



City Council of Commerce City

Regular Meeting Agenda

Council Chambers, 7887 E. 60th Ave.

Monday, September 19, 2011, 6:30 p.m.

(TIMES INDICATED NEXT TO AGENDA ITEMS ARE AN APPROXIMATE START TIME ONLY)

1. Call to Order/Roll Call - 6:30

2. Pledge of Allegiance

3. Audience Introduction - 6:35

4. Presentations & Proclamations

a) 6:40 Dividend Presentation to Commerce City by United Power

5. Citizen Communication - 6:45

A Public Comment Roster is available immediately inside the Council Chambers. Anyone who would like to address Council will be given the opportunity after signing the roster. Speakers should limit their comments to three minutes.

6. Approval of Minutes - 7:00

a) Regular Meeting Minutes of June 20, 2011

Tab 1

b) Regular Meeting Minutes of June 27, 2011

6. Approval of Minutes - 7:00

- c) Regular Meeting Minutes of July 18, 2011
- d) Regular Meeting Minutes of July 25, 2011

7. Consent Agenda - 7:05

- a) **Resolution 2011-52** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE CITY SUPPORTING THE DENVER REGION'S APPLICATION TO THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT PROGRAM. **Tab 2**

- b) **Ordinance 1868** AN ORDINANCE AMENDING THE 2011 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS - DIVISION OF EMERGENCY MANAGEMENT GRANT IN THE AMOUNT OF \$40,000 TO OFFSET OPERATING COSTS WITHIN THE EMERGENCY MANAGEMENT BUDGET AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF. **Tab 3**

8. Ordinance on 1st Reading

- a) 7:10 **Ordinance 1870** AN ORDINANCE AMENDING THE 2011 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE DEPARTMENT OF JUSTICE – JAG/BYRNE GRANT FUNDS IN THE AMOUNT OF \$19,236 FOR EQUIPMENT TO BE USED BY POLICE DEPARTMENT PERSONNEL AND AUTHORIZATION OF THE EXPENDITURE THEREOF. **Tab 4**

9. Council Business

9. Council Business

- a) 7:15 Citizen communications during City Council meetings **Tab 5**

10. Administrative Council Business - 7:45

11. LRFP Strategic Planning Update - 8:00

12. Reports - 8:10

13. Adjourn - 8:25

MINUTES
REGULAR MEETING OF
COMMERCE CITY COUNCIL

June 20, 2011

CALL TO ORDER

A regular meeting of the City Council of the City of Commerce City was called to order by Mayor Pro-Tem Snyder on June 20, 2011, at 6:30 p.m.

ROLL CALL

Present:

Mayor Pro-Tem Snyder – presiding
Councilman Benson
Councilwoman Carson
Councilman Diaz
Councilman McEldowney
Councilman Moreno
Councilwoman Teter

Absent:

Mayor Natale
Councilman Bullock

Staff Reporting:

City Manager Jerry Flannery
City Attorney Bob Gehler
Police Chief Phil Baca
Economic Development Specialist Michelle Hill
Grant Administrator Leigh Ann Noell

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AUDIENCE INTRODUCTION

The audience introduced themselves.

PRESENTATIONS AND PROCLAMATIONS

Quality Community Foundation Scholarship Awards

Scholarships in the amount of \$4,000 each were presented to three students from the 2011 Adams City High School graduating class: Darartu Shafi, Ashley Martines and Fernanda de Luna.

Access Housing

Executive Director Virginia Longoria and additional representatives appeared before Council on behalf of Access Housing to request a \$5,000 donation.

Council members Teter and Diaz moved and seconded to direct staff to re-appropriate funds to meet the request.

VOICE VOTE: Unanimous; all present affirmed

CITIZEN COMMUNICATION

Ed Newbury, 9288 E. 108th Ave., spoke to Council regarding graffiti and vandalism in his neighborhood and asked for a surveillance camera to be installed.

Gene Leffel, 6530 Brighton Blvd., spoke about local events he attended and expressed concern about several street lights that are out throughout the city.

AMEND AGENDA

Council members Teter and McEldowney moved and seconded to amend the agenda to continue Resolution 2011-27 to June 27, 2011.

VOICE VOTE: Unanimous; all present affirmed

APPROVAL OF MINUTES

April 4, 2011

Council members McEldowney and Benson moved and seconded to allow Councilwoman Carson to abstain from voting on the minutes of April 4, 2011, because of her excused absence and Councilman Diaz because he was not seated on Council until June 13, 2011.

VOICE VOTE: 5 aye, 2 abstain (Diaz, Carson)

Council members Teter and Benson moved and seconded to approve the minutes of April 4, 2011.

VOICE VOTE: 5 aye, 2 abstain (Diaz, Carson)

April 11, 2011

Council members McEldowney and Moreno moved and seconded to allow Councilman Diaz to abstain from voting on the April 11, 2011, meeting because he was not seated on Council until June 13, 2011

VOICE VOTE: 6 aye, 1 abstain (Diaz)

Council members McEldowney and Moreno moved and seconded to approve the minutes of the April 11, 2011, meeting.

VOICE VOTE: 6 aye, 1 abstain (Diaz)

CONSENT AGENDA

Council members Teter and Moreno moved and seconded to approve the consent agenda as presented.

City Attorney Gehler read the title of Ordinance 1860: *AN ORDINANCE AMENDING THE 2011 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE ADAMS COUNTY OPEN SPACE GRANT IN THE AMOUNT OF \$312,000 TO BE USED FOR A NEW IRRIGATION SYSTEM AND MAINTENANCE BUILDING AT FAIRFAX PARK AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.*

ROLL CALL VOTE: 7 aye

PUBLIC HEARING

JAG GRANT APPLICATION

Mayor Pro-Tem Snyder opened the public hearing.

Police Chief Baca explained that there are seven specific areas to which the grant can be used.

There was no public input and the public hearing was closed.

RESOLUTIONS

Economic Development Specialist Michelle Hill provided details on each of the proposed incentives.

Resolution 2011-26

Council members McEldowney and Moreno moved and seconded to approve Resolution 2011-26.

City Attorney Gehler read the title of Resolution 2011-26: *RESOLUTION APPROVING BUSINESS INCENTIVE FOR NESTMAN AND ENG ORTHODONTICS, LLC D/B/A REUNION ORTHODONTICS*

VOICE VOTE: Unanimous; all present affirmed

Resolution 2011-27

Continued to June 27, 2011

Resolution 2011-29

Council members Teter and Moreno moved and seconded to approve Resolution 2011-29.

City Attorney Gehler read the title of Resolution 2011-29: *RESOLUTION APPROVING BUSINESS INCENTIVE FOR LA CASA DEL REY, INC.*

VOICE VOTE: Unanimous; all present affirmed

Resolution 2011-33

Council members McEldowney and Moreno moved and seconded to approve Resolution 2011-33.

City Attorney Gehler read the title of Resolution 2011-33: *RESOLUTION APPROVING BUSINESS INCENTIVE FOR AEROFIELD SERVICES.*

VOICE VOTE: Unanimous; all present affirmed

Resolution 2011-34

Council members McEldowney and Moreno moved and seconded to approve Resolution 2011-34.

