



Commerce City

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

City Council

Monday, March 4, 2019

7:00 PM

Council Chambers

Regular Meeting

Immediately Following the Urban Renewal Authority Meeting

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 March 4, 2019, at 6:45 PM.

Present: 9 - Mayor Sean Ford, Mayor Pro Tem Rick A. Teter, Council Member Crystal Elliott, Council Member Steven J. Douglas, Council Member Benjamin Huseman, Council Member Jose Guardiola, Council Member Nicole Frank, Council Member Oscar Madera and Council Member Steve Davis

2. Pledge of Allegiance

*A motion was made by Mayor Pro Tem Teter, seconded by Council Member Davis, to amend the agenda to move the executive sessions to the beginning of the meeting.
VOTE: 8 - Aye, 1 - Nay (Huseman)*

The Pledge of Allegiance was recited.

3. Audience Introduction

The audience introduced themselves.

4. Citizen Communication

Monique Ward, 10077 Carson Way, spoke on the health effects of vaping on children.

A motion was made by Council Member Huseman, seconded by Council Member Guardiola, to have a study session item on vaping laws. VOTE: Unanimous, all present affirmed.

Susan Noble, 10642 Olathe Street, spoke on the spacing application submitted by Extraction Oil and Gas and requested council support Senate Bill 19181 regarding oil and gas development in the state.

David Phillips, 6151 E 66th Place, spoke on an issue regarding his neighbor's barking dogs.

Ron Bruce, 15800 E 121st Ave, requested council support Senate Bill 19181 regarding oil and gas development in the state.

Dan Bruce, 15800 E 121st Ave, requested council support Senate Bill 19181 regarding oil and gas development in the state.

5. Consent Agenda

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

Aye: 9 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank, Council Member Madera and Council Member Davis

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| <u>Res 2019-11</u> | RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY |
| <u>Res 2019-17</u> | RESOLUTION AUTHORIZING ADDITIONAL PROFESSIONAL ENGINEERING AND TECHNICAL SUPPORT SERVICES BY MICHAEL BAKER INTERNATIONAL, INC. |
| <u>Res 2019-21</u> | RESOLUTION AUTHORIZING ADDITIONAL PROFESSIONAL ENGINEERING AND TECHNICAL SUPPORT SERVICES BY JACOBS ENGINEERING GROUP, INC. |
| <u>Res 2019-24</u> | RESOLUTION AUTHORIZING AMENDMENT TO CONTRACT FOR CITYWIDE CUSTODIAL SERVICES |

- [Res 2019-25](#) A RESOLUTION AUTHORIZING AND APPROVING PARTICIPATION BY THE CITY OF COMMERCE CITY IN THE METRO MORTGAGE ASSISTANCE PLUS PROGRAM AND AUTHORIZING THE EXECUTION OF THE DELEGATION AND PARTICIPATION AGREEMENT AND OTHER RELATED DOCUMENTS
- [Res 2019-26](#) RESOLUTION APPROVING VENDING SERVICES AGREEMENT WITH COMPASS GROUP USA, INC.
- [Res 2019-29](#) RESOLUTION WAIVING DEVELOPMENT-RELATED FEES FOR THE NEW FULL-SERVICE RESTAURANTS IN THE CITY OF COMMERCE CITY
- [Ord 2195](#) AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE DEFENSE COUNSEL FIRST APPEARANCE GRANT OF \$41,400 FOR THE DEFENSE COUNSEL FIRST APPEARANCE PROGRAM AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

6. Ordinances on 1st Reading

- [Ord 2198](#) AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$15,000.00 FOR DUI ENFORCEMENT EFFORTS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.
- A motion was made by Council Member Huseman, seconded by Mayor Pro Tem Teter, that this ordinance be introduced by council as seated and approved on first reading. VOTE:**
- Aye:** 9 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank, Council Member Madera and Council Member Davis
- [Ord 2204](#) AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE BULLETPROOF VEST PARTNERSHIP GRANT FUNDS IN THE AMOUNT OF \$14,000.00 FOR THE BULLETPROOF VEST PROGRAM IN THE POLICE DEPARTMENT AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.
- A motion was made by Council Member Huseman, seconded by Council Member Frank, that this ordinance be introduced by council as seated and approved on first reading. VOTE:**

Aye: 9 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank, Council Member Madera and Council Member Davis

[Ord 2205](#)

AN ORDINANCE AMENDING THE 2019 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE COLORADO DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$5,580.00 FOR CLICK IT OR TICKET EFFORTS AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

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

Aye: 9 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Huseman, Council Member Guardiola, Council Member Frank, Council Member Madera and Council Member Davis

7. Ordinances on 2nd Reading

[Z-781-02-04-05-06-10-17-19](#)

AN ORDINANCE APPROVING THE BUFFALO HILLS RANCH, REUNION PUD ZONE DOCUMENT AMENDMENT NO. 5.

