



## Meeting Minutes - Final

### City Council

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Monday, April 17, 2017

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 Ford on April 17, 2017, at 6:01PM.*

**Present:** 9 - Mayor Sean Ford, Council Member Jadie Carson, Council Member Rick A. Teter, Mayor Pro Tem René Bullock, Council Member Crystal Elliott, Council Member Jason McEldowney, Council Member Steven J. Douglas, Council Member Andrew Amador and Council Member Paolo Diaz

#### 2. Pledge of Allegiance

*Commerce City Boy Scout Troop #414 presented the colors and led the audience in the Pledge of Allegiance.*

#### 3. Audience Introduction

*The audience introduced themselves.*

#### 4. Proclamations and Recognitions

##### [Proc 17-01](#)

##### Tree City USA Recognition/Arbor Day

*Colorado State Forest Representative Keith Wood and Tony Jaramillo of the city's parks, recreation and golf department appeared before council. Mr. Wood presented the city with its 26th Tree City USA Recognition.*

*City Attorney Sheesley read a proclamation declaring April 21, 2017, as Arbor Day.*

**A motion was made by Mayor Pro Tem Bullock, seconded by Council Member McEldowney, that this proclamation be approved. VOICE VOTE: Unanimous, all present affirmed.**

##### [17-11](#)

##### Quality Community Foundation Grant Awards Recognition

*Foundation President Jim Kummerow presented grant awards to various agencies.*

#### 5. Citizen Communication

*Joseph Lombardi, 3243 E. 94th Dr. Thornton, expressed concern with the difficulty he is having in selling his property located at 11540 Potomac St. He also expressed concern over traffic safety around an unmarked railroad crossing near the property.*

*Mayor Ford asked for council support in drafting a letter to the railroad requesting*

*safety measures at the crossing.*

*A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, to draft a letter regarding unprotected tracks near Mr. Lombardi's property.*

*VOTE: Unanimous; all present affirmed*

*Dennis Davenport, 5091 E. 106th Circle, spoke on behalf of the local AFSCME union. He stated that the union will begin negotiations on their new contract with the city. Mr. Davenport said union members have some concerns regarding: high-turn over rate, vacant positions, fair, equal and competitive benefits and employee work-life balance.*

*Guillermo Serna, 14122 E. 102nd Pl., expressed concern over distance restrictions of marijuana establishments to schools.*

## 6. Approval of Minutes

[Min 17-22](#)

Meeting Minutes of March 6, 2017

**A motion was made by Council Member Carson, seconded by Council Member Teter, that the minutes be approved. VOICE VOTE: Unanimous, all present affirmed.**

## 7. Consent Agenda

[Res 2017-38](#)

RESOLUTION APPROVING A CORRECTION DEED - QUITCLAIM DEED WITH THE COLORADO DEPARTMENT OF TRANSPORTATION RELATED TO OWNERSHIP OF STATE HIGHWAY 2, RESPONSIBLE ACCELERATION OF MAINTENANCE AND PARTNERSHIPS (RAMP) PROGRAM

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

## 8. Ordinances on 1st Reading

[Ord 2128](#)

AN ORDINANCE ESTABLISHING A SENIOR COMMISSION AND AMENDING THE COMMERCE CITY REVISED MUNICIPAL CODE RELATIVE TO SUCH COMMISSION

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

**Aye:** 9 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member McEldowney, Council Member Douglas, Council Member Amador and Council Member Diaz

## 9. Presentations

[Pres 17-96](#)

## 2017 Pavement Maintenance Program Overview

*Public Works Director D'Andrea gave a presentation on the 2017 pavement maintenance program. The street maintenance division's philosophy is about completing the right repair to the right road at the right time. Ms. D'Andrea outlined the various preventive and corrective measures on streets throughout the city. She highlighted the division's 2016 accomplishments.*

[Pres 17-179](#)

## Purchase of Additional 4A Water

*Deputy City Manager Tinklenberg identified a potential water purchase from South Adams County Water and Sanitation District. In 2016, and earlier in 2017, council approved the purchase of blocks of water. The city now has an opportunity to purchase an additional block of 4A water; however, there is no funding available in the water acquisition fund. There is the potential to use a lease-purchase structure for this purchase. The benefit of this purchase is that the city would be in a good position of having water for future parks and city facilities.*

[Pres 17-180](#)

## Water Acquisition Fee Annual Escalator

*Deputy City Manager Tinklenberg stated that a water acquisition fee was discussed in the latter part of 2016. Staff is seeking direction from council on the annual inflator for that fee that is currently frozen for 2017 and 2018. When the long-range financial plan was prepared in the early 2000s, water for future city facilities was identified as a major unfunded future obligation. In 2003, council passed Ordinance 1402 establishing the fee and setting the annual escalation rate at 10% per year. On January 1, 2019, the escalator rate will go back to 10% unless council takes action. Council has a choice of 8.8% or paying for a research report for \$4,850.*

**10. Administrative Council Business**

*Council Member Douglas asked for council approval to attend the NLC Leadership Summit.*

*A motion was made by Council Member McEldowney, seconded by Council Member Amador, to approve Council Member Douglas' travel request*

*VOTE: Unanimous, all present affirmed*

**11. Reports**

*City Manager McBroom highlighted items off his weekly report sent to council earlier.*

*The mayor and council reported on their attendance at various meetings and events.*

**12. Executive Session**

*The executive session was held during Presentation 17-179.*

**A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, to enter into an executive session, pursuant to CRS 24-6-402(4) (a) and (e) for the purposes of considering potential acquisition of property interests (water) and determining positions, developing strategy, and instructing negotiators regarding potential water transactions. VOICE VOTE:**

Unanimous, all present affirmed.

[17-25](#)

An executive session pursuant to C.R.S. 24-6-402(4)(a) and (e) for the purposes of considering potential acquisition of property interests (water) and determining positions, developing strategy, and instructing negotiators regarding potential water transactions.

*Council came out of executive session and took the following action:*

*A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, to direct staff to proceed with the proposed acquisition of additional 4A water and explore the lease purchase option terms to facilitate the transaction.*

*VOTE: Unanimous; all present affirmed*

### 13. Adjourn

*The meeting adjourned at 9:25 pm.*

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

*Respectfully Submitted By:*

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*Laura J. Bauer, City Clerk*