City Attorney Gehler read the title of Resolution 2011-34: *RESOLUTION APPROVING BUSINESS INCENTIVE FOR HERTZ EQUIPMENT RENTAL CORPORATION.*

VOICE VOTE: Unanimous; all present affirmed

Resolution 2011-35

Council members Diaz and McEldowney moved and seconded to approve Resolution 2011-35.

City Attorney Gehler read the title of Resolution 2011-35: *RESOLUTION APPROVING BUSINESS INCENTIVE FOR POWERSHIFT, INC.*

VOICE VOTE: Unanimous; all present affirmed

Resolution 2011-36

Council members Teter and Moreno moved and seconded to approve Resolution 2011-36.

City Attorney Gehler read the title of Resolution 2011-36: *RESOLUTION APPROVING BUSINESS INCENTIVE FOR KUM AND GO, L.C., DBA KUM AND GO FOOD STORES, LLC.*

VOICE VOTE: Unanimous; all present affirmed

ORDINANCES ON FIRST READING

Ordinance 1863

Council members McEldowney and Moreno moved and seconded to introduce Ordinance 1863 by Council as seated and approve the ordinance on first reading.

City Attorney Gehler read the title of Ordinance 1863: *AN ORDINANCE REPEALING ORDINANCE 1782 WHICH AMENDED THE 2009 BUDGET OF THE CITY OF COMMERCE CITY BY RECOGNITION OF ADAMS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING IN THE AMOUNT OF \$60,000 FOR THE DEAD TREE/LIMB REMOVAL PROGRAM AND THE SENIOR TRANSPORTATION PROGRAM FOR LOW/MODERATE INCOME HOMEOWNERS AND SENIORS IN THE COMMUNITY AND AUTHORIZED EXPENDITURE OF SAID CDBG FUNDS FOR THOSE PROGRAMS AND IN LIEU THEREOF THE SAID CDBG FUNDS ARE HEREBY APPROPRIATED IN THE 2011 BUDGET OF THE CITY OF COMMERCE CITY TO BE USED FOR IRRIGATION AND LANDSCAPE IMPROVEMENTS IN THE DERBY RESOURCE CENTER AREA.*

Grant Administrator Leigh Ann Noell responded to Council questions by stating that due to an audit conducted by the federal government on the CDBG program, it was determined that the dead tree removal and senior transportation programs no longer qualified for CDBG funding and that the funds previously appropriated for those purposes should now be used for irrigation and landscape improvements in the Derby Resource Center area.

ROLL CALL VOTE: 7 aye

ADMINISTRATIVE COUNCIL BUSINESS

Councilman McEldowney stated that the North Area Transportation Alliance (NATA) is seeking the city's endorsement of a letter to be submitted to the Denver Regional Council of Governments (DRCOG) in support of actions being taken by the City of Thornton.

Council members McEldowney and Teter moved and seconded to endorse the letter of support to DRCOG for the City of Thornton regarding the transportation management organization of NATA.

VOICE VOTE: Unanimous; all present affirmed

Councilman McEldowney would like Council to develop a policy for filling vacancies on Council. He will bring it up again when all members are present. He also spoke about the financial situation of School District 27J discussed at the meet and greet with the City of Brighton officials.

Councilwoman Teter would like to have her first initial added to the minutes for clarification.

Councilman Benson would like an Executive Session scheduled at a future meeting for legal advice to discuss a proposed pipeline.

Council members Moreno and Snyder moved and seconded to appoint Councilman Diaz in place of Mayor Pro-Tem Snyder on the Cultural Council.

VOICE VOTE: Unanimous; all present affirmed

REPORTS

City Attorney Gehler asked Council for feedback regarding the monthly report provided to Council by his office.

Council's feedback was that the schedule could be modified to every two or three months.

City Manager Flannery reported that Council will be receiving a summary of the Long-Range Financial Strategic meeting, staff has been meeting with representatives from the trucking industry, local news has been reporting on the city's mosquito control program and radio station 92.5 will simulcast the music being played for the city's fireworks show at Dick's.

Councilman Moreno reported on his meeting in DC with President Obama and has since been invited to return two more times.

Councilman Benson reported on attending an Xcel meeting at Adams City High School, an E-470 meeting, the outreach event, Metro North Development Breakfast. Mr. Benson also reported that he has been holding meetings with citizens of Ward 2 at Stellato's Grocery & Deli.

Councilwoman Carson reported on attending the outreach event and Derby Daze.

Councilman McEldowney reported that he will be participating in an MS bicycle race and he attended the outreach event.

Councilman Diaz reported that the cultural council will be hosting a free concert in the park series.

Councilwoman Teter reported on attending the outreach event, Denver Metro Aviation Breakfast and a joint meeting with Brighton City Council.

Mayor Pro-Tem Snyder reported on attending the outreach event and Derby Daze.

ADJOURNMENT:

The meeting adjourned at 8:50 p.m.

Tracey Snyder, Mayor Pro-Tem

Laura Bauer, City Clerk

MINUTES
REGULAR MEETING OF
COMMERCE CITY COUNCIL

June 27, 2011

CALL TO ORDER

A regular meeting of the City Council of the City of Commerce City was called to order by Mayor Pro-Tem Snyder on June 27, 2011, at 6:34 p.m.

ROLL CALL

Present:

Mayor Pro-Tem Snyder – presiding
Councilman Benson
Councilman Bullock
Councilwoman Carson
Councilman Diaz
Councilman McEldowney
Councilman Moreno
Councilwoman Teter

Absent:

Mayor Natale

Staff Reporting:

City Manager Jerry Flannery
City Attorney Bob Gehler
Economic Development Program Administrator Michelle Hill
Parks & Recreation Director Carolyn Keith
Finance Director Roger Tinklenberg

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AUDIENCE INTRODUCTION

The audience introduced themselves.

PRESENTATIONS AND PROCLAMATIONS

Play Day Proclamation

Parks & Recreation Director Carolyn Keith read a proclamation declaring July 3, 2011, as Play Day in Commerce City.

Council members McEldowney and Teter moved and seconded to approve the Play Day Proclamation.

VOICE VOTE: Unanimous; all present affirmed

CITIZEN COMMUNICATION

Gene Leffel, 6530 Brighton Blvd., reminded citizens of an upcoming meeting regarding the installation of a proposed pipeline and of two public hearings regarding a proposed medical waste facility planned in Adams County but within the city's growth boundary.

APPROVAL OF MINUTES

May 2, 2011

Council members McEldowney and Benson moved and seconded to allow Council members Snyder and Carson to abstain from voting on the minutes of the May 2, 2011, meeting because of their excused absence and Councilman Diaz because he was not a seated member of Council until June 13, 2011.

VOICE VOTE: 5 aye, 3 abstain (Diaz, Carson, Snyder)

Council members Teter and Moreno moved and seconded to approve the minutes of the May 2, 2011, meeting.

Councilman Benson asked for an administrative correction to be made to the name of the tunnel referenced on page 10.

