



Commerce City

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

Meeting Minutes - Final

City Council

Monday, August 19, 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_rQf64xORT9CXeMl3F8t1yA

Regular Meeting. Revised 8/19/2024 at 12:15 PM.
Times given are estimates only

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 August 19, 2024, at 6:00 PM.

A motion was made by Council Member Dukes, seconded by Council Member Ford, to excuse those members not present. VOTE: 8 - Aye, 1 - Excused (Madera).

Present: 8 - Mayor Steven J. Douglas, Mayor Pro Tem Susan Noble, 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

Excused: 1 - Council Member Oscar Madera

2. Pledge of Allegiance

3. Approval of Agenda

A motion was made by Mayor Pro Tem Noble, seconded by Mayor Douglas, to amend the agenda to continue cases AN-268-24 and Z-973-21-24 to October 21, 2024, continue case Z24-0001 to October 7, 2024, and reverse of order of the executive sessions. VOTE: 8 - Aye, 1 - Excused (Madera)

4. Public Comment

[24-139](#)

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, August 19, 2024.

- Jackie Valdez spoke on semi-truck traffic along Colorado Blvd. and 68th Ave.

- Megan Baca spoke on the Grace Baca foundation.

- Burke Scot Beu commented on the Housing Authority board.

5. Proclamations and Recognitions

[Proc 24-016](#)

Proclamation Declaring September 15 - October 15, 2024 as Hispanic Heritage Month in Commerce City, Colorado

Daniel Gonzales read the proclamation.

A motion was made by Council Member Kim, seconded by Council Member Dukes, that this Proclamation be approved. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[Proc 24-032](#)

Proclamation Recognizing Cultural Council and City Staff for Music in the Park 2024 Season

Ronna Sanchez read the proclamation.

A motion was made by Council Member Kim, seconded by Mayor Pro Tem Noble, that this Proclamation be approved. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[Proc 24-033](#)

Proclamation Declaring Chicano Heat as "Commerce City's Hometown Band" for Music in the Park 2024 Season

Jackie Riggs-Gonzales read the proclamation.

A motion was made by Council Member Kim, seconded by Council Member Dukes, that this Proclamation be approved. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

6. Noticed Council Business

[24-191](#)

Grace Baca 5k Sponsorship

A motion was made by Council Member Dukes, seconded by Council Member Kim, to approve a sponsorship of \$2,000 for the Grace Baca 5K. VOTE: 8 - Aye, 1 - Excused (Madera).

[24-204](#)

Harvest Moon Appreciation Dinner Sponsorship

A motion was made by Council Member Teter, seconded by Mayor Pro Tem Noble, to approve a sponsorship in the amount of \$2,500 for the Harvest Moon appreciation dinner. VOTE: 8 - Aye, 1 - Excused (Madera).

[24-206](#)

Safe Streets Initiative

A motion was made by Council Member Dukes, seconded by Council Member Teter, to direct city staff explore the financial requirements to establish the "Safe Streets Initiative," a program designed to address vehicle speeding in our residential neighborhoods through a combination of education, enforcement, and community outreach. I request that the cost analysis and be presented at the September 9th budget meeting for Council review and discussion. VOTE: 8 - Aye, 1 - Excused (Madera).

[24-207](#)

Sign Code Modification

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Kim, to direct staff to draft sign ordinance revisions that will support community driven needs, activities, and events. VOTE: 8 - Aye, 1 - Excused (Madera).

[24-208](#)

Letter to CDPHE to oppose additional Dupont Magellan fuel tanks

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Kim, to direct staff to prepare a letter to CDPHE in opposition of additional fuel tanks at the Dupont Magellan fuel site in unincorporated Adams County from the Mayor on behalf of the City Council for submission by September 16, 2024. VOTE: 6 - Aye, 2 - Nay (Teter, Ford), 1 - Excused (Madera).

A motion was made by Council Member Dukes to request a special session on September 9, 2024 to review the draft letter before submission. The motion failed.

[24-209](#)

Appointment of Councilmember Chacon to speak at ECMC Cumulative Impacts hearing

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Kim, to appoint Council Member Chacon as the City Council spokesperson in opposition to ECMC Cumulative Impacts rules draft at the ECMA hearing to be held on September 4, 2024. VOTE: 5 - Aye, 3 - Nay (Teter, Ford, Dukes), 1 - Excused (Madera).

7. Consent Agenda

A motion was made by Council Member Kim, seconded by Council Member Dukes, to approve the Consent Agenda as presented. ROLL CALL VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[Min 24-133](#)

Minutes of the August 5, 2024 Regular Meeting

[Min 24-138](#)

Minutes of the August 12, 2024 Special Meeting

[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.

[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.

[Res 2024-098](#)

A RESOLUTION AMENDING COUNCIL POLICY #CP-2 TO CLARIFY PARAMETERS OF AGENDA SETTING

[Res 2024-099](#) A RESOLUTION AMENDING COUNCIL POLICY #CP-5 TO UPDATE ALLOWABLE COUNCIL EXPENDITURES FOR AUTHORIZED EVENTS AND TRAVEL

[Res 2024-100](#) A RESOLUTION AMENDING COUNCIL POLICY #CP-25 TO CLARIFY THE PROCESS FOR RECEIVING AND REVIEWING COMPLAINTS

8. Public Hearings

[Res 2024-070](#) A RESOLUTION DETERMINING THE ELIGIBILITY FOR ANNEXATION TO THE CITY OF COMMERCE CITY, COLORADO OF THE PROPERTY GENERALLY LOCATED AT 9901 CHAMBERS ROAD IN CASE AN-268-24 KNOWN AS THE ANDERSON RANCH ANNEXATION

Mayor Douglas opened the public hearing.

