



# Commerce City

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

## Meeting Minutes - Draft

### City Council

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Monday, February 5, 2024

7:15 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\\_hhzdKG-jTj6-MuaOH2B\\_IQ](https://c3gov.zoom.us/webinar/register/WN_hhzdKG-jTj6-MuaOH2B_IQ)

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#### Regular Meeting.

Times given are estimates only.

Revised 2/02/2024 at 11:00 AM.

#### 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 February 5, 2024, at 6:01 PM.*

**Present:** 9 - Council Member Steven J. Douglas, Mayor Pro Tem Susan Noble, Council Member Oscar Madera, 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

#### 2. Recess to Urban Renewal Authority

#### 3. Reconvene City Council Meeting

*This meeting was reconvened at 7:49 PM.*

#### 4. Pledge of Allegiance

*The Pledge of Allegiance was recited.*

#### 5. Approval of Agenda

*A motion was made by Mayor Pro Tem Noble, seconded by Council Member Douglas, to approve the agenda. VOTE: 9 - Aye*

#### 6. Public Comment

[24-014](#)

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](http://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, February 5, 2024.

- Keith Rogers spoke on needing an updated phone list on the City's website, and police patrol in his neighborhood.

- Jackie Valdez spoke on traffic along 68th Ave.

- S. Scott Vanhuesen spoke on the need for neurodivergent education for city employees such as in the Police department and other public facing employees.

## 7. Executive Session

[24-036](#)

An executive session of the City Council of Commerce City pursuant to C.R.S. 24-6-402(4)(f)(I) for the purpose of discussion of personnel matters, specifically discussion of the annual performance evaluation of the City Manager and development of performance metrics for the City Manager's evaluation and if necessary, pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice concerning the Employment Agreement with the City Manager.

*A motion was made by Council Member Chacon, seconded by Council Member Kim, to adopt the performance metrics as agreed upon by the City Council and City Manager and for the performance metrics to be posted on the City's website for public inspection. VOTE: 9 - Aye*

**A motion was made by Council Member Teter, 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)(f)(I) for the purpose of discussion of personnel matters, specifically discussion of the annual performance evaluation of the City Manager and development of performance metrics for the City Manager's evaluation and if necessary, pursuant to C.R.S. 24-6-402(4)(b) to receive legal advice concerning the Employment Agreement with the City Manager. VOTE: Unanimous, all present affirmed**

## 8. Presentations

*A motion was made by Mayor Pro Tem Noble, seconded by Council Member Teter, to extend the automatic adjournment time to midnight. VOTE: 5 - Aye, 4 - Nay (Dukes, Kim, Ford, Madera).*

[Pres 24-064](#)

State of the Court

*Municipal Judge Bowen gave the presentation.*[Pres 24-097](#)

Oil and Gas Monthly Update

*Dr. Rosemarie Russo, Sustainability Manager, gave the presentation.*

## 9. Consent Agenda

*Mayor Pro Tem Noble requested that Resolution 2024-001 and Ordinance 2556 be removed off the consent agenda.*

**A motion was made by Council Member Kim, seconded by Council Member Millard-Chacon, to approve the Consent Agenda as amended. ROLL CALL VOTE:**

**Aye:** 9 - Council Member Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Min 24-015](#)

Minutes of the January 8, 2024 Regular Meeting

[Res 2024-001](#)

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE A CONTRACT WITH D2C ARCHITECTS, INC. FOR THE ARCHITECTURAL AND ENGINEERING PROFESSIONAL SERVICES FOR THE DESIGN OF THE POLICE DEPARTMENT SUBSTATION LOCATED AT THE NORTHEAST CORNER OF E. 104TH AVE. AND POTOMAC STREET

**A motion was made by Mayor Pro Tem Noble, seconded by Council Member Madera, that this Resolution be adopted. VOICE VOTE: Unanimous, all present affirmed.**

[Res 2024-004](#)

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR CONSTRUCTION OF THE E. 62ND AVENUE & HOLLY STREET IMPROVEMENTS TOSILVA CONSTRUCTION, INC

[Res 2024-005](#)

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT FOR RIGHT-OF-WAY LANDSCAPE MAINTENANCE AND REPAIR SERVICES TO SIERRA LANDSCAPING AND MAINTENANCE

[Res 2024-007](#)

A RESOLUTION AUTHORIZING EXECUTION OF GRANT AGREEMENT BY AND BETWEEN THE CITY OF COMMERCE CITY AND ADAMS COUNTY REGARDING FUNDING FOR PIONEER PARK SPRAY GROUND REFURBISHMENT

[Res 2024-008](#)

A RESOLUTION AWARDING A CONTRACT FOR COMMERCE CITY POLICE DEPARTMENT'S PRE-EMPLOYMENT & POST-EMPLOYMENT PSYCHOLOGICAL TESTING

[Ord 2556](#)

AN ORDINANCE AMENDING SECTIONS 8-2203 (MARIJUANA LICENSING HEARING NOTICES), 11-49 (NOTICE OF ABANDONED VEHICLES), AND 22-28 (MATTERS OF STATE INTEREST) OF THE COMMERCE CITY REVISED MUNICIPAL CODE (CCRMC) FOLLOWING THE PASSAGE OF A CHARTER AMENDMENT TO STANDARDIZE AND MODERNIZE OF PUBLICATION REQUIREMENTS FOR LEGAL NOTICES, ORDINANCES, DOCUMENTS, AND OTHER LEGAL PUBLICATIONS AT THE NOVEMBER 7, 2023 COORDINATED MAIL BALLOT ELECTION