VOICE VOTE: 5 aye, 3 abstain (Diaz, Carson, Snyder)

May 9, 2011

Council members McEldowney and Moreno moved and seconded to allow Councilman Diaz to abstain from voting on the minutes of the May 9, 2011, meeting because he was not a seated member of Council until June 13, 2011.

VOICE VOTE: 7 aye, 1 abstain (Diaz)

Council members McEldowney and Moreno moved and seconded to approve the minutes of the May 9, 2011, meeting.

VOICE VOTE: 7 aye, 1 abstain (Diaz)

June 6, 2011

Council members Teter and McEldowney moved and seconded to allow Councilman Diaz to abstain from voting on the minutes of the June 6, 2011, because he was not a seated member of Council until June 13, 2011.

VOICE VOTE: 7 aye, 1 abstain (Diaz)

Council members Carson and McEldowney moved and seconded to approve the minutes of the June 6, 2011, meeting.

VOICE VOTE: 7 aye, 1 abstain (Diaz)

RESOLUTIONS

Economic Development Program Administrator Michelle Hill provided details of the two proposed incentive agreements before Council.

Resolution 2011-27

Council members McEldowney and Teter moved and seconded to approve Resolution 2011-27.

City Attorney Gehler read the title of Resolution 2011-27: *RESOLUTION APPROVING INCENTIVE AGREEMENT FOR ONEIDA COLD STORAGE COMPANY, LLP*

VOICE VOTE: Unanimous; all present affirmed

Resolution 2011-39

Council members McEldowney and Diaz moved and seconded to approve Resolution 2011-39.

City Attorney Gehler read the title of Resolution 2011-39: *RESOLUTION APPROVING INCENTIVE AGREEMENT FOR CONTINENTAL WORLD LEASING REAL ESTATE, LLC*

VOICE VOTE: Unanimous; all present affirmed

Resolution 2011-32

Parks & Recreation Director Carolyn Keith stated that the proposed memorandum of understanding supports a program to fight childhood obesity by encouraging physical activity.

Council members Teter and Bullock moved and seconded to approve Resolution 2011-32.

City Attorney Gehler read the title of Resolution 2011-32: *RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COMMERCE CITY AND ADAMS SCHOOL DISTRICT 14 REGARDING THE "FLAT 14ERS INITIATIVE"*

VOICE VOTE: Unanimous; all present affirmed

Resolution 2011-38

Council members McEldowney and Bullock moved and seconded to approve Resolution 2011-38.

City Attorney Gehler read the title of Resolution 2011-38: *RESOLUTION APPROVING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF COMMERCE CITY AND BRIGHTON SCHOOL DISTRICT 27J REGARDING THE "FLAT 14ERS INITIATIVE"*

VOICE VOTE: Unanimous; all present affirmed

ORDINANCES ON FIRST READING

Ordinance 1865

Mayor Pro-Tem Snyder called a recess at 7:12 p.m. The meeting reconvened at 7:16 p.m.

Finance Director Roger Tinklenberg provided a detailed explanation of the various appropriation requests included in this ordinance.

Council members Moreno and Teter moved and seconded to introduce Ordinance 1865 by Council as seated and approve the ordinance on first reading.

City Attorney Gehler read the title of Ordinance 1865: *AN ORDINANCE AMENDING THE 2011 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE OF THE GENERAL FUND IN THE AMOUNT OF \$309,900 AND TRANSFERRING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE GENERAL FUND TO THE FOLLOWING: FACILITY SERVICES FUND IN THE AMOUNT OF \$80,607; FLEET MANAGEMENT FUND IN THE AMOUNT OF \$35,000; CIPP FUND IN THE AMOUNT OF \$1,626,179; GRANT FUND IN THE AMOUNT OF \$25,000; AND THE GOLF ENTERPRISE FUND IN THE AMOUNT OF \$67,380 AND TRANSFERRING \$1,289,240 FROM THE CIPP FUND TO THE IMPACT FEES FUND, \$364,366 FROM THE IMPACT FEES FUND TO THE CIPP FUND AND APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE URBAN RENEWAL AUTHORITY FUND IN THE AMOUNT OF \$109,273; FLEET MANAGEMENT FUND IN THE AMOUNT OF \$45,255; INFORMATION TECHNOLOGY FUND IN THE AMOUNT OF \$15,292 AND TRANSFERRING \$67,840 TO THE GENERAL FUND; APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE POLICE DONATION FUND IN THE AMOUNT OF \$34,485 FOR A TOTAL AMOUNT OF \$4,069,817 AND REAFFIRMING PRIOR APPROPRIATIONS AND AUTHORIZING THE EXPENDITURE THEREOF.*

ROLL CALL VOTE: 8 aye

STUDY ITEMS

Audit Presentation

Kim Higgins with the auditing firm of Eide Bailly presented Council with the Comprehensive Annual Financial Report. Ms. Higgins reported that the city is in better fiscal shape this year than it was last year.

Council members McEldowney and Bullock moved and seconded to accept the Comprehensive Annual Financial Report and Federal Awards Report.

VOICE VOTE: Unanimous; all present affirmed.

Xcel's Pipeline Integrity Management Program

Several representatives of Xcel addressed Council about their pipeline integrity management program. This program contains mitigation for excavation and other risks. In response to Council questions, Xcel stated that they are providing outreach notices to homes within 500 feet of the preferred route for the pipeline.

Citizen Input

Ken Agee, 10461 Pagosa St.
Guillermo Serna, 14122 E. 102nd Pl.

Long-Range Financial Plan Strategic Planning Update

Finance Director Roger Tinklenberg recapped the strategic planning meeting of June 13, 2011. He stated that staff understood Council's priorities to be: existing transportation funds will go to 96th & Tower Road, existing open space parks/trails funds will go to trail projects, continue to use lottery and open-space pass through revenue for capital maintenance and repair of open space parks and trails projects. Mr. Tinklenberg said the key-pad polling clarified a number of issues such as moving vulnerable revenues out of the general fund, staff to present proposal for refuse collection and storm water utility fees, explore court fine and sales tax increases.

Intergovernmental Relations Manager Mizraim Cordero provided Council with a presentation on the steps the City of Denver took to pass nine tax measures.

EXECUTIVE SESSION

Council members McEldowney and Teter moved and seconded to hold an executive session pursuant to C.R.S. 24-6-402(4)(b) for the purpose of receiving legal advice regarding the placement of a gas line by Xcel Energy.

VOICE VOTE: Unanimous; all present affirmed

The regular meeting reconvened at 11:05 p.m.

ADMINISTRATIVE COUNCIL BUSINESS

Councilman Benson advised that he will not be available to attend the July meeting of the E-470 Board.

Council members Moreno and Bullock moved and seconded to appoint Councilwoman Carson as the alternate to the E-470 board.

VOICE VOTE: Unanimous; all present affirmed

REPORTS

City Manager Flannery reported that the economic development division has a new employee.

Council members Moreno, Benson, Carson, Teter, Diaz and McEldowney had no report.

Mayor Pro-Tem Snyder had no report.

