



Commerce City

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

Meeting Minutes - Draft

City Council

Monday, August 17, 2020

6:00 PM This meeting will be conducted electronically via Zoom.

There will be no physical meeting. Public access to this meeting can be found in the agenda below. The meeting will also be live on Channel 8 and c3gov.com/video

Regular Meeting via Zoom

Per Ordinance 2271 the City Manager is authorized to conduct this meeting via Zoom

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 Huseman on August 17, 2020, at 6:00 PM.

Present: 9 - Mayor Benjamin Huseman, Mayor Pro Tem Nicole Frank, Council Member Oscar Madera, Council Member Jennifer Allen-Thomas, Council Member Susan Noble, Council Member Jose Guardiola, Council Member Craig Hurst, Council Member Meghan Grimes and Council Member Robyn Smith

2. Citizen Communication

20-56

Citizen Communication - City Council will conduct this meeting virtually via Zoom as the Civic Center remains closed out of precaution for COVID-19. There will be the opportunity for public comment at the meeting during citizen communication and/or for each agenda item. Comments may be consolidated under the Citizen Comment part of the meeting. The public can submit their comments live during the meeting via Zoom or in advance using the online form or mail. 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 to comment and to submit written comments is noon on August 17.

The following spoke on the Suncor Refinery pollution:

*Emmett Hobley
Margaret Elizabeth
Harmony Cummings
Ean Tofoya
Carmen Atilano
Sunni Benoit
Lucy Molina
Shaina Oliver
Steve Douglas*

3. Presentations

[Pres 20-289](#)

Suncor Update

Donald Austin, Vice President of Suncor, came before council to address recent incidents at the Suncor facility.

[Pres 20-287](#)

COVID-19 Update

Interim City Manager Tinklenberg, Deputy City Manager Smith, and Chief Nichols provided updates on the city's response during the COVID-19 crisis.

[Pres 20-250](#)

2019 Community Survey Results

Jade Arocha, Senior Research Analyst for Polco, presented the 2019 community survey results. City Council chose to not conduct a community survey for 2020.

[Pres 20-272](#)

Eagle Pointe Recreation Center Public Art Recommendation

Jodi Hardee, Community Relations Manager, presented recommendations to council for public art at the Eagle Pointe Recreation Center.

A motion was made by Council Member Allen-Thomas, seconded by Council Member Grimes, to approve the purchase of the proposed public art piece and to proceed with the installation schedule. VOTE: 9 - Aye

[Pres 20-263](#)

Council Policy & Governance Committee Proposal

City Attorney Robert Sheesley presented the draft council policy & governance committee to council.

[Res 2020-64](#)

RESOLUTION AMENDING COUNCIL POLICY 2 TO ESTABLISH A CITY COUNCIL POLICY AND GOVERNANCE COMMITTEE

A motion was made by Council Member Noble, seconded by Council Member Guardiola, that this resolution be adopted. VOTE:

Aye: 9 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

4. Consent Agenda

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

Aye: 9 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

- [Res 2020-54](#) RESOLUTION AUTHORIZING AMENDMENT TO MASTER SERVICES AGREEMENT WITH BASELINE ENGINEERING CORPORATION
- [Res 2020-55](#) RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR INSTALLATION OF TRAFFIC SIGNALS ON EAST 83RD AVENUE AND TOWER ROAD TO W.L. CONTRACTORS, INC.
- [Res 2020-61](#) JOINT RESOLUTION APPROVING STANDARDS FOR THE INCLUSION OF PROPERTY IN THE COMMERCE CITY NORTHERN INFRASTRUCTURE GENERAL IMPROVEMENT DISTRICT
- [Res 2020-62](#) RESOLUTION APPOINTING SUBSTITUTE JUDGES
- [Z-692-98-20](#) AN ORDINANCE AMENDING ORDINANCE Z-692-98 TO REZONE 4.99 ACRES FROM AG (AGRICULTURAL) TO C-3 (REGIONAL COMMERCIAL DISTRICT) FOR THE PROPERTY LOCATED AT APPROXIMATELY 12500 EAST 104TH AVENUE, COMMERCE CITY, COLORADO AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

5. Public Hearings

- [Res 2020-21](#) RESOLUTION APPROVING THE CONSOLIDATED SERVICE PLAN FOR THE LEGATO METROPOLITAN DISTRICT NOS. 1-7 AND THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND THE LEGATO METROPOLITAN DISTRICT NOS. 1-7 IN CASE MD-117-19

Mayor Huseman opened the public hearing.

John Bourjaily, Management Analyst, presented Case #MD-117-19 to council. Mr. Bourjaily provided an overview of the proposed metropolitan districts and the draft intergovernmental agreement.