Nathan Chavez, Planner II, provided the staff presentation to Council.

There was no public testimony.

Mayor Douglas closed the public hearing.

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

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[AN-268-24](#) AN ORDINANCE ANNEXING THE PROPERTY GENERALLY LOCATED AT 9901 CHAMBERS ROAD TO THE CITY OF COMMERCE CITY, COLORADO IN CASE AN-268-24 KNOWN AS THE ANDERSON RANCH ANNEXATION

This public hearing was continued to October 21, 2024.

[Z-973-21-24](#) AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY ZONING THE PROPERTY ANNEXED AS THE ANDERSON RANCH ANNEXATION FROM AGRICULTURAL □3 DISTRICT TO A PUD ZONE DISTRICT AND APPROVING A PUD ZONE DOCUMENT

This public hearing was continued to October 21, 2024.

[V24-0001](#)

AN ORDINANCE VACATING RIGHT-OF-WAY COMPRISED OF A PORTION OF SEVENTH AVENUE GENERALLY LOCATED NORTH OF EAST 84th AVENUE BETWEEN ROSEMARY STREET AND ULSTER STREET, COMMERCE CITY, COLORADO

Mayor Douglas opened the public hearing.

Heather Vidlock, Interim Planning Manager, provided the staff presentation to Council.

Margo Schultz, from Westside Properties, gave the applicant's presentation and were present to take questions from Council.

There was no public testimony.

Mayor Douglas closed the public hearing.

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

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[Z23-0001](#)

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 6540 HIGHWAY 2 FROM GENERAL COMMERCIAL DISTRICT (C-2) TO MULTI FAMILY RESIDENTIAL DISTRICT (R-3)

Mayor Douglas opened the public hearing.

Nicholas Berry, City Planner, provided the staff presentation to Council.

Audrey Rauschkolb gave the applicant's presentation and were present to take questions from Council.

There was no public testimony.

Mayor Douglas closed the public hearing.

A motion was made by Council Member Teter, seconded by Council Member Dukes, that this Zoning Ordinances be introduced by council as seated and approved on first reading. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[Z24-0001](#)

AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT 5400 FOREST ST FROM LIGHT INTENSITY INDUSTRIAL DISTRICT (I-1) AND HEAVY INTENSITY INDUSTRIAL DISTRICT (I-3) TO MEDIUM INTENSITY INDUSTRIAL DISTRICT (I-2)

This item was continued to October 7, 2024.

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, August 19. Please contact the City Clerk to request paper copies of materials.

9. Ordinances on 1st Reading

[Ord 2617](#)

AN ORDINANCE APPROVING THE LEASE OF CITY OWNED PROPERTY LOCATED AT 10100 HAVANA STREET TO MURRAY FARMS, INC.

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

Aye: 7 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Nay: 1 - Council Member Millard-Chacon

Excused: 1 - Council Member Madera

10. Ordinances on 2nd 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 Council Member Teter, that this Ordinance be approved on second & final reading. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

11. Administrative Council Business

A motion was made by Council Member Kim, seconded by Council Member Chacon, to direct staff to review and report back to Council on how the City informs applicants that were denied for boards and commissions, and to remove the signatures using Council Member's names on the email templates. VOTE: 8 - Aye, 1 - Excused (Madera).

A motion was made by Mayor Douglas, seconded by Council Member Teter, to offer support for a senior citizen with tree root removal and restoration of damaged sidewalks. Mayor Douglas withdrew his motion.

A motion was made by Mayor Douglas, seconded by Council Member Dukes, to sponsor the Stout Street Community Foundation Art Recovery reception in the amount of \$1,250. VOTE: 8 - Aye, 1 - Excused (Madera).

12. 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.

[24-199](#)

Review of Work Schedule

13. Executive Session

A motion was made by Mayor Douglas, seconded by Council Member Dukes, to extend the meeting by 45 minutes. VOTE: 8 - Aye, 1 - Excused (Madera).

The City Council recessed to the Commerce City Northern Infrastructure General Improvement District.

The City Council reconvened the regular meeting at 10:01 PM.

[24-043](#)

An executive session of the City Council pursuant to C.R.S. section 24-6-402(4)(f)(I) for the purpose of discussing personnel matters, specifically for the discussion of the performance expectations of the City Manager.

A motion was made by Council Member Dukes, seconded by Council Member Kim, to enter into an executive session of the City Council of Commerce City pursuant to C.R.S. section 24-6-402(4)(f)(I) for the purpose of discussing personnel matters, specifically for the discussion of the performance expectations of the City Manager. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

[24-196](#)

An executive session of the City Council of Commerce City pursuant to C.R.S. 24-6-402(4)(b) and (e) for the purpose of determining positions relative to the City's Buffalo Run Clubhouse which may be subject to negotiation; instructing negotiators; and receiving legal advice regarding the same.

A motion was made by Mayor Pro Tem Noble, seconded by Council Member Kim, to enter into an executive session of the City Council of Commerce City pursuant to C.R.S. 24-6-402(4)(b) and (e) for the purpose of determining positions relative to the City's Buffalo Run Clubhouse which may be subject to negotiation; instructing negotiators; and receiving legal advice regarding the same. VOTE:

Aye: 8 - Mayor Douglas, Mayor Pro Tem Noble, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

Excused: 1 - Council Member Madera

14. Adjourn

A motion was made by Council Member Ford, seconded by Council Member Dukes, to adjourn the meeting. VOTE: 8 - Aye, 1 - Excused (Madera)

The meeting adjourned at 11:10 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, Assistant City Clerk

[24-198](#)

City Manager Week in Review Report

[24-197](#)

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.