 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO AUTHORIZE THE CITIZEN PUBLIC SAFETY ADVISORY BOARD TO INITIATE OR PARTICIPATE IN COMMUNITY SERVICE PROJECTS THAT RELATE TO PUBLIC SAFETY IN THE CITY

**Attachments:** [Council Communication](#)

[Ordinance 2517](#)

[Ord 2518](#) FIRST READING OF AN ORDINANCE REPEALING AND REENACTING ARTICLE III OF CHAPTER 2 SECTION 2-3003 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO CODIFY THE DIVERSITY, EQUITY, AND INCLUSION COMMISSION

**Attachments:** [Council Communication](#)

[Ordinance 2518](#)

[Ord 2519](#) FIRST READING OF AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 2 SECTION 2-3008 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO AUTHORIZE THE VETERAN'S COMMISSION TO INITIATE OR PARTICIPATE IN COMMUNITY SERVICE PROJECTS THAT BENEFIT VETERANS OF COMMERCE CITY

**Attachments:** [Council Communication](#)

[Ordinance 2519](#)

[Ord 2520](#) FIRST READING OF AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 2 SECTION 2-3005 OF THE COMMERCE CITY REVISED MUNICIPAL CODE TO AUTHORIZE THE YOUTH COMMISSION TO INITIATE OR PARTICIPATE IN COMMUNITY SERVICE PROJECTS THAT BENEFIT THE YOUTH OF COMMERCE CITY

**Attachments:** [Council Communication](#)

[Ordinance 2520](#)

[Ord 2524](#) FIRST READING OF AN ORDINANCE AMENDING THE 2023 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY APPROPRIATING \$400,000 OF THE UNENCUMBERED FUND BALANCE OF THE GENERAL FUND AND TRANSFERRING TO THE CAPITAL EXPENDITURES FUND TO BE USED FOR COSTS ASSOCIATED WITH THE SCHOOL TRAFFIC CALMING PROJECT AND AUTHORIZING THE EXPENDITURE THEREOF

**Attachments:** [Council Communication](#)

[Ordinance 2524](#)

[Traffic Staff Memo](#)



**9. Administrative Council Business - 9:50 PM**

[23-117](#) Cancellation of July 3, 2023 Regular Meeting

**10. Council Reports - 10:00 PM**

[23-122](#) Review of Work Schedule

**Attachments:** [Council Communication](#)  
[Regular Meetings Work Schedule](#)  
[Study Session Work Schedule](#)

**11. Executive Session - 10:10 PM**

[23-113](#) An executive session pursuant to C.R.S. 24-6-402(4)(b) for the purposes of conferences with attorneys to receive legal advice from counsel regarding potential litigation regarding Suncor Energy.

[23-116](#) An executive session pursuant to C.R.S. 24-6-402(4)(a), 4(e), & 4(b) for the purchase, acquisition, lease, transfer, or sale of any real, personal, or other property interest relating to City property around the Civic Center, for the purpose of determining positions relative to a matter that may be subject to negotiation, developing strategy for negotiations; and instructing negotiators regarding a potential land exchange and redevelopment opportunity regarding the same, and for receiving legal advice regarding the implications of a potential land exchange.

**12. Adjourn - 11:10 PM**

[23-120](#) City Manager Update

**Attachments:** [May 30, 2023 City Manager Update](#)

[23-121](#) City Council Policies

**Attachments:** [City Council Policies](#)

**Any citizen 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.**