Megan Murphy, representing the applicant, provided an overview of the proposed districts, key terms of the service plan, details of each of the proposed metropolitan districts, public improvements that would be performed, and benefits of the proposed metropolitan districts.

Steve Douglas spoke against the resolution.

Mayor Huseman closed the public hearing.

A motion was made by Council Member Grimes, seconded by Council Member Hurst, that this resolution be adopted. VOTE:

Aye: 6 - Mayor Pro Tem Frank, Council Member Madera, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

Nay: 3 - Mayor Huseman, Council Member Allen-Thomas and Council Member Noble

6. Resolutions

[Res 2020-34](#)

RESOLUTION APPROVING SELECTION OF HOUSEAL LAVIGNE ASSOCIATES TO PROVIDE UPDATES TO THE CITY'S MASTER PLAN AND SUB-PLANS

Jenny Axmacher, City Planner, presented the resolution to council.

A motion was made by Council Member Grimes, seconded by Council Member Hurst, that this resolution be adopted. VOTE:

Aye: 8 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

Nay: 1 - Council Member Allen-Thomas

[Res 2020-63](#)

RESOLUTION APPROVING THE PUBLIC ART MAINTENANCE PLAN FOR THE CITY OF COMMERCE CITY

Jodi Hardee, Community Relations Manager, presented the resolution to council.

A motion was made by Council Member Hurst, seconded by Council Member Allen-Thomas, that this resolution be adopted. VOTE:

Aye: 9 - Mayor Huseman, Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

7. Ordinances on 1st Reading

[Ord 2289](#)

AN ORDINANCE AMENDING THE 2020 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT FUNDS IN THE AMOUNT OF \$400,000 FOR THE VETERAN'S MEMORIAL PARK RENOVATION PROJECT AND AUTHORIZING RELATED MATTERS.

A motion was made by Council Member Allen-Thomas, seconded by Mayor Pro Tem Frank, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

[Ord 2290](#)

AN ORDINANCE AMENDING THE COMMERCE CITY REVISED MUNICIPAL CODE TO ESTABLISH AN AUTOMATIC TIME OF ADJOURNMENT OF CITY COUNCIL MEETINGS

City Attorney Sheesley read the ordinance in full.

A motion was made by Council Member Allen-Thomas, seconded by Council Member Noble, that this ordinance be introduced by council as seated and approved on first reading. VOTE:

Aye: 8 - Mayor Pro Tem Frank, Council Member Madera, Council Member Allen-Thomas, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

Nay: 1 - Mayor Huseman

8. Administrative Council Business

A motion was made by Mayor Huseman, seconded by Mayor Pro Tem Frank, to enter into an executive session pursuant C.R.S. 24-6-402(4)(b) to confer with the city attorney regarding a potential claim by the city and retention of special counsel to take place after the adjournment of the Northern Infrastructure General Improvement District meeting. VOTE: 9 - Aye

A motion was made by Council Member Hurst, seconded by Council Member Madera, to authorize the expenditure of funds to sponsor the Ignite Under the Stars event hosted by Community Uplift Partnership on September 18, 2020. VOTE: 9 - Aye

[20-52](#)

Ratification of US Conference of Mayors Letter

A motion was made by Mayor Pro Tem Frank, seconded by Council Member Hurst, to ratify the mayor's signature on the US Conference of Mayor's letter. VOTE: 9 - Aye

[20-57](#)

Discussion of Executive Search Firms

A motion was made by Council Member Hurst, seconded by Council Member Guardiola, to execute a contract with Affion Public for the recruitment of the city manager position. VOTE: 9 - Aye

[20-58](#)

Child Care Grant

A motion was made by Mayor Huseman, seconded by Council Member Allen-Thomas, to allocate \$100,000 of remaining CARES Act funding to implement a child care grant for Commerce City residents. VOTE: 9 - Aye

[20-59](#)

Rocky Mountain Arsenal Letter of Support

A motion was made by Council Member Hurst, seconded by Council Member Grimes, to authorize the Mayor to sign the draft Rocky Mountain Arsenal letter of support. VOTE: 9 - Aye

[20-60](#)

Setting City Council Special Meeting

City Council set a special meeting for August 31, 2020 immediately following the joint meeting with Adams County School District 14 to consider postponed items originally scheduled for the August 17 meeting.

9. Council Reports

Interim City Manager Tinklenberg highlighted items presented in his weekly report provided to council earlier. The mayor and council reported on their attendance at various meetings and events.

10. Adjourn

The meeting adjourned at 11:14 p.m.

In accord with the city charter, the city clerk read the title to all ordinances and resolutions, except ordinance 2290 which was read in full by the city attorney, adopted by Council at this meeting.

Respectfully submitted by:

Dylan A. Gibson, City Clerk