



FROM THE CITY MANAGER'S OFFICE

For the week of April 27, 2015

Inside the city

Information on latest happenings, items of interest.

To see events posted on the city wide calendar please visit our [website](#).

Council follow-up

Resolution of action items or requests from previous meetings.

96th Avenue Extension Set to Open May 7

The 96th Avenue extension will open to traffic the afternoon of Thursday, May 7, 2015. The city will mark the occasion with an opening event at 10 a.m. The new roadway, which runs from Buckley Road to Tower Road, includes a new bridge over Second Creek as well as a new traffic signal at the intersection of 96th Avenue and Tower Road.

The road extension and bridge is instrumental for the Buffalo Highlands Metropolitan District, a master planned project at 96th Avenue and Buckley Road. In addition to supporting the overall growth and development of Commerce City, the extension provides another road spanning the city from Interstate 76 on the west to E-470 on the east. The road is currently two lanes, but has the capability of being widened to four lanes in the future.

Join us for the extension opening, May 7 at 10 a.m. on the Second Creek Bridge near the intersection of 96th Avenue and Buckley Road.

Councilman Douglas inquired about potential for moving the 104X RTD bus stops in front of Walgreens and McDonalds because of the increased traffic and development.

RTD reviewed the councilman's request, looking at both locations and the proposed changes. The District respectfully declines this request for several reasons.

First, the current locations have concrete loading areas with benches and are both set far-side of the intersection. Moving these bus stops before the intersection would place one of them in a turn lane going westbound. The eastbound bus stop would need a loading pad next to 1st Bank, which would require additional infrastructure and cost.

Second, moving the stop locations also would negatively impact the increased traffic at this intersection, causing vehicles to go around the bus and attempt right turns onto Chambers in both directions.

Legislative report

Attached please find this week's legislative report and tracking sheet.

City Council work schedule

Attached please find the current city council meeting schedule.

To: Mayor & Members of Council

From: Michelle Halstead, director of communications & government affairs

Subject: 2015 General Assembly Week 13 Legislative Report

Date: April 27, 2015

Seven working days left as the first regular session of the 70th Colorado General Assembly winds down, and the stakes are winding up. Activities on the city's three legislative priorities served as bookends to a week of significant developments in taxation, marijuana, TABOR, transportation, and affordable housing. The legislature will adjourn sine die no later than midnight on Wednesday, May 6.

A total of 664 bills have been introduced; Commerce City is tracking approximately 122 bills for possible direct or indirect impacts on the city, its employees, businesses and residents.

Learn more about monitored legislation [online](#), including summaries and full text of the bill. Summaries of key bills, ordered by city council's priority areas, are listed below. The city's position, consistent with its [approved legislative principles](#), is in parentheses. Thanks to the [Colorado Municipal League](#), [Axiom Strategies](#) and other cited media sources for providing legislative information.

SPECIFIC LEGISLATIVE PRIORITIES

- **Owner-Occupied, Multifamily Housing:** SB 177 was assigned to the House State, Veterans & Military Affairs committee for a hearing today. As legislators admit and the [Denver Business Journal](#) stated, this committee is where leadership sends bills to die.
- **Urban Renewal & Tax Increment Financing:** An amended [SB 15-135](#) was laid over this morning and awaits a third reading in the Senate. The county-backed urban renewal bill, [HB 15-1348](#), passed the House last week and awaits introduction in the Senate and its first hearing.
- **Photo Red Light Cameras:** The photo radar prohibition bill (HB 15-1098) that was supposed to die in committee ended up coming out of committee Friday on a 7-6 vote when a legislator changed his mind. The bill awaits second reading on the House floor. Later in the day, another bill further inserting the legislature into the role of city council was introduced in the Senate and will be heard tomorrow.