Councilman Bullock stated the Denver Mayor-elect Michael Hancock will be sworn in on July 18th.

ADJOURNMENT:

The meeting adjourned at 11:11 p.m.

Tracey Snyder, Mayor Pro-Tem

Laura Bauer, City Clerk

MINUTES
REGULAR MEETING OF
COMMERCE CITY COUNCIL

July 18, 2011

CALL TO ORDER

A regular meeting of the City Council of the City of Commerce City was called to order by Mayor Natale on July 18, 2011, at 6:30 p.m.

ROLL CALL

Present:

Mayor Natale
Mayor Pro-Tem Snyder
Councilman Benson
Councilman Bullock
Councilwoman Carson
Councilman Diaz
Councilman McEldowney
Councilwoman Teter

Absent:

Councilman Moreno

Staff Reporting:

City Manager Jerry Flannery
City Attorney Bob Gehler
Parks and Recreation Director Carolyn Keith

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AUDIENCE INTRODUCTION

The audience introduced themselves.

CITIZEN COMMUNICATION

Gilbert Atencio, representing La Casa del Rey, addressed Council regarding frustrations in opening a new business in the city.

Gene Leffel, 6530 Brighton Blvd., addressed Council regarding a proposed medical waste facility in unincorporated Adams County. Mr. Leffel stated that the C.A.R.Z. Club will be hosting a meeting during the week in which this proposed facility will be a topic of discussion.

David Stallsworth, 8110 Brighton Rd., addressed Council regarding the proposed medical waste facility in unincorporated Adams County. Mr. Stallsworth also addressed Council regarding flooding near his property on Forest St.

City Attorney Gehler distributed materials to Council provided by Linda Watts.

APPROVAL OF MINUTES

May 16, 2011

Council members Snyder and Carson moved and seconded to allow Council members Benson and Teter to abstain from voting on the minutes of the May 16, 2011, meeting because of their excused absence and Councilman Diaz because he was not a seated member of Council until June 13, 2011.

VOICE VOTE: 5 aye, 3 abstain (Benson, Teter, Diaz)

Council members Snyder and McEldowney moved and seconded to approve the minutes of the May 16, 2011, meeting.

VOICE VOTE: 5 aye, 3 abstain (Benson, Teter, Diaz)

May 23, 2011

Council members Teter and Carson moved and seconded to allow Council members McEldowney and Snyder to abstain from voting on the minutes of May 23, 2011, because of their excused absence and Councilman Diaz because he was not a seated member of Council until June 13, 2011.

VOICE VOTE: 5 aye, 3 abstain (Snyder, McEldowney, Diaz)

Council members Teter and Carson moved and seconded to approve the minutes of the May 23, 2011, meeting.

VOICE VOTE: 5 ayes, 3 abstain (Snyder, McEldowney, Diaz)

CONSENT AGENDA

Council members Snyder and Teter moved and seconded to approve the consent agenda as presented.

City Attorney Gehler read the title of Ordinance 1863: *AN ORDINANCE REPEALING ORDINANCE 1782 WHICH AMENDED THE 2009 BUDGET OF THE CITY OF COMMERCE CITY BY RECOGNITION OF ADAMS COUNTY COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING IN THE AMOUNT OF \$60,000 FOR THE DEAD TREE/LIMB REMOVAL PROGRAM AND THE SENIOR TRANSPORTATION PROGRAM FOR LOW/MODERATE INCOME HOMEOWNERS AND SENIORS IN THE COMMUNITY AND AUTHORIZED EXPENDITURE OF SAID CDBG FUNDS FOR THOSE PROGRAMS AND IN LIEU THEREOF THE SAID CDBG FUNDS ARE HEREBY APPROPRIATED IN THE 2011 BUDGET OF THE CITY OF COMMERCE CITY TO BE USED FOR IRRIGATION AND LANDSCAPE IMPROVEMENTS IN THE DERBY RESOURCE CENTER AREA.*

City Attorney Gehler read the title of Ordinance 1865: *AN ORDINANCE AMENDING THE 2011 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE OF THE GENERAL FUND IN THE AMOUNT OF \$309,900 AND TRANSFERRING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE GENERAL FUND TO THE FOLLOWING: FACILITY SERVICES FUND IN THE AMOUNT OF \$80,607; FLEET MANAGEMENT FUND IN THE AMOUNT OF \$35,000; CIPP FUND IN THE AMOUNT OF \$1,626,179; GRANT FUND IN THE AMOUNT OF \$25,000; AND THE GOLF ENTERPRISE FUND IN THE AMOUNT OF \$67,380 AND TRANSFERRING \$1,289,240 FROM THE CIPP FUND TO THE IMPACT FEES FUND, \$364,366 FROM THE IMPACT FEES FUND TO THE CIPP FUND AND APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE URBAN RENEWAL AUTHORITY FUND IN THE AMOUNT OF \$109,273; FLEET MANGAGEMENT FUND IN THE AMOUNT OF \$45,255; INFORMATION TECHNOLOGY FUND IN THE AMOUNT OF \$15,292 AND TRANSFERRING \$67,840 TO THE GENERAL FUND; APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE POLICE DONATION FUND IN THE AMOUNT OF \$34,485 FOR A TOTAL AMOUNT OF \$4,069,817 AND REAFFIRMING PRIOR APPROPRIATIONS AND AUTHORIZING THE EXPENDITURE THEREOF.*

ROLL CALL VOTE: 8 aye

ORDINANCES ON FIRST READING

Ordinance 1864

Council members Snyder and Teter moved and seconded to introduce Ordinance 1864 by Council as seated and approve the ordinance on first reading.

City Attorney Gehler read the title of Ordinance 1864: *AN ORDINANCE AMENDING THE 2011 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE DEPARTMENT OF JUSTICE – JAG/BYRNE GRANT FUNDS IN THE AMOUNT OF \$58,224 FOR THE SUPPORT OF LOW COST RECREATIONAL AND DELINQUENCY PREVENTION PROGRAMS FOR THE YOUTH AND TEENS IN COMMERCE CITY AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF*

ROLL CALL VOTE: 8 aye

STUDY ITEMS

Senior and Older Adult Programs and Services Update

Parks and Recreation Director Carolyn Keith introduced staff and citizens involved with the senior and older adult programs. Ms. Keith stated that a meeting of a senior focus group was conducted on March 28, 2011, and the group will continue in the future.

- Sandy Carruthers, Senior Outreach Committee: purpose is to coordinate and lead outreach efforts in the community which included a presence at the city's outreach event.
- Thelma Cole, Program Committee: purpose is to provide program ideas
- George Maxey, Health/Wellness Committee: purpose is to provide input regarding health and wellness issues
- Beth Scott, Special Projects: focus is on lobby enhancements and Good Friends Committee.

Parks and Recreation Director Keith stated that use of the recreation center kitchen will be addressed with the proposed senior lobby enhancements through the 2012 budget process.

ADMINISTRATIVE COUNCIL BUSINESS

City Manager Flannery reported that at Council's retreat in June, staff was directed to place a freeze on Section 20-4-7 related to tax assessments on trucking companies. There have been numerous meetings with representatives of the trucking industry which resulted in their bringing up concerns with another section of the tax code. Additional meetings and discussions are scheduled.