*A motion was made by Mayor Pro Tem Noble, seconded by Council Member Dukes, to amend the ordinance*

*by replacing the phrase in Section 22-28 from "The notice shall be published once in accordance with Section 19.5 of the Charter and state law, if applicable, ..." to be "The notice shall be published once in accordance with Section 19.5 of the Charter and in accordance with C.R.S. 24-65.1-404, as may be amended,..." VOTE: 9 - Aye*

**A motion was made by Mayor Pro Tem Noble, seconded by Council Member Douglas, that this Ordinance be approved on second & final reading as amended. VOTE:**

**Aye:** 9 - Council Member Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Ord 2558](#)

AN ORDINANCE AMENDING THE 2023 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE BULLETPROOF VEST PARTNERSHIP - BUREAU OF JUSTICE ASSISTANCE (BJA) BULLETPROOF VEST GRANT PROGRAM IN THE AMOUNT OF \$57,750 FOR BULLETPROOF VESTS FOR OFFICER SAFETY AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

[Ord 2560](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDS IN THE AMOUNT OF \$29,899 AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

[Ord 2562](#) AN ORDINANCE AMENDING COMMERCE CITY REVISED MUNICIPAL CODE (CCRM) SECTION 2-2001 TO DECREASE THE NUMBER OF REGULAR CITY COUNCIL MEETINGS FROM THREE TO TWO A MONTH AND INCREASE THE NUMBER OF STUDY SESSIONS FROM ONE TO TWO A MONTH

[Z23-0002](#) AN ORDINANCE AMENDING THE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO BY REZONING THE PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF E. 74TH PLACE AND QUEBEC STREET, WEST OF 7400 QUEBEC STREET FROM PLANNED UNIT DEVELOPMENT (PUD) TO PUBLIC

## 10. Ordinances on 1st Reading

[Ord 2561](#) AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FOR THE PIONEER PARK SPRAY GROUND REFURBISHMENT IN THE AMOUNT OF \$750,000 AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

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

**Aye:** 9 - Council Member Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Ord 2564](#) AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF GRANT FUNDING FROM THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) IN THE AMOUNT OF \$6,840,000 FOR THE WIDENING OF 88TH AVENUE IN THE CITY OF COMMERCE CITY AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF

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

**Aye:** 9 - Council Member Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Ord 2568](#)

AN ORDINANCE AMENDING THE 2024 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$401,461 AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

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

**Aye:** 9 - Council Member Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

[Ord 2570](#)

AN ORDINANCE AUTHORIZING THE LEASE OF OFFICE SPACE FOR THE SEXUAL ASSAULT TASK FORCE WITH ADAMS COUNTY; AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT; SETTING FORTH PARAMETERS AND RESTRICTIONS; AND PROVIDING FOR OTHER RELATED MATTERS

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

**Aye:** 9 - Council Member Douglas, Mayor Pro Tem Noble, Council Member Madera, Council Member Teter, Council Member Millard-Chacon, Council Member Kim, Council Member Dukes, Council Member Ford and Council Member Douglas

## 11. Administrative Council Business

*A motion was made by Mayor Douglas, seconded by Council Member Madera, to direct staff to provide a letter of support to Adams County for their application to road improvements along 120th Ave & HWY 85, and to also ask for a letter of support in return. VOTE: 9 - Aye*

*A motion was made by Mayor Pro Tem Noble, seconded by Council Member Douglas, to appoint Mayor Pro Tem Noble to DRCOG VOTE: 9 - Aye*

*A motion was made by Mayor Douglas, seconded by Mayor Pro Tem Noble, to direct the City Manager to appoint a staff member or seek a third party consultant(s) to review certified mill levies for the 2024 budget year for all metro districts in the City and determine, if possible, whether such certifications comply with the respective metro districts service plans, other agreements to which the City is a party, and law and to bring an appropriation for such resources if necessary. VOTE: 6 - Aye, 3 - Nay (Teter, Madera, Dukes)*

[24-044](#) Council Voting History Add to Website

*A motion was made by Council Member Dukes, seconded by Council Member Teter, to direct staff to add Mayor and City Council voting history on ordinances, resolutions, and motions to the City Website.*

*Mayor Pro Tem Noble offered a friendly amendment to the motion to add a list of each Board & Commission membership on each individual Council page. Council Member's Dukes and Teter accepted this amendment.*

*VOTE: 9 - Aye*

[24-049](#) Pennock Center for Counseling - Healing Hearts Benefit 2024 - Mardi Gras Masquerade Donation Request

*A motion was made by Mayor Pro Tem Noble, seconded by Council Member Teter, to approve this fundraising amount. VOTE: 9 - Aye*

**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.*

[24-047](#) Review of Work Schedule

*City Manager Rogers discussed the upcoming Council Meeting's work schedule.*

**13. Adjourn**

*The meeting adjourned at 12:00 AM.*

*In accord with the city charter, the city clerk read the title to all ordinances and resolutions adopted by Council at this meeting.*

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*Brittany Rodriguez, Assistant City Clerk*

[24-048](#) City Manager Week in Review Report

[24-009](#) 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.**