MEMO CONTINUED

OTHER BILLS OF INTEREST

- ***HB 15-138, Use of Money from Unclaimed Property Fund (?)***

Requires the state treasurer to transfer roughly \$25 million per year from the state's unclaimed property trust fund to the Colorado housing and finance authority (CHFA) by 2020. The bill also directs CHFA in how the money should be distributed. The intent is to provide funding for rental assistance to persons in low -income households across the state to enable them to obtain rental housing in the form of housing vouchers. Additionally, the money may promote the construction, acquisition, or rehabilitation of either rental housing for persons in low-income households or owner-occupied housing for persons in low- or moderate-income households across the state. This is a response from House Leadership to SB 15-177. It is anticipated that HB 15-1384 will be heard in the House State Affairs committee after SB 15-177 on Monday April 27.

- ***HB 15-1264, Homeless Persons' Bill of Rights (Oppose)***

HB 15-1264 creates the "Colorado Right to Rest Act," and defines specific rights for those experiencing homelessness. Additionally, it allows an individual who believes his or her rights have been violated to take civil action. A court may award up to \$1,000 per violation and attorney's fees to the prevailing party. While we take the issue of homelessness in our community very seriously, the city opposes the bill because an individual has standing for perceived "harassment." This means that various types of contacts with law enforcement may be used to file suit against a municipality.

For example, these contacts may include asking an individual to vacate a public area. As the proposed legislation allows courts to award attorney's fees to the prevailing party, there is a likelihood that this broader definition of harassment will lead to more lawsuits at greater expense to local taxpayers. Due to time constraints, only partial testimony was heard on HB 15-1264 on April 15. The hearing was rescheduled for April 27 and CML intends to testify at that hearing.

- ***SB 15-202, Water Conditioning Appliances (Oppose)***

SB 15-202 removes certain water conditioning appliances from the state definition of "plumbing," particularly those that are attached to a potable water system with a pipe of less than 2 inches in diameter. Therefore, the installation of these appliances would not require an inspection. Additionally, the installer would not need to be licensed or certified. The city and

MEMO CONTINUED

CML is opposed to SB 15-202 because these appliances and the installers should continue to be regulated under the plumbing code.

This is a health and safety issue as improper installation of water conditioners has led to contamination of residential water, including Commerce City. Per the request of the House sponsor, CML is working with representatives for the plumbers to draft language that we believe should be in the bill. That language requires that a company pull a permit and get an inspection from the local government. The bill was rescheduled for an April 29 hearing.

- ***SB 15-212, Stormwater Management and Water Rights (Support)***

Modern stormwater management requires regional stormwater facilities designed to control and prevent destructive high flows by releasing or infiltrating stormwater gradually, within 72 hours for all but the most severe storms. Regional stormwater management facilities produce stream flow rates that are closer to the natural hydrograph than would occur without these facilities.

- The Bill preserves the ability of existing stormwater facilities and post wildland fire facilities to continue to operate to protect public health and safety
- Language in the bill specifically allows that the operation of future facilities may be challenged by water rights holders who allege injury to water rights.
- The State Engineer supports and has asked for this bill so that storm water facilities can continue to operate without water rights administration requirements that have never been applicable to these facilities.
- The Bill will protect communities from debris flows and flash flooding caused by wildfires.
- The Bill is the result of over four months of negotiations with stakeholders

Stormwater management is critical to public health and the safety of property throughout Colorado. So long as storm or flood flows are stored only for that period of time determined necessary to meet public health and safety demands, and the water is not placed to any other intervening beneficial use, the construction and operation of stormwater control facilities should not be subjected to the water rights administration and adjudication processes.

The bill passed the Senate with no amendments and now heads to the House

Please contact Michelle Halstead at 303-289-3719 or mhalstead@c3gov.com with questions on these or any other legislative issues.