City Attorney Gehler reported that when Council imposed the freeze on Section 20-4-7, what that freeze meant was that any use by a contractor of equipment that was subject to tax, as a result of the November 2010 amendments, was put on hold until staff can meet with stakeholders and report back to Council. Council will be dealing with contract use of equipment versus lease of equipment and what is taxable. Audits have been completed on three companies and assessments have gone out. Each of the three companies needs to request a hearing in order to place its audit on hold.

Councilman Bullock asked about the status of a citizen communication policy discussion.

Councilman Benson expressed concern about the length of time it has taken to schedule the citizen communication policy discussion. He asked to be excused from the September 12, 2011, meeting. Mr. Benson also asked for Council consensus to direct staff to draft an ordinance regarding maintaining foreclosed properties and then placing a lien on the property.

Council consensus was not reached.

Councilwoman Teter asked for an accounting of each Council member's travel and training expenses.

Mayor Pro-Tem Snyder requested travel using her discretionary funding and received no objection.

REPORTS

City Attorney Gehler reported that he has prepared a draft of the ballot questions for the 2011 ballot and a policy on Council's discretionary funding.

City Manager Flannery reported that the city's incentive program has been recognized in a national publication.

Council members Bullock, Diaz, Teter, and Carson had no report.

Councilman Benson reported on his attendance at a regional transportation meeting.

Mayor Pro-Tem Snyder reported on her attendance at various meetings and events.

Mayor Natale reported on attending numerous meetings and events.

ADJOURNMENT:

The meeting adjourned at 9:00 p.m.

Paul Natale, Mayor

Laura Bauer, City Clerk

MINUTES
REGULAR MEETING OF
COMMERCE CITY COUNCIL

July 25, 2011

CALL TO ORDER

A regular meeting of the City Council of the City of Commerce City was called to order by Mayor Pro-Tem Snyder on July 25, 2011, at 6:30 p.m.

ROLL CALL

Present:

Mayor Pro-Tem Snyder - presiding
Councilman Benson
Councilman Bullock
Councilwoman Carson
Councilman Diaz
Councilman McEldowney
Councilman Moreno
Councilwoman Teter

Absent:

Mayor Natale

Staff Reporting:

City Manager Jerry Flannery
City Attorney Bob Gehler
Housing Coordinator Tracey Jones
Planner Steve Timms
Parks Planning and Operations Manager Mike Brown

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

AUDIENCE INTRODUCTION

The audience introduced themselves.

CITIZEN COMMUNICATION

Sandy Carruthers, 6951 Kearney St., expressed concern over a recent article in the Hub regarding the northern part of the city.

Leonard Newson, 10094 Hannibal St., asked for an update on the proposed grocery store up north.

Scott Hutchings with Waste Management appeared before Council to thank them for coming out to the recycling plant.

Gene Leffel, 6530 Brighton Blvd., thanked everyone for attending a recent C.A.R.Z. Club meeting where a topic of discussion was the proposed medical waste facility.

Guillermo Serna, 14122 E. 102nd Pl., expressed concern over the conduct of the City Council meeting of July 11, 2011.

STUDY ITEMS

Water and Sanitation Project Update

Barbara Biggs from Metro Wastewater Reclamation District reported to Council that construction of Metro Wastewater's Northern Treatment Plant is scheduled for completion in 2015 and will provide service to parts of Brighton, Thornton, Aurora and South Adams County Water and Sanitation District. It is to be located at Highway 85 and 168th Avenue and will be annexed into Brighton.

Jim Jones, South Adams County Water and Sanitation District, reported to Council that the water district supports the construction of the northern treatment plant. Their one concern is the money being spent on a backup flow that may not be required.

Tri-County Health Department's Update of the Rocky Mountain Arsenal Remediation Project

Representatives from Tri-County Health Department reported that 31 remediation projects were identified in the 1996 Record of Decision. Tri-County's future role at the arsenal includes: submitting construction completion reports, completing an exit strategy, developing a land-use control plan and ensuring a long-term environmental management system is in place.

Neighborhood USA Conference

Sandy Carruthers spoke on behalf of Community Enterprises. Ms. Carruthers attended a Neighborhoods U.S.A. (NUSA) Conference in Anchorage, Alaska and thanked Council for providing the Commerce City participants with city pins to distribute to other conference attendees. A key concept of the conference was, "Love where you live."

Housing Authority's Strategic Plan

Tracey Jones, Housing Coordinator introduced Authority members, Council members and staff who have been instrumental in Phase I of the housing strategic plan process. The strategic plan will serve as a roadmap to address affordable housing needs and to improve housing opportunities.

Planner Steve Timms reported that planning staff has been assisting the Housing Authority in developing the framework for Phase I of the strategic plan.

Pedestrian and Bicycle Master Plan Update

Mike Brown addressed Council. The Pedestrian and Bicycle Master Plan is designed to complement the city's comprehensive and transportation plans. The overall goal is to create a citywide comprehensive/prescriptive plan for improvements to bicycle and pedestrian infrastructure.

ADMINISTRATIVE COUNCIL BUSINESS

Councilwoman Carson asked to see Council's travel expenditures for the past 18 months.

Councilman McEldowney expressed concern over weeds around the dog park.

Councilman Moreno expressed concern over the prairie dog population along the city right-of-way on Quebec and asked for a report on prairie dog management.

Councilman Bullock would like to see additional water detention facilities at Fairfax Park.

Council members Snyder and Moreno will hold a joint Ward I/Ward IV meeting.

Long-Range Financial Plan Strategic Planning

City Manager Flannery stated a memo was emailed to each Council member providing them with an update.

REPORTS

City Attorney Gehler cautioned members about one-on-one meetings with Xcel Energy representatives because this could come before them later on in a quasi-judicial setting.

City Manager Flannery highlighted a recent news story regarding a creative method to combat graffiti.

Councilman Moreno reported on his trip to Washington DC and a Waste Management Tour.

Council Benson reported on attending a DRCOG meeting.

Councilwoman Carson asked to be excused from next Monday's meeting.

Council members Teter, Diaz, McEldowney and Bullock had no report.

Mayor Pro-Tem Snyder reported on attending the senior luncheon and a ribbon cutting ceremony.

ADJOURNMENT:

The meeting adjourned at 9:35 p.m.

Tracey Snyder, Mayor Pro-Tem

Laura Bauer, City Clerk



Council Communication

City Council Meeting: 19 Sep 2011

Prepared: 08 Sep 2011

Number of Attachments: 2

Subject: Resolution of support for DRCOG's HUD Sustainable Communities Grant Application

Presenter: Jim Hayes

Recommended City Council Action:

Staff recommends City Council approve Resolution 2011-52 supporting DRCOG's 2011 application for a HUD Sustainable Communities Grant.

Summary Statement:

The Sustainable Communities Regional Planning Grant (SCRPG) grant program offers the Denver region a valuable opportunity for DRCOG to enhance Metro Vision planning and local implementation efforts, and can position the region for future federal funding opportunities.

