



Commerce City

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

Meeting Minutes - Final

City Council

Monday, August 3, 2020

6:30 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

Or Immediately Following the Urban Renewal Authority Meeting

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 3, 2020, at 6:23 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

20-51

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 3.

Ryan Seastrom, representing the Colorado Oil and Gas Association, spoke on topics raised during previous council discussions on the draft oil and gas land development code changes.

Kristi Douglas spoke on the July 27, 2020 council study session discussion on oil and gas land development code changes.

Steve Douglas thanked staff for making the registration process easier for attending the virtual meeting and spoke on Suncor refinery.

Whitney Connor, representing Kids First Health Care, spoke in support of Resolution 2020-52 and gave an overview of the services that Kids First Health Care provides to Commerce City residents.

Ellie Burbee, representing Kids In Need of Dentistry, spoke in support of Resolution 2020-52 and gave an overview of the services that Kids In Need of Dentistry provides to Commerce City residents.

3. Presentations

Pres 20-269

COVID-19 Update

Interim City Manager Tinklenberg, Deputy City Manager Smith, City Attorney Sheesley, and Chief of Police Nichols provide an update on the city's response during the COVID-19 crisis.

Pres 20-77

Oil and Gas Monthly Update

Domenic Martinelli, Environmental Planner, presented the monthly oil and gas update.

4. Consent Agenda

A motion was made by Mayor Pro Tem Frank, seconded by Council Member Grimes, 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

[Min 20-108](#) Minutes of July 6, 2020

[Min 20-109](#) Minutes of July 20, 2020

[Ord 2284](#) AN ORDINANCE AMENDING THE 2020 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY TRANSFERRING \$203,500 FROM THE LOTTERY FUND TO THE CIPP FUND FOR COSTS ASSOCIATED WITH THE ADAMS COUNTY SCHOOL DISTRICT 14 (ACSD14) ELEMENTARY GYMNASIUM IMPROVEMENTS AND AUTHORIZATION OF THE EXPENDITURE THEREOF.

[Res 2020-58](#) RESOLUTION APPOINTING MEMBERS TO DESIGNATED BOARDS AND COMMISSIONS OF COMMERCE CITY AND EXTENDING THE TERMS OF CERTAIN BOARD AND COMMISSION MEMBERS DUE TO COVID-19

[Res 2020-59](#) RESOLUTION REGARDING THE NAMING OF THE INCLUSIVE PLAY STRUCTURE AT VETERANS MEMORIAL PARK

5. Resolution

[Res 2020-56](#) RESOLUTION APPROVING TRANSFER OF CITY PROPERTY AT SECOND CREEK VILLAGE BY QUIT CLAIM DEED

A motion was made by Mayor Pro Tem Frank, seconded by Council Member Hurst, 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

6. Public Hearings

[Res 2020-50](#)**RESOLUTION APPROVING THE SECOND CREEK VILLAGE,
AMENDMENT NO. 5 SUBDIVISION**

Mayor Huseman opened the public hearing.

Steve Timms, Planning Manager, presented Case #S-752-20 to council. Mr. Timms provided an overview of the case.

Steve Douglas spoke against the resolution.

Mayor Huseman closed the public hearing.

A motion was made by Mayor Pro Tem Frank, seconded by Council Member Madera, to accept the findings and recommendations of the planning commission on Case #S-752-20. VOTE: 9 - Aye

A motion was made by Mayor Pro Tem Frank, 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. Resolutions

[Res 2020-52](#)**RESOLUTION APPROVING AN AGREEMENT FOR THE PURCHASE
OF PROPERTY AT SOUTH PLATTE CROSSING, 7190 COLORADO
BOULEVARD AND PROVIDING FOR RELATED MATTERS**

Deputy City Manager Smith provided an update on the resolution after it was continued from the July 20, 2020 meeting. Mark Marshall, Director of Real Estate at Urban Land Conservancy, came before council to request council consider a shorter closing date window of 30 days.

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

Aye: 7 - Mayor Huseman, Council Member Madera, Council Member Noble, Council Member Guardiola, Council Member Hurst, Council Member Grimes and Council Member Smith

Nay: 2 - Mayor Pro Tem Frank and Council Member Allen-Thomas

[Res 2020-53](#)**RESOLUTION APPROVING FIRST AMENDMENT TO
INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF
COMMERCE CITY AND THE REGIONAL TRANSPORTATION
DISTRICT ("RTD") REGARDING ARTWORK FOR THE NORTH METRO
RAIL LINE**

Deputy City Manager Smith provided an update on the resolution after it was continued from the July 20, 2020 meeting.

A motion was made by Council Member Grimes, seconded by Council Member Madera, that this resolution be tabled. 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

8. Administrative Council Business

A motion was made by Mayor Pro Tem Frank, seconded by Council Member Noble, to direct staff to draft a resolution establishing a Diversity & Inclusion Commission.

VOTE: 9 - Aye

A motion was made by Council Member Noble, seconded by Council Member Guardiola, to direct staff to provide informal summaries of study sessions to council following the study session. VOTE: 8 - Aye, 1 - Nay (Madera)

A motion was made by Council Member Noble, seconded by Council Member Allen-Thomas, to postpone all proceedings on the draft oil and gas land development code amendment ordinance and request staff to provide council with clarification and discussion on the financial assurance language in the draft ordinance.

Council Member Grimes requested an amendment to the motion to also include clarification and discussion on the Colorado Oil and Gas Conservation Commission bonding and reclamation requirements.

Council Member Grimes rescinded their second to the motion.

Council Member Noble amended their motion to a motion to postpone all proceedings on the draft oil and gas land development code amendment ordinance and request staff to provide council with clarification and discussion on the financial assurance language in the draft ordinance and Colorado Oil and Gas Conservation Commission bonding and reclamation requirements. The motion was seconded by Council Member Allen-Thomas. VOTE: 5 - Aye (Allen-Thomas, Guardiola, Hurst, Huseman, Noble), 4 - Nay (Frank, Grimes, Madera, Smith)

[20-50](#)

Boards and Commissions Virtual Regular Meetings

Interim City Manager Tinklenberg provided council with information on the staff resources it would take to resume board and commission meetings virtually.

A motion was made by Council Member Grimes, seconded by Council Member Noble, to procure additional Zoom Webinar licenses and resume regular board and commission meetings virtually. VOTE: 9 - Aye

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 9:56 p.m.

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

Respectfully submitted by:

Dylan A. Gibson, City Clerk