

ORDINANCE NO. 2408

INTRODUCED BY: ALLEN-THOMAS, DAVIS, DOUGLAS, FORD, GRIMES, HURST,  
HUSEMAN, MADERA, NOBLE

AN ORDINANCE AMENDING THE COMMERCE CITY REVISED MUNICIPAL CODE TO SPECIFY TERM LIMITS OF BOARD AND COMMISSION MEMBERS OF THE DERBY REVIEW BOARD, YOUTH COMMISSION, CITIZEN PUBLIC SAFETY ADVISORY BOARD, SENIOR COMMISSION, AND VETERANS COMMISSION

WHEREAS, pursuant to Section 11.1 of the City Charter, the City Council has the power and authority to create such boards and commissions as it may desire or require, appoint board and commissions members, and specify terms of office of each individual; and

WHEREAS, City Council currently has twelve standing boards and commissions or organizations in which they have authority to appoint members and three temporary boards and commissions; and

WHEREAS, the term length and term limits of each board and commissions vary and City Council desires to make all term limits and lengths consistent amongst all boards and commission; and

WHEREAS, the Derby Review Board was established by Ordinance 2043 on February 2, 2015 and did not specify term limits for appointment members; and

WHEREAS, the Youth Commission was established by Ordinance 1934 on November 5, 2012, amended by Ordinance 1985 on December 2, 2013, and further amended by Ordinance 2102 on June 6, 2016 and did not specify term limits for appointed members; and

WHEREAS, the Citizen Public Safety Advisory Board was established by Ordinance 2083 on April 4, 2016 and did not specify term limits for appointed members; and

WHEREAS, the Senior Commission was established by Ordinance 2128 on May 15, 2017 and did not specify term limits for appointed members; and

WHEREAS, the Veterans Commissions was established by Ordinance 2261 on March 2, 2020 and did not specify term limits for appointed members.

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

**SECTION 1. Findings.** The recitals to this ordinance are incorporated as findings of the City Council. This ordinance is found to be necessary for the preservation of the public health, safety, and welfare and in the public interest.

**SECTION 2. Amendments.**

- a. Section 2-3002 of the Commerce City Revised Municipal Code addressing the Derby Review Board, is amended as set forth in Exhibit A to this ordinance.
- b. Section 2-3005 of the Commerce City Revised Municipal Code addressing the Youth Commission, is amended as set forth in Exhibit B to this ordinance.
- c. Section 2-3006 of the Commerce City Revised Municipal Code addressing the Citizen Public Safety Advisory Board, is amended as set forth in Exhibit C to this ordinance.
- d. Section 2-3007 of the Commerce City Revised Municipal Code addressing the Senior Commission, is amended as set forth in Exhibit D to this ordinance.
- e. Section 2-3008 of the Commerce City Revised Municipal Code addressing the Veterans Commission, is amended as set forth in Exhibit E to this ordinance.

**SECTION 3. Repealer.** All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency.

**SECTION 4. Effective Date.** This ordinance shall be effective as set forth at Section 5.3 of the Commerce City Charter.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED  
THIS 18TH DAY OF JULY 2022.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED  
THIS 15TH DAY OF AUGUST 2022.