To be eligible to apply for the SCRPG, DRCOG must demonstrate a commitment of support from local jurisdictions representing at least 50% of the region's population, as well as nonprofit organizations, foundations and/or educational institutions that have the capacity to engage a diverse representation of the general population.

Next Steps:

Expenditure Required: N/A

Source of Funds: N/A

Policy Issue: N/A

Alternative: The city could decide not to support DRCOG's grant application and not approve the resolution.

Background Information:

The Denver region can apply for up to \$5 million in grant funding through the SCRPG program. Eligible activities include 1) efforts to fine-tune the Metro Vision Plan to more fully integrate the federal Livability Principles; 2) the preparation of more detailed execution plans and programs that further Metro Vision goals; and 3) limited predevelopment planning activities for one or more catalytic projects associated with implementing Metro Vision.

See attached fact sheet and application framework for more information.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE CITY
SUPPORTING THE DENVER REGION'S APPLICATION TO THE US
DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT'S SUSTAINABLE
COMMUNITIES REGIONAL PLANNING GRANT PROGRAM.
RESOLUTION NO. 2011-52**

WHEREAS, on June 16, 2009, the U.S. Department of Housing and Urban Development (HUD), the U.S. Department of Transportation (DOT), and the U.S. Environmental Protection Agency (EPA) announced the Partnership for Sustainable Communities (The Partnership) to coordinate federal housing, transportation, water, and other infrastructure investments to make neighborhoods more prosperous, allow people to live closer to jobs, save households time and money, and reduce pollution; and

WHEREAS the Partnership is governed by the following Livability Principles:

1. Provide more transportation choices.
2. Promote equitable, affordable housing.
3. Enhance economic competitiveness.
4. Support existing communities.
5. Coordinate policies and leverage investment.
6. Value communities and neighborhoods; and

WHEREAS the Denver Regional Council of Governments' Board of Directors adopted a resolution on May 19, 2010 affirming its support for the Partnership and agreeing to integrate the Livability Principles into ongoing and future Metro Vision discussions; and

WHEREAS, the Partnership recognizes the need to support metropolitan scale, multijurisdictional planning efforts that integrate housing, land use, economic and workforce development, transportation and infrastructure investments; and

WHEREAS, the US Department of Housing and Urban Development (HUD) recently announced that it will award \$67 million in grants as part of the Sustainable Communities Regional Planning Grant program; and

WHEREAS the Denver Regional Council of Governments is facilitating a region-wide discussion with a wide range of stakeholders to develop a regional application to this grant program; and

WHEREAS, the grant funding would support 1) efforts to fine-tune the Metro Vision Plan to more fully integrate the federal Livability Principles; and, 2) the preparation of more detailed execution plans and programs that further Metro Vision goals; and

WHEREAS the City Council of the City of Commerce City is a strong, committed member of the Denver Regional Council of Governments and is duly proud of the region's

long history of collaborative action on matters of regional concern for the collective betterment of the region as a whole.

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Commerce City, Colorado strongly supports submittal of the Denver region's application for the Sustainable Communities Regional Planning Grants Program by the Denver Regional Council of Governments and commits to continue working collaboratively with the Denver Regional Council of Governments and stakeholders from across the region to refine and implement Metro Vision to achieve the outcomes envisioned in the Federal Livability Principles.

DULY ADOPTED THIS 19th DAY OF SEPTEMBER, 2011.

CITY OF COMMERCE CITY, COLORADO

BY: _____
Paul Natale, Mayor

ATTEST:

Laura L. Bauer, City Clerk

Sustainable Communities Regional Planning Grant Fact Sheet

Background – federal partnership and availability of grant funding

- In June of 2009, the U.S. Department of Housing and Urban Development (HUD) joined with the U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation (DOT) to form a “Partnership for Sustainable Communities.”
- This federal partnership is focused on improving access to affordable housing, providing more transportation options, and lowering transportation costs while protecting the environment in communities nationwide.
- The partnership is governed by a set of six “Livability Principles”:
 1. Provide more transportation choices
 2. Promote equitable, affordable housing
 3. Enhance economic competitiveness
 4. Support existing communities
 5. Coordinate and leverage federal policies and investment
 6. Value communities and neighborhoods
- Several funding opportunities have emerged from the federal partnership, including HUD’s \$67 million Sustainable Communities Regional Planning Grant (SCRPG) Program.
- This grant program will support multijurisdictional planning efforts that integrate housing, land use, economic and workforce development, transportation, and infrastructure investments.

Alignment of grant funding with regional priorities

- The Denver region can apply for up to \$5 million in grant funding through the SCRPG program. Eligible activities include 1) efforts to fine-tune the Metro Vision Plan to more fully integrate the federal Livability Principles; 2) the preparation of more detailed execution plans and programs that further Metro Vision goals; and 3) limited predevelopment planning activities for one or more catalytic projects associated with implementing Metro Vision.
- The grant program offers the Denver region a valuable opportunity to enhance Metro Vision planning and local implementation efforts, and can position the region for future federal funding opportunities.

Building on the Denver region’s 2010 grant application

- Last year, on behalf of 62 public, private and not-for-profit partners, DRCOG applied for \$5 million in funding from the 2010 SCRPG program. Although the application was not successful, it scored highly and earned the region Preferred Sustainability Status, which gives the region a competitive advantage in applying for the 2011 program.
- The region has made progress on several activities related to last year’s grant application, further positioning the region to compete effectively in 2011:
 1. The DRCOG Board adopted an updated version of the *Metro Vision 2035 Plan* with several new regional sustainability goals.

2. DRCOG awarded over \$1.4 million in federal transportation funds for locally sponsored, small area studies around station areas and urban centers.
3. DRCOG is establishing a Metro Vision Implementation Task Force that will lead various efforts including the “Boomer Bond” initiative, which will provide local governments with strategies for making their communities more supportive of healthy, successful aging.
4. DRCOG completed the development of a new, state-of-the-art travel model, and has begun development of a next-generation land use model. Both of these tools will provide valuable support for both regional and local planning efforts.
5. Efforts are underway to expand the \$15 million Denver TOD Fund to a \$30 million regional fund that covers the full metro area.
6. The West Corridor Working Group, which includes the City and County of Denver, City of Lakewood, Denver Housing Authority and Metro West Housing Solutions, collaborated to produce the report "Connecting the West Corridor Communities: An Implementation Strategy for TOD along the Denver Region’s West Corridor.”
7. The Mile High Transit Opportunity Collaborative is an emerging collaborative of nonprofit and philanthropic organizations working together to ensure the creation of the region’s \$6.7 billion FasTracks transit system benefits all communities in the region, including low-income populations.

Importance of partnerships

- To be eligible to apply for the SCRPG, DRCOG must demonstrate a commitment of support from local jurisdictions representing at least 50% of the region’s population, as well as nonprofit organizations, foundations and/or educational institutions that have the capacity to engage a diverse representation of the general population.
- The SCRPG is part of a larger shift away from formula-based funds to a nationally-competitive funding process. This competitive focus requires greater regional coordination and prioritization of potential projects going forward.
- Support and input from diverse partners will help ensure grant-funded activities focus on the region’s highest priorities and create widespread benefits for local communities throughout the region.
- Strong partnerships are crucial not only to the development of a successful grant application, but also to successful completion of the work plan laid out in the application, and ultimately to the achievement of Metro Vision goals.

