



## Meeting Minutes - Final City Council

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Monday, April 6, 2015

6:00 PM

Council Chambers

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### 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 Pro Tem Bullock on April 6, 2015, at 6:00 PM.*

**Present:** 8 - Council Member Jim Benson, Council Member Rick A. Teter, Council Member Crystal Elliott, Council Member Steven J. Douglas, Council Member Andrew Amador, Council Member Jadie Carson, Council Member Jason McEldowney and Mayor Pro Tem René Bullock

**Excused:** 1 - Mayor Sean Ford

### 2. Pledge of Allegiance

*The Pledge of Allegiance was recited.*

### 3. Audience Introduction

*The audience introduced themselves.*

### 4. Proclamations and Recognitions

#### [15-13](#)

Recognition of Commerce City's Nominees for Adams County Mayors and Commissioners Youth Awards

*Youth Recreation Coordinator Jacob Cox read the biographies of the Commerce City nominees for the Adams County Mayors and Commissioners Youth Awards: Micayla Bellamy and Sophia Sunday*

#### [Proc 15-06](#)

Proclamation declaring April as Child Abuse Prevention Month

*Councilwoman Elliott read a proclamation declaring April as Child Abuse Prevention Month*

**A motion was made by Council Member Elliott, seconded by Council Member McEldowney, that this proclamation be approved. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

#### [Proc 15-08](#)

Proclamation for Victims Rights Week

*Councilwoman Carson read a proclamation declaring April 19-25, 2015, as Victims'*

*Rights Week.*

**A motion was made by Council Member Carson, seconded by Council Member Amador, that this proclamation be approved. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

[Proc 15-09](#)

Proclamation for Sex Assault Awareness Month

*Councilman McEldowney read a proclamation declaring April 2015 as Sex Assault Awareness Month.*

**A motion was made by Council Member McEldowney, seconded by Council Member Teter, that this proclamation be approved. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

[Proc 15-11](#)

Proclamation declaring April 9, 2015, as Stand Up for Transportation Day

*Councilman Benson read a proclamation declaring April 9, 2015, as Stand Up for Transportation Day.*

**A motion was made by Council Member Benson, seconded by Council Member Carson, that this proclamation be approved. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

[Proc 15-12](#)

Proclamation declaring April 14, 2015, as Air Force Reserve Day

*Councilman Teter read a proclamation declaring April 14, 2015, as Air Force Reserve Day.*

**A motion was made by Council Member Teter, seconded by Council Member Amador, that this proclamation be approved. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

[Proc 15-13](#)

National Service Recognition Day Proclamation

*Councilman Amador read a proclamation declaring April 7, 2015, as National Service Recognition Day.*

**A motion was made by Council Member Amador, seconded by Council Member**

**Elliott, that this proclamation be approved. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

[Proc 15-14](#)

Arbor Day proclamation and Tree City USA recognition

*Councilman Douglas read a proclamation declaring April 17, 2015, as Arbor Day.*

**A motion was made by Council Member Douglas, seconded by Council Member Benson, that this proclamation be approved. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

**5. Citizen Communication**

*Valerie Medina and Carlotta Barnes, appeared on behalf of Quality Community Foundation to promote their upcoming Golf Tournament Fundraising Event.*

**6. Approval of Minutes**

[Min 15-27](#)

Meeting Minutes of February 2, 2015

**A motion was made by Council Member McEldowney, seconded by Council Member Teter, that the minutes be approved. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

**7. Consent Agenda**

**A motion was made by Council Member McEldowney, seconded by Council Member Benson, to approve the consent agenda as presented. ROLL CALL VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

[Res 2015-18](#)

RESOLUTION APPROVING THE GRANT OF RIGHT-OF-WAY FOR THE NORTH METRO COMMUTER RAIL PROJECT

[Res 2015-27](#)

RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF BRIGHTON AND THE CITY

OF COMMERCE CITY ESTABLISHING A SHARED SPECIAL  
WEAPONS AND TACTICS TEAM

[Ord 2004](#)

AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE STATE OF COLORADO SAFE ROUTES TO SCHOOL GRANT IN THE AMOUNT OF \$284,618 FOR EAST 72ND AVENUE CORRIDOR INFRASTRUCTURE IMPROVEMENT PROJECT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

[Ord 2049](#)

AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 12 OF THE COMMERCE CITY REVISED MUNICIPAL CODE BY THE ADDITION OF SECTION 12-6012 REGULATING MARIJUANA CULTIVATION AND PROCESSING IN RESIDENTIAL STRUCTURES

[AN-233-15](#)

AN ORDINANCE APPROVING AND ACCOMPLISHING THE ANNEXATION OF CONTIGUOUS UNINCORPORATED TERRITORY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 10655 E 120TH COURT, COMMERCE CITY, COLORADO