CITY OF COMMERCE CITY, COLORADO

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Benjamin A. Huseman, Mayor

ATTEST

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Dylan A. Gibson, City Clerk

## EXHIBIT A to Ordinance 2408

**Strikethrough text indicates deletions; underline text indicates additions.**

### **Sec. 2-3002. Derby review board.**

- (a) *Establishment and powers.* The Derby review board is hereby established for the purpose of interpreting and applying the Derby design guidelines to development in the Derby sub-area. To effectuate such purpose, the Derby review board shall have the following powers:
- (1) To hear and take action on development applications for the Derby sub-area in accordance with the Derby design guidelines, as amended from time to time.
  - (2) To hear and take action on requests for variances to the standards contained in the Derby design guidelines, so long as such variances otherwise satisfy the intent of the Derby design guidelines as determined by the Derby review board.
  - (3) In accordance with the purposes of the Derby commercial catalyst program, to hear and take action on requests for Derby commercial catalyst funds and to establish criteria and policies for the provision of such funds, including limitations on the time, manner and location such funds must be used, as deemed necessary by the Derby review board.
- (b) *Composition and qualifications.* The Derby review board shall be comprised of five (5) regular members, appointed by the city council, which shall include two (2) design professionals with experience in architecture, urban planning or landscape architecture; two (2) members of the Derby sub-area; and one (1) city council member. The city council shall appoint up to two (2) alternate members to serve in the event of the absence of one (1) or more regular members. Alternate members shall be either a design professional (as above) or a member of the Derby sub-area. For the purposes of this subsection, "member of the Derby sub-area" shall mean and include:
- (1) A person residing in the Derby sub-area;
  - (2) The owner of a business located in Derby sub-area; or
  - (3) Any person holding an ownership interest in real property within the Derby sub-area.
- (c) *Meetings and quorum.* The Derby review board shall meet as necessary to perform its duties. Notice of and the agenda for any such meeting shall be posted on the city's website. Three (3) members of the Derby review board present at any meeting shall constitute a quorum.
- (d) *Terms of office.* Except for vacancies in unexpired terms, which shall be filled in accordance with the charter, the appointment of city council members whose terms shall coincide with the organizational meetings of the city council, and any appointments made to ensure the appropriate staggering of terms, members shall be appointed for a period of three (3) years and shall serve no more than two (2) consecutive terms or until a successor has been appointed.

## EXHIBIT B to Ordinance 2408

**Strikethrough text indicates deletions; underline text indicates additions.**

### **Sec. 2-3005. Youth commission.**

- (a) *Establishment and powers.* The youth commission is hereby established to advise the city council on matters related to youth. The youth commission shall have the power to plan and organize youth summits and neighborhood meetings throughout the city; develop and recommend the adoption of policies, programs and services that empower, support and inform the youth of the city; advise the city council on issues that relate to youth; and build partnerships with individuals, groups and organizations that impact both youth and families.
- (b) *Composition and qualifications.* The city council shall appoint up to twenty-six (26) voting members as follows: up to twenty (20) youth members who shall be between the ages of thirteen (13) and nineteen (19) and attend a secondary school that services city residents, live within the city and are home schooled, or have dropped out after attending a school servicing city residents; two (2) city council members; and up to four (4) citizen representatives, preferably each residing in a different ward of the city. The city manager shall appoint one (1) city staff member to sit as a non-voting member of the youth commission. No adult who has been convicted of a crime against a minor shall be permitted to serve on the youth commission.
- (c) *Terms of office.* Except for vacancies in unexpired terms, which shall be filled in accordance with the charter, the appointment of city council members whose terms shall coincide with the organization meetings of the city council, and any appointments made to ensure the appropriate staggering of terms, members shall be appointed for a period of ~~two (2)~~ three (3) years and shall serve no more than two (2) consecutive terms or until a successor has been appointed. Youth members who reach the age of nineteen (19) while in office shall be deemed to have resigned their position as of the date of their birthday. No voting member except for the volunteer coordinator may be appointed to serve more than three (3) terms on the youth commission.
- (d) *Meetings.* The youth commission shall meet as necessary to perform its duties. Notice of any meeting of the youth commission, and the agenda for such meeting, shall be posted on the city's website.
- (e) *Quorum.* More than one-third ( $\frac{1}{3}$ ) of all appointed voting members must be present to constitute a quorum.

## EXHIBIT C to Ordinance 2408

**Strikethrough text indicates deletions; underline text indicates additions.**

### **Sec. 2-3006. Citizen public safety advisory board.**

- (a) *Establishment and powers.* The citizen public safety advisory board is hereby established to work in collaboration with the chief of police to provide prospective, insight and recommendations for the improvement of public safety services. The board shall be authorized to:
  - (1) Analyze and evaluate community expectations of police service delivery;
  - (2) Increase citizen awareness by communicating with residents regarding police policy, operations and procedure;
  - (3) Serve as a communication conduit for the community to the city on public safety matters;
  - (4) Assess and recommend new strategies to improve public safety;
  - (5) Review police policy and procedure and recommend changes to the city to achieve alignment with citizen expectations;
  - (6) Identify and advocate for needed resources to achieve public safety objectives.
- (b) *Composition and qualifications.* The board shall consist of an odd number of individuals who work or live within the city. The size of the board shall not exceed eleven (11) members. Members shall be appointed by city council and, to the extent possible, be from diverse economic groups, age groups, genders, nationalities, and city wards.
- (c) *Terms of office.* Except for vacancies in unexpired terms, which shall be filled in accordance with the charter and any appointments made to ensure the appropriate staggering of terms, members shall be appointed for a period of three (3) years and shall serve no more than two (2) consecutive terms or until a successor has been appointed.
- (d) *Meetings.* The board shall meet as necessary to perform its duties. Notice of any meeting of the board, and the agenda for such meeting, shall be posted on the city's website.
- (e) *Quorum.* A majority of the members shall constitute a quorum.