City Council Work Schedule				
Date	Item	Description	Dept.	Time
May 4, 2015				
REGULAR		Call to Order; Pledge; Audience Intro; Citizen Comm; Minutes; Reports		1:00
PROC & RECOGNITION	Proc 15-04	Proclamation declaring May 10 - 16, 2015 as Commerce City Police Week	PD	0:10
	Proc 15-07	Kids Park Day	COMM	0:05
	Proc 15-17	Proclamation recognizing the Rotary Club's Mental Health First Aid Training	COMM	0:05
CONSENT	Res 2015-35	A resolution approving City Attorney Employment Contract	CA	0:05
PUB HEARING	Res 2015-23	Service Plan Amendment to Buffalo Highlands Metro District	CD	0:05
ORD 1ST READING	2050	PROVIDE FOR THE LICENSING OF MEDICAL AND RECREATIONAL MARIJUANA BUSINESS (2 reading June 1st)	CA	0:15
	2048	Marijuana LDC Amendments (2 reading June 1st)	CD	0:20
	2052	Amending Section 5-4101 of the code adopting amendments to the 2009 International Building Code related to marijuana (2nd Reading June 1st)	CD	0:10
	2053	Amending Section 5-41001 of the code adopting amendments to the 2009 International Fire Code related to marijuana (2nd reading June 1st)	CD	0:05
	2054	Grant Award - Click It or Ticket - \$3,190 (2nd reading June 1st)	FD	0:05
PRESENTATION	15-87	Capital Program Update	CMO	0:30
	15-89	2015 1st Quarter Work Plan Update	CMO	0:30
ADMIN BUSINESS				0:15
EXECUTIVE SESSION	15-36	An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding a potential real estate transaction	CMO	0:55
		Total Meeting Time		4:35
May 11, 2015				
STUDY SESSION		Reports	CMO	0:15
DISCUSSION	15-178	Federal Advocacy Trip Debrief and Action Items	COMM	0:30
	15-131	2014 Comprehensive Plan Indicators Report	CD	0:30
	15-86	5 Year CIPP	CMO	1:00
	15-112	Ice Cream Trucks	PD	0:30
	15-201	2015 Pavement Maintenance Project Overview	PW	0:15
		Total Meeting Time		3:00
May 18, 2015				
REGULAR		Call to Order; Pledge; Audience Intro; Citizen Comm; Minutes; Reports		1:00
PROC & RECOGNITION	15-03	Proclamation declaring May 17-23, 2015, as Commerce City Public Works Week	PW	0:10
	Rec 15-33	Student Art Contest	CMO	
	Rec 15-34	Historical Society Coloring Book Winners Presentation/Recognition	CMO	0:15
CONSENT	Res 2015-20	Approval of a Change Order with Huitt-Zollars, Inc. for Additional Design Services related to Tower Road Widening Project	PW	0:05
PUB HEARING	Z-919-15	Manuel & Deborah Ornelas; Rezone from ADCO AG-1 to CC I-2 (2nd reading June 15)	CD	0:20
	Z-920-15	Jose Alberto Rodriguez; rezone from R-3 to R-4; 6440 E, 64th Avenue. (2nd reading June 15th)	CD	0:15
	Res 2015-24	Jose Alberto Rodriguez; Subdivision of existing property into 6 lots; 6440 E. 64th Ave	CD	0:05
	AN-234-15	Ordinance approving Annexation of property located at 7420 E 86th Ave (2nd reading June 15)	CD	0:10
RESOLUTION	Res 2015-26	Resolution making findings of fact for AN-234-15	CD	0:10
	Res 2015-34	SACFD Admin Building	CD	0:15
	Res 2015-30	Approving the noxious weed management plan	CD	0:05
	Res 2015-37	City Water Transaction	CMO	0:15
	Res 2015-38	Water Utility Easement for Outdoor Leisure Pool	PRG	0:10
	Res 2015-39	Water Utility Easement - Fronterra Park	PRG	0:10
ORD 1ST READING	Ord 2051	Weed Ordinance Amendment (2 reading June 15th)	CD	0:10
PRESENTATION	15-220	Senior Advisory Committee Bi-Annual Presentation	PRG	
	15-225	Presentation on Fully Automatic Collection Garbage & Recycling Program Implementation.	PW	0:15
ADMIN BUSINESS				0:15
		Total Meeting Time		4:05