Potential Framework for the Denver Region’s 2011 application

Draft of August 15, 2011

Three inter-related planning levels

1. Site (catalytic project at current/planned rapid transit station)
2. Corridor (rapid transit)
3. Regional (Metro Vision)

Common themes addressed at all levels:

1. Aging (leverage DRCOG’s role as the Area Agency on Aging)
2. Social equity and access to opportunity
3. Stakeholder engagement and community involvement
4. Housing choices
5. Economic and workforce development
6. Environment, public health and regional sustainability goals:
 - a. Increased region-wide density, infill and redevelopment
 - b. Reduced per capita municipal and industrial water consumption
 - c. Reduced fossil fuel consumption and greenhouse gas emissions, other air pollutants
 - d. Increased share of population and employment in urban centers
 - e. Increased amount of protected open space
 - f. Increased rate of construction of alternative transportation facilities
 - g. Reduced single-occupant vehicle mode share
 - h. Reduced per capita vehicle miles traveled
7. Technical support and policy tools

Potential focus areas, activities, partners, and opportunities to leverage ongoing efforts

1. Site Planning (catalytic project)

Potential focus area	Potential activity	Potential partners and ongoing efforts that could be integrated/leveraged
Predevelopment activities	Market analysis; architectural, engineering and urban design work; environmental impact assessment; legal fees; site control	TOD Fund sites; RTD joint development pilot sites
	Planning charrettes/technical assistance panels	Housing Colorado; ULI
	Consideration of artist live/work for affordable housing and potential satellite educational outreach facility with an area educational	Artspace USA

Potential focus area	Potential activity	Potential partners and ongoing efforts that could be integrated/leveraged
	institution (ie. TOD site arts and educational programming)	
	Consideration of aging services and other support for healthy aging in place	Area Agency on Aging
Public engagement		PlaceMatters, FRESC
Site level scenario analysis	iPlaces3 type analysis	EPA/RAQC/DOLA efforts related to regional air quality planning
	Health Impact Assessment	LiveWell Colorado; CDPHE; Kaiser; Colorado Health Foundation
Learning laboratory	Using the site as a microcosm for exploring key issues	Various partners with expertise in each issue
	Applied research, documenting lessons learned	CU
	Documentary/video series	Mile High Stories, Rocky Mountain PBS

2. Corridor Planning (rapid transit)

Potential focus area	Potential activity	Potential partners and ongoing efforts that could be integrated/leveraged
Replicate West Corridor model	Establish working group	West Corridor Working Group, US 36 Commuting Solutions, Piton Foundation Children's Corridor, North Metro folks that are organizing around FasTracks
	Data collection and analysis, development of implementation strategies	Reconnecting America, CTOD, CU
	Planning charrettes/technical assistance panels	Housing Colorado, ULI
Public engagement	Corridor-level Citizen's Academies	Transit Alliance Citizen's Academy, PlaceMatters, FRESC
Corridor-level scenario analysis	Scaled down version of regional scenario modeling	DRCOG's new land use model (potentially) and next generation travel model

3. Regional Planning (Metro Vision)

Potential focus area	Potential activity	Potential partners and ongoing efforts that could be integrated/leveraged
Re-engaging the public in the vision	Metro Vision Citizen's Academy	Transit Alliance Citizen's Academy; PlaceMatters; FRESC
	Social media – blogs, facebook, twitter, YouTube, interactive maps, crowd sourcing	Denver Urbanism Blog, Mile High Stories
	Arts and cultural activities – exhibits, performances, broadcasts, competitions	Colorado History Museum; Scientific and Cultural Facilities District; Western States Arts Federation; Rocky Mountain PBS
	Surveys, focus groups	Housing Colorado research on attitudes toward affordable housing
Data collection/analysis – filling the holes in our knowledge base	Regional housing needs and other equity issues	MHTOC research – making the case for a regional TOD Fund; MHTOC Equity Atlas; Housing Colorado research - on the impact of not having affordable housing
	Healthy eating/active living – better inventory of bike/ped facilities, food deserts	LiveWell Colorado; CDPHE; Kaiser; Colorado Health Foundation
	Infill, redevelopment, and economic development opportunities	DRCOG's new land use model and built environment database
	Community resources (health clinics, schools, libraries, daycare, parks, older adult services)	DRCOG's new land use model and built environment database
	Relationship between land use and water supply planning	Denver Regional Water Dialogues, Symbiotic Engineering
	Parking infrastructure, usage and management	DRCOG (Nelson\Nygaard) study
	Policy options: pricing strategies, ? Outcomes: public health; equity; economic prosperity; healthy aging	DRCOG's new land use model (potentially) and next generation travel model
Performance monitoring	Short term metrics	Metro Vision Implementation Task Force
Implementation tools and support	TOD Fund, Economic Development Fund, Regional	MHTOC; US Bank and other lenders

Potential focus area	Potential activity	Potential partners and ongoing efforts that could be integrated/leveraged
	Infrastructure Bank	
	Strategies/best practices for supporting healthy aging	Boomer Bond
	Strategies/best practices for promoting efficient water use through efficient land use	Denver Regional Water Dialogues, CSU, Keystone Center, CWCB, Western Resource Advocates
	Strategies/best practices for promoting energy efficiency and renewable energy	Denver Regional Solar Map, Energy Efficiency Workshops, Regional Solar Collaboration



Council Communication

City Council Meeting: 19 Sep 2011

Prepared: 25 Jul 2011

Number of Attachments: 1

Subject: Grant Recognition - State of Colorado Department of Local Affairs - Division of Emergency Management (EMPG) - \$40,000

Presenter: Phil Baca / Leigh Ann Noell

Recommended City Council Action:

Staff recommends City Council approve Ordinance No. 1868 on second reading, allowing the city to accept and recognize funds applied for and awarded by the State of Colorado Department of Local Affairs - Division of Emergency Management for \$40,000. First Reading was held on August 15, 2011.

Summary Statement:

Funds received from this grant will offset the Emergency Management operating budget by \$40,000.

Next Steps: Proceed with project.

Expenditure Required: \$40,000

Source of Funds: State of Colorado Department of Local Affairs - Division of Emergency Management

Policy Issue: N/A

Alternative: Do not accept these funds and continue to expend the current Emergency Management budget as budgeted.

Background Information:

The purpose of the EMPG program is to encourage the development of all-hazard emergency management programs. Funds are authorized by Congress on an annual basis and passed to state and local organizations through FEMA. Funds are intended

to cover up to 50% of costs for staff, travel, training, office maintenance and other related costs. First reading was held August 15, 2011.