## EXHIBIT D to Ordinance 2408

**Strikethrough text indicates deletions; underline text indicates additions.**

### **Sec. 2-3007. Senior commission.**

- (a) *Powers.* The senior commission shall advise the city council on matters related to the older adult and senior community, to foster greater understanding of senior citizens, to encourage greater senior citizen participation in community issues, to inform the community of available services, programs, and resources, and to advocate for issues of importance to older adults. The commission shall be authorized to: analyze data to identify service gaps; assess and recommend strategies that address senior needs; advocate on important issues facing older adults; create information guides; promote available senior resources; and host informational events and seminars.
- (b) *Composition and qualifications.* The city council shall appoint up to sixteen (16) commission members as follows: up to nine (9) regular voting members and two (2) alternates; two (2) city council members; and three (3) non-voting, ex officio members representing senior programs. Voting members and alternates shall be city residents, owners or employees of city businesses, or patrons of city facilities who have an interest in older adult/senior issues or are seniors themselves, representing to the extent possible diverse economic groups, genders, nationalities and city wards. Ex officio members will be selected by city council from a list of organizations or agencies that serve the senior community.
- (c) *Terms of office.* Except for vacancies in unexpired terms, which shall be filled in accordance with the Charter, the appointment of city council members whose terms shall coincide with the organization meetings of the city council, and any appointments made to ensure the appropriate staggering of terms, members shall be appointed for a period of ~~two (2)~~ three (3) years and shall serve no more than two (2) consecutive terms or until a successor has been appointed.
- (d) *Meetings.* The commission shall meet as necessary to perform its duties. Notice of any meeting of the commission, and the agenda for such meeting, shall be posted on the city's website.
- (e) *Quorum.* Five (5) regular voting members or alternates ~~and one (1) city council member~~ shall constitute a quorum.

## EXHIBIT E to Ordinance 2408

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### Sec. 2-3008. Veterans commission.

- (a) *Powers.* The veterans commission shall advise the city council on matters related to the veteran community within the city, foster greater understanding of the veteran community, increase visibility of veterans and veterans' issues within the city, increase community engagement by veterans, inform the veteran community of available services, programs, and resources, and advocate for issues important to veterans. The commission shall be authorized to: analyze data to identify service gaps; assess and recommend strategies that address veteran needs; advocate on important issues facing veterans; create information guides; promote available veteran resources; host informational events and seminars; and participate in the planning of the city's annual Memorial Day parade.
- (b) *Composition and qualifications.* The city council shall appoint up to sixteen (16) commission members as follows: up to nine (9) regular voting members and two (2) alternates; two (2) city council members who shall be non-voting; and three (3) non-voting, ex officio members representing veterans' programs. Voting members and alternates shall be city residents, owners or employees of city businesses, or patrons of city facilities who have an interest in veterans' issues or are veterans themselves, representing to the extent possible diverse economic groups, genders, nationalities and city wards. Ex-officio members will be selected by city council from a list of organizations or agencies that serve the veteran community.
- (c) *Terms of office.* Except for vacancies in unexpired terms, which shall be filled in accordance with the charter, the appointment of city council members whose terms shall coincide with the organization meetings of the city council, and any appointments made to ensure the appropriate staggering of terms, members shall be appointed for a period of ~~two (2)~~ three (3) years and shall serve no more than two (2) consecutive terms or until a successor has been appointed.
- (d) *Meetings.* The commission shall meet as necessary to perform its duties. Notice of any meeting of the commission, and the agenda for such meeting, shall be posted on the city's website.
- (e) *Quorum.* Five (5) regular voting members or alternates ~~and one (1) city council member~~ shall constitute a quorum.