



Meeting Minutes - Final

City Council

Monday, January 4, 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 January 4, 2016, at 6:00 PM.

Present: 9 - Mayor Sean Ford, Council Member Jadie Carson, Council Member Rick A. Teter, Mayor Pro Tem René Bullock, Council Member Crystal Elliott, Council Member Jason McEldowney, Council Member Steven J. Douglas, Council Member Andrew Amador and Council Member Paolo Diaz

2. Executive Session

[16-02](#)

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding water transactions and potential contracts

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that this executive session be held, pursuant to CRS 24-6-402(4)(e) for the purpose of instructing negotiators regarding water transactions and potential contracts, be held. VOICE VOTE: Unanimous, all present affirmed.

3. Pledge of Allegiance

The Pledge of Allegiance was recited.

4. Audience Introduction

The audience introduced themselves.

5. Citizen Communication

Maritza Gutierrez, 7907 Lafayette Wy, Welby, addressed council. She stated that through her work with Community Enterprises and the Latino Task Force she continues to hear from the most vulnerable community members of their distrust of the police department and the city. She asked for council support of the city's efforts toward community policing.

Luce Molina, 6650 Clermont, encouraged council to push for police reform, especially regarding interaction with the immigrant population.

6. Approval of Minutes

[Min 16-09](#)

Meeting minutes of November 16, 2015

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, to allow Council Member Diaz to abstain from voting on the meeting minutes of November 16, 2015, because he was not a seated member of council.

VOTE: 8 aye, 1 abstain (Diaz)

A motion was made by Council Member McEldowney, seconded by Council Member Douglas, 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 McEldowney, Council Member Douglas and Council Member Amador

Abstained: 1 - Council Member Diaz

[Min 16-10](#)

Meeting Minutes of December 14, 2015

A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that the minutes be approved. VOICE VOTE: Unanimous, all present affirmed.

7. Consent Agenda

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

Aye: 9 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member McEldowney, Council Member Douglas, Council Member Amador and Council Member Diaz

[Ord 2068](#)

AN ORDINANCE REPEALING, ADOPTING, AND AMENDING PORTIONS OF THE LAND DEVELOPMENT CODE RELATING TO TELECOMMUNICATION FACILITIES

[Ord 2073](#)

AN ORDINANCE AMENDING SEVERAL SECTIONS OF THE LAND DEVELOPMENT CODE REGARDING SHARED DRIVEWAYS

[Ord 2074](#)

AN ORDINANCE AMENDING THE 2016 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE GREAT OUTDOORS COLORADO INSPIRE INITIATIVE GRANT FUNDS IN THE AMOUNT OF \$100,000 FOR THE SUPPORT OF THE NORTHEAST METRO COALITION AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

[Ord 2075](#)

AN ORDINANCE AMENDING THE 2016 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FUNDS IN THE AMOUNT OF \$300,000 FOR THE SUPPORT OF COMMERCE CITY NEIGHBORHOOD PARKS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

[Ord 2076](#)

AN ORDINANCE AMENDING THE 2016 BUDGET OF THE CITY OF

COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FUNDS IN THE AMOUNT OF \$450,000 FOR THE SUPPORT OF SAND CREEK OPEN SPACE REMEDIATION, PHASE I AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

[Res 2016-10](#)

RESOLUTION AUTHORIZING NEGOTIATIONS, PURCHASE, AND THE EXERCISE OF THE CITY'S POWERS OF EMINENT DOMAIN TO ACQUIRE CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE EAST 70TH AVENUE AND COLORADO BOULEVARD INTERSECTION RTD STATION AREA IMPROVEMENTS PROJECT

[Res 2016-11](#)

RESOLUTION AUTHORIZING NEGOTIATIONS, PURCHASE, AND THE EXERCISE OF THE CITY'S POWERS OF EMINENT DOMAIN TO ACQUIRE CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR THE STATE HIGHWAY NO. 2 IMPROVEMENTS PROJECT

[Res 2016-14](#)

RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY

8. Resolutions

[Res 2016-08](#)

RESOLUTION APPROVING AMENDMENT TERMINATING INTERGOVERNMENTAL AGREEMENT BETWEEN ADAMS COUNTY AND THE CITY OF COMMERCE CITY REGARDING THE CONDUCT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Deputy City Manager Hayes handed out revised documents for council's review and consideration. Mr. Hayes stated that HUD notified the city about reaching the population threshold to become a direct entitlement community. However, this notification came just after the city entered into a three-year intergovernmental agreement with Adams County to administer community development block grant funding. To move forward with becoming a direct entitlement community, council must approve terminating the agreement with Adams County. The county had provided the city with a draft termination agreement retroactive to projects the city already approved prior to 2016. The county had received a finding from HUD that there were some challenges with the Fairfax Park Project funding and there may be a clawback of up to \$400,000 already expended from HUD to the county and to the city. The city has been working closely with the county to meet all of the HUD requirements and HUD believes that neither the city or county will be liable for any clawback of funds for the Fairfax Park Project. Staff has provided council with a different intergovernmental agreement that does not contain the retroactive piece.

In response to questions from council, HUD will accept a copy of the signed resolution and consider the intergovernmental agreement with Adams County terminated and that the home repair funding does not come out of the community block grant funding. Last year, the city used some of its community block grant funding for a Help For Homes Program administered by the county. The city would not be able to do that going forward until our direct allocation is determined.

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

9. Administrative Council Business

Council Member Douglas asked that council be provided with copies of any documents sent from the city to HOAs. He also asked for follow-up regarding trail improvements across Second Creek.

Mayor Pro Tem Bullock asked for council approval to use \$2,200 of city funds to attend an international rotary convention in Korea.

A motion was made by Council Member McEdlowney, seconded by Council Member Amador to approve funding \$2,200 of Mayor Pro Tem Bullock's trip to Korea.

A motion was made by Council Member McEdlowney, seconded by Council Member Carson, to hold a special meeting on January 25, 2016, for the purpose of holding an executive session.

VOTE: Unanimous; all present affirmed

16-07

Police Department work plan follow-up

City Manager McBroom stated that council has had extensive discussions regarding ongoing police reform work. Key activities that will require council action include: (1) Accelerate the creation of a citizen advisory board, (2) Reaching out to the US Department of Justice for assistance to further the reform work in the department, (3) Implementing body camera program by summer of 2016, (4) Hire a part-time investigator to reopen sex assault cases.

A motion was made by Council Member Carson, seconded by Mayor Pro Tem Bullock, to direct the city manager to draft a letter requesting support from the US Department of Justice to ensure the permanence of the reform efforts underway in the police department.

During discussion, Council Member McEdlowney thought that council should go into an executive session to discuss this issue further.

Both Council Member Carson and Mayor Pro Tem Bullock withdrew the motion.

A motion was made by Council Member McEdlowney, seconded by Council Member Amador, to enter into an executive session, pursuant to CRS 24-6-402(4)(b) for the purpose of receiving legal advice concerning a letter requesting assistance from the US Department of Justice and reform efforts.

VOTE: Unanimous; all present affirmed

10. Reports

No reports.

11. Adjourn

The meeting adjourned at 10:24 pm.

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: _____
Laura J. Bauer, City Clerk