

**RESOLUTION REPEALING AND REPLACING RESOLUTION 2021-38  
ESTABLISHING ENVIRONMENTAL POLICY ADVISORY COMMITTEE  
NO. 2021-88**

WHEREAS, it is acknowledged that exposure to negative environmental impacts resulting from industrial and commercial operations are often not experienced equally due to long standing systemic inequities in our society, and the risk factors associated with a changing climate will continue to disproportionately impact less resilient populations;

WHEREAS, the City Council has identified the need to undertake efforts to ensure the local environment is clean and healthy for all occupants, and recognizes its responsibility on behalf of future generations to address environmental challenges and mitigate the impacts a rapidly changing global climate may have on Commerce City at the local level;

WHEREAS, the City of Commerce City recognizes that actions taken at the municipal level to address community wide energy efficiency and energy reduction strategies, greenhouse gas reduction strategies, water use reduction strategies, and long term water quality management strategies may have significant impacts on environmental quality at both a local and regional level, as well as furthering statewide greenhouse gas reduction goals established in House Bill 19-1261;

WHEREAS, adopting such practices may have the opportunity to enhance existing employment and drive new employment opportunities in the City, foster community wide investments in low carbon and energy efficient technologies, improve both environmental quality and environmental equity in the community, and ensure fiscal health of the City through short term and long term cost savings associated with implementation of such practices;

WHEREAS, the City has retained Lotus Engineering and Sustainability to provide Environmental Consulting Services to assist the City in the development of strategies that further these goals, by analyzing air quality and water quality impacts, developing a community wide greenhouse gas inventory for the 2019 year and recommending greenhouse gas emission reduction policies, developing a vision for organizational sustainability as it pertains to municipal operations, and developing strategies and policies for community wide sustainability and health;

WHEREAS, as it pertains to furthering environmental quality and environmental equity outcomes, residents of the community and especially those populations that are disproportionately impacted and most directly affected by potential policy outcomes, should be an integral force in leading policy design and hold meaningful forms of accountability in the decision making process;

WHEREAS, the formation of an advisory committee is a critical and necessary step to ensure policy design is reflective of the concerns, needs and desires in the community, centers the voices of those who are most directly impacted by policy design, and ensures progress on environmental quality occurs in an equitable manner;

WHEREAS, the City recognizes the need to understand, respect, and acknowledge histories of disparity, marginalization and mistrust, and is cognizant of the fact that community organizations and grassroots movements have conducted significant efforts and made

groundbreaking accomplishments and contributions in furthering environmental justice within the community, and intends to help enhance these efforts, as well as elevating and lifting the voices of community members who are historically not engaged in community decision making processes;

WHEREAS, pursuant to Section 11.1 of the City Charter, the City Council is authorized to create advisory commissions and appoint members to such commissions as set forth in the Charter, the Commerce City Revised Municipal Code, and the City of Commerce City Council Policies;

WHEREAS, on June 7, 2021, the City Council resolved and passed Resolution 2021-38, first establishing the Environmental Policy Committee and now desires to repeal and replace the same to make changes to the committee's membership criteria and eligibility;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO, AS FOLLOWS:

1. Repeal and Replace. Resolution 2021-38 is repealed in its entirety and replaced in its entirety hereby.

2. Committee Established. An advisory board to be known as the Commerce City Environmental Policy Advisory Committee ("EPAC") is hereby established pursuant to Section 11.1 of the City Charter.

3. Functions. The EPAC shall perform the following functions and duties:

- a. Provide recommendations to City Council, Planning Commission, and City Manager on pursuing the implementation of future policies, procedures, and standards to improve environmental quality outcomes in an equitable manner within Commerce City. Such policy recommendations may include but are not limited to: community wide energy efficiency and energy reduction strategies, greenhouse gas reduction strategies, water use reduction strategies, long term water quality management strategies, brownfield remediation, municipal operations, land use policy, air quality regulation, and health equity outcomes.
- b. Advise the City Council and City Manager, upon request, on meaningful methods and strategies to engage historically underrepresented and marginalized communities as it pertains to the formation of community wide environmental policy.
- c. Attend scheduled stakeholder workshops and community wide meetings as designated committee representatives.
- d. Help facilitate conversations with the community on the City's efforts to address environmental justice concerns in the community and to receive input from the community.
- e. Analyze data, and draft policy pertaining to environmental outcomes in the City.

4. Authority. All formal positions adopted by the EPAC shall require the taking of a roll call vote, with 50% of the current membership plus one voting in favor of any motion to pass. The Committee shall have no authority to vary the direction of the City Council, to comment on any land use applications except upon the request of the City Council, Planning Commission, or City Manager, or direct City staff except as needed to implement the purposes and roles of the EPAC.

5. Membership. The EPAC shall be comprised of eleven (11) members, with three (3) alternates. Members shall be, to the extent possible, from diverse economic groups, age groups, genders, nationalities, languages, abilities, and city wards. Membership shall further meet the following criteria:

- a. One (1) member from each ward in the City and residing therein;
- b. No more than five (5) members residing north of East 88<sup>th</sup> Avenue;
- c. No more than two (2) members may be owners of property within the City, but hold a primary residence outside of the City;
- d. At least one (1) member will consist of representatives from nonprofit and community organizations;

Members shall serve without compensation. Each member shall be a resident of the City, an owner of property in the City, or be employed by a nonprofit with a permanent address within City boundaries. City employees and Council members, their immediate family members, and other elected officials are not eligible for membership.

6. Meetings & Duration. The EPAC shall convene during the formation of the City's Environmental Policy Development to perform the functions described in Section 2. The EPAC will meet either in person or virtually no more than seven (7) times with the final meeting occurring no later than December 31, 2022. The EPAC shall disband once the seventh meeting has been held, unless City Council extends the term of the EPAC or authorizes additional meetings. Notice of any meeting of the committee, and the agenda for such meeting, shall be posted on the city's website.

7. Quorum. 50% of the current membership plus one shall constitute a quorum.

8. Appointment. Members shall be appointed and vacancies shall be filled by the City Council in accordance with the Charter and criteria established by applicable Council Policies, as amended and shall include broad representation of interests, diversity, and geographical representation.

9. Applicability of Charter and Council Policies. The Committee and its membership and appointments shall be subject to the requirements of the City Charter, as amended, and applicable Council Policies, as amended.

RESOLVED AND PASSED THIS 20TH DAY OF SEPTEMBER 2021.

CITY OF COMMERCE CITY, COLORADO

---

Benjamin A. Huseman, Mayor

ATTEST

---

Dylan A. Gibson, City Clerk