



Commerce City

7887 E. 60th Ave.
Commerce City, CO 80022
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Meeting Minutes - Final

City Council

Monday, July 10, 2017

8:00 PM

2108

Special Meeting

1. Call to Order/Roll Call

A special meeting of the City Council of the City of Commerce City was called to order by Mayor Ford on July 10, 2017, at 8:48 p.m..

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. Presentations

[Pres 17-346](#)

Presentation and discussion concerning marijuana excise tax issue

Council Member Amador requested an opportunity to speak, and council unanimously consented to a discussion of the June 22, 2017, memo "Ethics Concerns" regarding Council Policy #14 and Council Member Amador.

A motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, to recognize Council Member Amador's explanation and offer to seek to recuse himself from certain future marijuana-specific matters before the council, and to decline to take further action.

VOTE: Unanimous; all present affirmed

A motion was made by Council Member McEldowney, seconded by Council Member Teter, to direct the city attorney to review and propose revisions to Council Policy #14 and other policies.

VOTE: Unanimous; all present affirmed

City Attorney Sheesley gave a brief presentation regarding the marijuana excise tax issues. He explained that city voters approved a 5% tax back in 2015; however, there is an opportunity to clarify the city's intent to apply an excise tax on wholesale transactions.

3. Executive Session

A motion was made by Council Member McEldowney, seconded by Council Member Teter, to enter into executive session, pursuant to CRS 24-6-402(4)(b) for the purpose of receiving legal advice concerning a marijuana excise tax. VOICE VOTE: Unanimous, all present affirmed.

Aye: 8 - Mayor Ford, Council Member Carson, Council Member Teter, Mayor Pro Tem Bullock, Council Member Elliott, Council Member McEldowney, Council Member Amador and Council Member Diaz

Nay: 1 - Council Member Douglas

[17-57](#)

An executive session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice concerning a marijuana excise tax

Upon reconvening the special meeting, a motion was made by Council Member McEldowney, seconded by Mayor Pro Tem Bullock, to direct staff to prepare an ordinance to refer a ballot measure to clarify the 2015 voter-approved marijuana excise tax by imposing a 5% tax, which may be increased or decreased without further voter approval so long as the rate of taxation does not exceed 10%, wholesale sales or transfers of unprocessed retail marijuana and marijuana products (including transfers or sales by the same business between different licenses) based on the average market rate of unprocessed retail marijuana.

VOTE: Unanimous; all present affirmed

4. Administrative Council Business

None.

5. Reports

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

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

6. Adjourn

The meeting adjourned at 10:08 p.m.

Respectfully Submitted by:

Laura Bauer, City Clerk