



Commerce City

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

Monday, November 5, 2012

5:30 PM

Council Chambers

GID Meeting to Follow

1. Call to Order/Roll Call - 5:30

2. Executive Session - 5:35

[12-0063](#) Executive session to (1) receive legal advice pursuant to C.R.S. 24-6-402(4)(b) regarding Denver International Airport issues; and (2) regarding positions relative to issues pursuant to C.R.S. 24-6-402(4)(e) concerning incentives for economic development.

3. Pledge of Allegiance - 6:30

4. Audience Introduction - 6:35

5. Proclamations and Recognitions

[12-0065](#) Commerce City Parks, Recreation & Golf Department Award Recognition

6. Citizen Communication - 6:50

7. Approval of Minutes - 7:20

[Min 12-021](#) Meeting Minutes of October 15, 2012

Attachments: [Minutes](#)

8. Resolutions - 7:25

[Res 2012-75](#) RESOLUTION APPROVING INTERGOVERNMENTAL AGREEMENT AMONG THE CITY OF COMMERCE CITY, THE CITY OF BRIGHTON AND BRIGHTON SCHOOL DISTRICT 27J REGARDING THE CONSTRUCTION, FUNDING AND MAINTENANCE FOR A SIDEWALK ON 120TH AVENUE NEAR PRAIRIE VIEW HIGH SCHOOL

Attachments: [Resolution](#)

[120th Avenue IGA](#)

[Res 2012-85](#) RESOLUTION SETTING FORTH PROCEDURES FOR APPEAL OF ADMINISTRATIVE DENIAL OF APPLICATION FOR MARIJUANA LICENSE

Attachments: [RESOLUTION](#)

[Exhibit A](#)

[Res 2012-88](#) RESOLUTION APPOINTING MEMBERS TO THE YOUTH COMMISSION OF COMMERCE CITY

Attachments: [Resolution](#)

[Res 2012-92](#) First Amendment to the April 16, 2010 IGA Between the Northern Infrastructure General Improvement District and the City of Commerce City

Attachments: [Resolution](#)

[Amendment to IGA](#)

9. Public Hearings - 8:05

[Res 2012-80](#) Public Hearing on 2013 Budget

Attachments: [Resolution](#)

[2013 CIPP Book](#)

[2013 City Budget Presentation](#)

[2013-2014 Budget - Draft](#)

Legislative History

10/15/12 City Council continued

Mayor Ford called a recess at 9:27 pm. The meeting reconvened at 9:36 pm

Mayor Ford opened the public hearing.

Budget & Performance Analyst Jason Leslie stated that projected revenues and expenditures are in balance for a total budget of \$48.4 million

No one came forward to address Council.

Council members McEldowney and Moreno moved and seconded to continue the public hearing to November 5, 2012.

VOICE VOTE: Unanimous; all present affirmed

[Z-898-12](#) AN ORDINANCE REZONING FROM R-1 TO I-2 ZONE DISTRICT THE PROPERTY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF, AND AMENDING THE ZONING MAP OF THE CITY OF COMMERCE CITY, COLORADO TO REFLECT SAID REZONING.

Attachments: [Ordinance](#)
[July 3, 2012 PC Minutes](#)
[Staff Report](#)
[V-Map](#)
[City Narrative Letter](#)
[Zoning Map \(Z-164-78\)](#)
[Annexation Map \(AN-7-78\)](#)

Legislative History

8/6/12 City Council continued

[CU-100-12](#) Rocky Mountain Recycling requests a Conditional Use Permit to add a second rail spur on the property located at 6510 Brighton Boulevard, zoned I-3

Attachments: [CU-100-12](#)
[PC Minutes](#)
[Project Report](#)
[V-Map](#)
[Applicant's Submittal](#)
[Presentation](#)

[AP-15-12](#)

iVita Wellness, LLC appeals the City's decision to deny its application for a Conditional Use Permit to operate a medical marijuana facility at 5500 Colorado Boulevard, zoned I-2.

Attachments: [PC Minutes](#)
[Exhibit A](#)
[Exhibit B](#)
[Development Review Application](#)
[Zoning Buffer](#)
[Narrative 1](#)
[Narrative 2](#)
[Applicant Certification](#)
[1,000 Property Buffer](#)
[Section 21-5249](#)
[LDC Parks](#)
[Distance or Spacing](#)
[8-8-12 Denial](#)
[Appeal Letter](#)
[Alternative Motions](#)

10. Ordinances on 1st Reading - 9:10[Ord 1939](#)

An Ordinance Amending Section 10-3002 of the Commerce City Revised Municipal Code Relating to Illegal Discharges

Attachments: [Ordinance 1939](#)
[Email from South Adams Fire Protection District](#)

[Ord 1940](#)

AN ORDINANCE AMENDING THE 2012 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO BY APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE CIPP FUND TO THE 96TH AVENUE ACCOUNT IN THE AMOUNT OF \$274,615, TRANSFERRING PRIOR APPROPRIATIONS IN THE CIPP FUND IN THE AMOUNT OF \$4,218,883 TO THE 96TH AVENUE ACCOUNT IN THE CIPP FUND, AND TRANSFERRING A PORTION OF THE UNENCUMBERED FUND BALANCE IN THE SOLID WASTE FUND TO THE 96TH AVENUE ACCOUNT IN THE CIPP FUND IN THE AMOUNT OF \$500,000, TOTALING \$4,993,498 FOR A LOAN TO THE BUFFALO HIGHLANDS METROPOLITAN DISTRICT, AND AUTHORIZING THE EXPENDITURE THEREOF.

Attachments: [Ordinance 1940](#)

11. Ordinances on 2nd Reading - 9:30

[Ord 1934](#) AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF COMMERCE CITY BY ADDING SECTION 2-3005 ENTITLED YOUTH COMMISSION TO ARTICLE III OF CHAPTER 2.

Attachments: [Council Presentation](#)

[Ordinance - Final](#)

Legislative History

10/1/12 City Council introduced by council as seated and approved on first reading

[Ord 1936](#) AN ORDINANCE AMENDING THE 2012 BUDGET OF THE CITY OF COMMERCE CITY, COLORADO, BY APPROPRIATING A PORTION OF THE UNENCUMBERED FUND BALANCE OF THE PARK IMPACT FEE FUND IN THE AMOUNT OF \$947,745, FOR THE VAUGHN PROPERTY PURCHASE AND AUTHORIZATION THE EXPENDITURE THEREOF.

Attachments: [Ordinance - Final](#)

Legislative History

10/1/12 City Council introduced by council as seated and approved on first reading

12. Administrative Council Business - 10:10

[12-0064](#) Winter Retreat

13. Reports - 10:25

14. Adjourn - 10:40