A motion was made by Council Member Huseman, seconded by Council Member Madera, that this ordinances be approved on second & final reading. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Huseman, Council Member Guardiola, Council Member Frank, Council Member Madera and Council Member Davis

Nay: 1 - Council Member Douglas

8. Presentations

[Pres 19-49](#)

Commerce City Historical Society 2018 Report

Debra Bullock, Esther Hall, Pam Meier, and Sheila Harris, representing the Commerce City Historical Society, presented their 2018 report. They provided an overview of the Historical Society's founding, a summary of community events they hosted or participated in during 2018, updates to the Historical Society's museum building and displays and their 2019 goals.

A motion was made by Council Member Huseman, seconded by Council Member Davis, for the city to provide a permanent location in the civic center atrium for a historical society display. VOTE: Unanimous, all present affirmed.

[Pres 19-10](#)

State of the Court for 2018

Municipal Judge David Juarez presented on the state of the court for 2018. Judge Juarez provided a summary of court activity in 2018, grants awarded to the court, potential intergovernmental programs the court may enter into in 2019, and current bills in the state legislature that may impact the court in the future.

A motion was made by Council Member Huseman, seconded by Council Member Madera, to authorize the municipal judge to spend \$1,000 from his budget for a contribution to the Colorado Municipal Judges Association lobbying services and to authorize the municipal judge to pay the Colorado Municipal Judges Association dues for the associate judges. VOTE: Unanimous, all present affirmed.

9. Administrative Council Business

Council Member Huseman informed the council he engaged in discussions on social media regarding a pending land use case that is scheduled to come before council on March 18, that he would be absent from the April 1 meeting, and requested that the case be postponed from the scheduled March 18 meeting to the April 15 meeting so that he will be present and able to recuse himself from voting on the case.

A motion was made by Council Member Huseman, seconded by Council Member Davis, to move the case from March 18 to April 15. VOTE: Unanimous, all present affirmed.

Council Member Douglas informed the council of the Spring Out the Homeless Gala on May 3 and requested council sponsor a table of 8 at the event.

A motion was made by Council Member Huseman, seconded by Council Member Davis, to authorize the expenditure of \$2,000 to purchase a sponsorship table of 8 Spring Out the Homeless Gala on May 3.

A motion was made by Council Member Davis, seconded by Council Member Madera, to direct staff to look into installing a crosswalk at the intersection of 105th and Reunion Parkway and painting foglines for parking spaces along Reunion Parkway.

Council Member Guardiola asked staff to follow up on his request for a study session item on how the city funds event sponsorships.

Mayor Ford congratulated residents who had been advocating for increased oil and gas regulations for getting the state legislature to take up a bill on state-wide oil and gas development.

10. Reports

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

A motion was made by Council Member Madera, seconded by Council Member Guardiola, to invite the state wrestling and state culinary championship winners from Adams City High School to a city council meeting and present them with proclamations recognizing their achievements. VOTE: Unanimous, all present affirmed.

11. Executive Session

A motion was made by Mayor Pro Tem Teter, seconded by Council Member Davis, to enter into two executive sessions pursuant to CRS 24-6-402(4)(a, b, and e) regarding the potential sale of City-owned property at Holly St., 68th Avenue, and Highway 2 and for the receipt of legal advice relating thereto; and for the purpose of determining positions relative to a matter that may be subject to negotiations concerning incentives for a potential economic development project within the city. VOTE:

Aye: 8 - Mayor Ford, Mayor Pro Tem Teter, Council Member Elliott, Council Member Douglas, Council Member Guardiola, Council Member Frank, Council Member Madera and Council Member Davis

Nay: 1 - Council Member Huseman

[19-08](#)

An executive session pursuant to CRS 24-6-402(4)(a, b) regarding the potential sale of City-owned property at Holly St., 68th Avenue, and Highway 2 and for the receipt of legal advice relating thereto.

[19-16](#)

An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of determining position relative to a matter that may be subject to negotiations concerning incentives for a potential economic development project within the city.

12. Adjourn

The meeting adjourned at 9:11 p.m.

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:

Dylan A. Gibson, Deputy City Clerk