ORDINANCE NO. 1868

INTRODUCED BY: BENSON, CARSON, DIAZ, MORENO, NATALE, SNYDER,
TETER

AN ORDINANCE AMENDING THE 2011 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS - DIVISION OF EMERGENCY MANAGEMENT GRANT IN THE AMOUNT OF \$40,000 TO OFFSET OPERATING COSTS WITHIN THE EMERGENCY MANAGEMENT BUDGET AND THE AUTHORIZATION OF THE EXPENDITURE THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

An amendment is made to the 2011 budget of the City of Commerce City, Colorado for the recognition of the funds from the State of Colorado Department of Local Affairs – Division of Emergency Management Grant in the amount of \$40,000 to be used to offset operating costs of the emergency management budget. (Fund 180).

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 15th DAY OF AUGUST, 2011.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 19th DAY OF SEPTEMBER, 2011.

CITY OF COMMERCE CITY, COLORADO

By: _____
PAUL NATALE, MAYOR

ATTEST

Laura J. Bauer, City Clerk



Council Communication

City Council Meeting: 19 Sep 2011

Prepared: 23 Aug 2011

Number of Attachments: 1

Subject: Grant Recognition - JAG Solicited \$19,236

Presenter: Phil Baca / Leigh Ann Noell

Recommended City Council Action:

Staff recommends City Council approve Ordinance No. 1780 on first reading, allowing the city to accept and recognize funds applied for and awarded by Justice Assistance Grant Program (JAG) for \$19,236.

Summary Statement:

Grant recognition for funds received from JAG Solicited for \$19,236. Funds will be used to purchase two radar detectors; 2 laser radars; VHS to DVD duplication unit; cellphone data extraction unit; shelving for Property & Evidence; and, a GPS tracking device.

Next Steps: Consent or 2nd Reading agenda scheduled in one month.

Expenditure Required: \$19,236.00

Source of Funds: JAG Grant

Policy Issue: N/A

Alternative: The city could refuse the funds and complete the project on their own or choose not to proceed.

Background Information:

Each year the city receives funds from the Federal JAG Byrne grant. This money is allocated based on a formula using Commerce City crime statistics and population as compared to other cities. This year the City was awarded \$19,236. After meeting with the police chief, funds are proposed to be used to purchase a variety of equipment to be used in the police department.

ORDINANCE NO. 1870_____

INTRODUCED BY:

AN ORDINANCE AMENDING THE 2011 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY THE RECOGNITION OF THE DEPARTMENT OF JUSTICE – JAG/BYRNE GRANT FUNDS IN THE AMOUNT OF \$19,236 FOR EQUIPMENT TO BE USED BY POLICE DEPARTMENT PERSONNEL AND AUTHORIZATION OF THE EXPENDITURE THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

An amendment is made to the 2011 budget of the City of Commerce City, Colorado for the recognition of the funds from the Department of Justice – JAG/Byrne Grant funds in the amount of \$19,236 for equipment to be used by police department personnel. (Fund 180)

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE ORDERED THIS 19th DAY OF SEPTEMBER, 2011.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED THIS 17th DAY OF OCTOBER, 2011.

CITY OF COMMERCE CITY, COLORADO

By: _____
PAUL NATALE, MAYOR

ATTEST

Laura J. Bauer, City Clerk



Council Communication

City Council Meeting: 19 Sep 2011

Prepared: 03 Aug 2011

Number of Attachments:

Subject: Citizen communications during City Council meetings

Presenter: Robert R. Gehler, City Attorney

Recommended City Council Action:

This item was requested by City Council for discussion of issue and to provide direction to staff.

Summary Statement:

City Council has raised the issue as to whether the agenda item "Citizen Communication" should be expanded to allow for discussion by City Council with a citizen on issues raised by a citizen during that part of a City Council meeting.

Next Steps: Passage of a resolution at a future City Council meeting approving a citizen communication policy.

Expenditure Required: No expenditure is required.

Source of Funds: N/A

Policy Issue: Whether the length of City Council meetings should be expanded to allow for discussions during Citizen Communication.

Alternative: Keep restrictions in effect regarding Citizen Communications during City Council meetings.

Background Information:

In the past, issues have arisen as to the length of City Council meetings. As a result, restrictions were placed on how Citizen Communications should be treated as part of the City Council meetings. Recently, some members of City Council have not been

satisfied with the restrictions imposed regarding the "Citizen Communication" agenda item and have requested that the practice be reviewed and a policy adopted regarding citizen communications.

Each agenda for regular meetings of the City Council shall contain an agenda item designated "Citizen Communications" in order to provide citizens an opportunity to address the City Council subject to the terms and conditions of this resolution.

A Public Comment Roster shall be made available prior to each regular meeting of City Council and any citizen who wishes to address the City Council, either under Citizen Communications or with regard to any first reading of an ordinance, must complete the Public Comment Roster and submit it to the City Clerk with the printed name, signature and address of the citizen wishing to speak along with a short description of the topic or subject that will be addressed. The requirement for signing the Public Comment Roster as to any specific item on the agenda may be waived by the Mayor or other Councilmember chairing the meeting if the number of citizens wishing to speak with regard to that specific item makes it impractical to require each of them to sign the Public Comment Roster.

The agenda item "Citizen Communications" is not intended to be used as a platform to express personal or political philosophies or messages that have little or nothing to do with the business and affairs of the City of Commerce City.

Neither the City Council nor the City staff shall be expected to respond immediately to matters raised in the "Citizen Communications". However, City Council members shall always retain the right to ask questions of the citizen. In order to avoid the risk of an inaccurate or inadequate response to a citizen concern, the members of the City Council are encouraged to refer questions raised during the "Citizen Communications" to the City Manager or the City Attorney for a timely response.

All speakers must stay on topic and are encouraged to state their points as briefly and clearly as possible. Redundancies and repetitive remarks should be avoided.

Except when presenting evidence in an advertised public hearing, each speaker shall be limited to three (3) minutes which shall be monitored by a timer. Upon completion of the speaker's comments, any member of the City Council may ask questions for clarification. Such questions and answers shall not be timed but the Mayor or other Councilmember chairing the meeting, in his or her discretion, may limit further questions and discussion.

All remarks shall be addressed to the City Council and no member of the City Council or City staff shall be requested or expected to engage in discussions or debate with any speaker. Personal attacks, whether directed toward members of the City Council, City staff or fellow citizens, are prohibited.

The use of profanity or ethnic, racial or gender-oriented slurs or any disorderly conduct is prohibited.

The Mayor, or other Councilmember chairing the meeting, has the authority to order any person to terminate his or her remarks if the time allotted to such person has expired or if the speaker has violated any of the foregoing rules. When the City Council is required to make a decision in a quasi-judicial proceeding, each member of the City Council is legally required to be impartial

and in order that all quasi-judicial hearings will be conducted in a fair and impartial manner, no evidence outside a hearing may be considered by the City Council in arriving at its decision. Therefore, if any citizen wishes to speak regarding an issue that is pending or may, with a reasonable probability, be pending as determined by the Mayor or other Councilmember chairing the meeting, as an issue that may require a quasi-judicial hearing for determination by the City Council, the citizen may be advised to defer his or her remarks until the quasi-judicial hearing is held by the City Council.