[Z-911-15](#)

AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 10655 E. 120TH COURT (PIN: 172102206001 & 172102206002), COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

[Z-915-15](#)

AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 8350 ROSEMARY STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING

[Z-918-15](#)

AN ORDINANCE REZONING THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, LOCATED AT 5360 MONACO STREET, COMMERCE CITY, COLORADO, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

## **8. Public Hearings**

[Res 2015-23](#)

RESOLUTION APPROVING BOTH THE AMENDED AND RESTATED BUFFALO HIGHLANDS METROPOLITAN DISTRICT SERVICE PLAN AND THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY AND THE BUFFALO HIGHLANDS METROPOLITAN

**A motion was made by Council Member Amador, seconded by Council Member Douglas, that this resolution be continued to May 4, 2015. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

## 9. Resolutions

### [Res 2015-19](#)

#### RESOLUTION APPROVING AN AMENDMENT TO THE TOWER ROAD INTERCHANGE CONTRACT WITH THE CITY AND COUNTY OF DENVER

*Public Works Director D'Andrea gave a brief presentation. Ms. D'Andrea stated that the city has reached a resolution with the City and County of Denver on an amendment to the existing Tower Road interchange contract that allows Commerce City to move forward with the construction of the on-ramp from Tower Road to westbound Pena Blvd. The Federal Aviation Administration requires all costs associated with non-airport traffic be covered by a non-international airport source. The agreement with Denver commits Commerce City to paying variable maintenance costs between \$23,000 and \$29,000 for the next five years. Denver will also pay a portion of the costs of non-airport traffic.*

**A motion was made by Council Member McEldowney, seconded by Council Member Benson, that this resolution be adopted. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

### [Res 2015-25](#)

#### RESOLUTION FINDING SUBSTANTIAL COMPLIANCE OF AN ANNEXATION PETITION AND SETTING A PUBLIC HEARING TO DETERMINE IF THE PROPOSED ANNEXATION COMPLIES WITH STATUTORY REQUIREMENTS FOR SUCH ANNEXATION AN-234-15

**A motion was made by Council Member Amador, seconded by Council Member Elliott, that this resolution be adopted. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

## 10. Administrative Council Business

*City Manager McBroom informed council of the need for a special meeting on April 13, 2015, at 5:00 pm in order to hold an executive session.*

*A motion was made by Councilwoman Elliott, seconded by Councilwoman Carson, to call a special meeting on April 13, 2015, from 5-7 pm for the purpose of holding an*

*executive session to complete council's performance evaluation process.*

*VOTE: 8 aye, 1 excused (Ford)*

*Councilman Douglas asked for council support to expend funds to attend a Building One America Conference.*

*A motion was made by Councilman Amador, seconded by Councilman McEldowney, to approve Councilman Douglas's request to attend the Building One American Conference contingent upon his receiving a grant.*

*VOTE: 7 aye, 1 nay (Carson), 1 excused (Ford)*

*Councilman Douglas asked for council support to attend an NLC Leadership Summit in Florida.*

*A motion was made by Councilman Amador, seconded by Councilman Benson to approve Councilman Douglas's request to attend the 2015 NLC Leadership Summit.*

*VOTE: 6 aye, 2 nay (Carson, McEldowney), 1 excused (Ford)*

#### 15-30

Motion to authorize City Manager compensation

*A motion was made by Councilman Douglas, seconded by Councilman Teter, to approve a three percent salary increase for the city manager, based on his successful performance evaluation.*

*VOTE: 8 aye, 1 excused (Ford)*

## 11. Reports

*City Manager McBroom highlighted items from his weekly city manager report emailed to council earlier.*

*Councilman Benson reported on the joint meeting held with School District 27J.*

## 12. Executive Session

**A motion was made by Council Member Benson, seconded by Council Member McEldowney, that an executive session, pursuant to CRS 24-6-402(4)(e), for the purpose of developing strategy for negotiations concerning economic development incentives in Commerce City, and pursuant to CRS 24-6-402(4)(e) for the purpose of instructing negotiators regarding a potential real estate transaction, be held. VOTE:**

**Aye:** 8 - Council Member Benson, Council Member Teter, Council Member Elliott, Council Member Douglas, Council Member Amador, Council Member Carson, Council Member McEldowney and Mayor Pro Tem Bullock

**Excused:** 1 - Mayor Ford

#### 15-18

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of developing strategy for negotiations concerning Economic Development Incentives in Commerce City

[15-29](#)

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding a potential real estate transaction

### **13. Adjourn to NIGID Meeting**

*The meeting adjourned at 10:28 pm.*

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