

# Charter Amendment Discussion

June 22, 2026



*Quality Community for a Lifetime*





# Agenda

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History of the Commerce City Charter

Staff Recommended Amendments

City Council Requested Amendments

Project Timeline

Discussion



# History of the Charter

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Charter has been amended 6 times since 1970

A lot of core of the 1970 Charter still remains

Different community, different organization, different operations, different needs

Pain points due to antiquated language (contracts, land use cases, oaths of office, etc.)



# History of the Charter

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Our Charter is much more expansive and detailed than most other cities

May be due to age, some provisions in statute might not have existed at the time

Charter should be broad framework, not detailed process



# History of the Charter

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1993

- Adopted portions of Colorado Revised Statutes (passed)
- Repealed obsolete provisions (passed)
- 57 total subsections impacted

2006

- Mayor separate office for term limits (failed)
- Prohibit Council from serving as Chair of PC or BoA (passed)
- Expanded list of relatives for Sec. 9.7(a) anti-nepotism (passed)



# History of the Charter

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2011

- Organization meeting held 2<sup>nd</sup> Monday after certification of election (passed)
- Removed City Council from Planning Commission (passed)
- Max 2 term limit (not consecutive) and Mayor separate office (passed)

2013

- Elections moved from April to November (passed)



# History of the Charter

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2015

- Decreased posting locations from 6 to 2 locations for approved ordinances (passed)

2023

- Modernized posting of notices to website



# Staff Recommended Amendments

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City Attorney's Office, City Clerk's Office, and City Manager's Office met with departments

Identified language throughout the Charter to add, amend, or remove

Compiled list of 43 sections that staff recommend to put to voters on November 2027 ballot



# Sections Identified

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- 3.1 – amend to November of even-numbered years to increase voter turnout
- 4.3 – amend organization meeting to be first Monday in January following the election
- 4.4 – amend language that Council cannot serve in two elected positions at same time
- 4.5 – amend language to votes of those present, remove secret ballot language
- 4.12 – amend to clarify Council's role in contract negotiations and approvals
- 4.13 – amend to clarify Council's role in IGA negotiation and approvals
- 4.14 – remove language on contract signing authority



# Sections Identified

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- 4.16 – amend language to add “welfare”
- 4.17 – remove entirely
- 4.18-4.20 – remove language that is now in Ethics Code
- 4.22 – remove language that requires Clerk to deliver special meeting agendas personally
- 4.24 – remove language that violates open meetings law for study sessions
- 4.25 – amend language to clarify quorum
- 4.26 – remove language and address in code or Council policies





# Sections Identified

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- 5.3 – require reading of titles only if requested
- 5.5 – require reading of titles only if requested
- 5.6 – remove entirely
- 7.1 – amend language to simplify City Manager oversight of administrative organization
- 7.3 – amend language to “chief administrative officer”
- 7.4 – amend language that the City Manager administers employee rules
- 7.6 – amend language to clarify Council and City Manager roles for staff interactions



# Sections Identified

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- 8.10 – amend language to reduce confusion by removing subsection (b)
- 8.11 (b) – hiring of outside counsel
- 8.4 – remove language that requires judge to be Adams County resident
- 8.7 – amend language to clarify staff titles and role of Municipal Judge over personnel
- 9.4 – remove entirely, can be in employee policies
- 10.10 – remove language and add to LDC
- 10.11 – remove and place into LDC to allow Council flexibility to amend as needed





# Sections Identified

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- 10.1-10.6 – remove language and add to municipal code
- 10.7 – remove section and add to code
- 11.1 – remove language that violates open meetings law for boards and commissions
- 12 – remove or amend duplicative or unnecessary language
- 12.10 – amend language to clarify what “special fund” means
- 12.16 – remove entirely, already covered in open records act
- 12.2 – remove language to require YTD financial numbers of current year as part of future budget workshop



# Sections Identified

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- 13.3 – amend language to comply with TABOR
- 14 – remove entirely or amend certain language on short-term notes and leases
- 16 – remove entirely due to confusion in Council and City Manager roles
- 19.7 – remove Mayor from list of those that can be served
- 21 – remove entirely and all staff to control collective bargaining agreement process
- 21.9 – remove entirely
- 19.9 – add language to require Charter review every 10 years



# Council Requested Amendments

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- 9.7 – anti-nepotism
  - Remove Council member's family members from list of relative that cannot be appointed on a board or commission
- 4.1-4.2 – Council composition and Wards
  - Remove at-large members and move to a 2 per Ward structure
  - 2022 survey inconclusive / preferred staying with mixed system
  - Due to population growth, no guarantee to preserve core-city representation with 4 Wards
- Any additional Council requested amendments?



# Project Timeline

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- June 2026 – Study Session
- Remainder of 2026 – staff draft language for ballot
- Late 2026 – Early 2027 - boards and commissions outreach
- Early 2027 – Study Session on Council requested amendment(s)
- June 2027 – Study Session on all finalized language for Charter Amendments
- July 2027 – first reading of any ordinances placing question(s) on the ballot
- August 2027 – second and final reading of ordinance placing question(s) on the ballot
- September 2027 – ballot certified by Clerk
- November 2027 – Election
- December 2027 – Approved Charter amendment(s) sent to codifier
- 2029 – Review items that did not make 2027 election and place on 2029 ballot



# Staff Recommendation / Consensus

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Staff recommends putting ballot question(s) to amend the Charter in 2027

Is there consensus for either, both, or any additional Council requested changes to be discussed further?

Is there consensus for staff to move forward with drafting ballot language for 2027 election?

Is there anything else that staff didn't cover or is missing from this presentation?

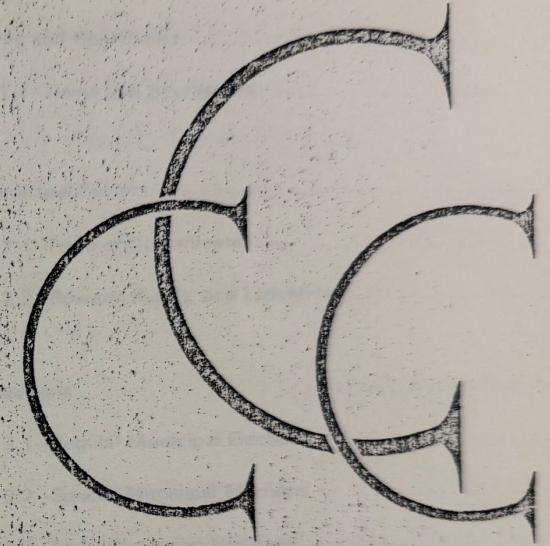


# History of the Charter

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- Colorado is one of 31 states that follow “Dillon’s Rule”
  - Local authority is granted by the state and can be controlled by the state
  - *Hunter v. Pittsburgh & Trenton v. New Jersey*
  - *“...municipalities have no inherent right of self-government which is beyond the legislative control of the state, but are merely departments of the state, with powers and privileges such as the state has seen fit to grant, held and exercised subject to its sovereign will...”*
- Colorado Constitution Art. XX for Denver, Broomfield
- Colorado Revised Statutes Title 31
  - Statutory towns
  - Statutory cities
  - Home Rule cities

Charter



The City of  
Commerce City, Colorado





# History of the Charter

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Statutory towns and cities follow state statutes

Home rule cities can adopt their own “Charter” and local laws (code of ordinances)

Charter adopted by voters and can only be amended by voters

Laws are adopted by Council and can be amended by Council (or voters)

Local control = maximum *allowable* self-governance

Generally, can be more restrictive than the state, not less

Still bound by state statutes and constitution





# History of the Charter

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Voters created Commerce Town in July 1952 to prevent Denver annexation – statutory town

Commerce Town annexed Derby in 1962 and gained City status and name change – statutory city

Voters approved Charter in 1970 – home rule city