City Council Work Schedule				
Date	Item	Description	Dept.	Time
May 18, 2015				
URA MEETING		Call to Order/Roll Call		0:05
EXECUTIVE SESSION	15-28	An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of developing strategy for negotiations and instructing negotiators concerning the Mile High Greyhound Park Mater Development Agreement	CD	0:45
		Total Meeting Time		0:50
May 25, 2015	No Meeting - Memorial Day			
June 1, 2015				
REGULAR		Call to Order; Pledge; Audience Intro; Citizen Comm; Minutes; Reports		1:00
PROC & RECOGNITION	Proc 15-02	Recognition of Memorial Day Parade winners	COMM	0:15
CONSENT	2048	Marijuana LDC Amendments (1st reading May 4)	CD	0:05
	2050	PROVIDE FOR THE LICENSING OF MEDICAL AND RECREATIONAL MARIJUANA BUSINESS (1st reading May 4)	CA	n/a
	2052	Amending Section 5-4101 of the code adopting amendments to the 2009 International Building Code related to marijuana (1st reading May 4th)	BLD	n/a
	2053	Amending Section 5-41001 of the code adopting amendments to the 2009 International Fire Code related to marijuana (1st reading May 4th)	BLD	n/a
	2054	Grant Award - Click It or Ticket - \$3,190 (2nd reading June 1st)	FD	n/a
PUB HEARING	Z-923-15	Scott Josifek; Rezone from C-3 to R-1; 6310 Poplar St (2nd reading July 6th)	CD	0:15
RESOLUTION	Res 2015-31	Resolution in Support of Business Incentives for Project Proteo	ED	0:15
	Res 2015-32	Resolution in Support of Business Incentives for Project Wheels	ED	0:15
ORD 1ST READING				
PRESENTATION	15-188	Economic Development - Quarterly Economic Activity Reports	ED	0:30
	15-247	SACWSD Water Supply and Demand Presentation	CMO	0:20
ADMIN BUSINESS				0:15
		Total Meeting Time		3:10
June 8, 2015				
STUDY SESSION		Reports	CMO	0:15
DISCUSSION	15-156	Quality Community Foundation Grant Process Update	FD	0:30
	15-152	LDC Amendments Telecommunication Structures	CD	0:30
	15-153	LDC Amendments Electric Fences	CD	0:15
	15-154	Potential I-76 Annexation	CD	0:30
	15-165	Historic Preservation Ordinance Preliminary Discussion	CD	0:30
	15-248	SACWSD Water Supply and Demand Presentation Follow-up	CMO	0:45
		Total Meeting Time		3:15
June 15, 2015				
REGULAR		Call to Order; Pledge; Audience Intro; Citizen Comm; Minutes; Reports		1:00
EXECUTIVE SESSION	15-37	An executive session pursuant to C.R.S. 24-6-402(4)(e) for the purpose of instructing negotiators regarding... - water	CMO	0:55
PROC & RECOGNITION				
CONSENT	AN-234-15	Ordinance approving Annexation of property located at 7420 E 86th Ave (1st reading May 18)	CD	0:05
	Z-919-15	Manuel & Deborah Ornelas; Rezone from ADCO AG-1 to CC I-2 (1st reading May 18)		n/a
	Z-920-15	Jose Alberto Rodriguez; rezone from R-3 to R-4; 6440 E, 64th Avenue. (1st reading May 18)	CD	n/a
	2051	Weed Ordinance Amendment (1st reading May 18)	CD	n/a
PUB HEARING				
RESOLUTION				
ORD 1ST READING				
PRESENTATION	15-203	Turnberry and Villages at Buffalo Run East Neighborhood Parks	PR&G	0:25
ADMIN BUSINESS				0:15
		Total Meeting Time		2:40

City Council Work Schedule				
Date	Item	Description	Dept.	Time
June 22, 2015				
STUDY SESSION		Reports	CMO	0:15
DISCUSSION	15-189	Economic Development - RECon Trip Report	ED	0:15
	15-229	Court Surcharge Review/Discussion	FD	1:00
	15-115	Youth Sports Presentation	PRG	1:00
		Total Meeting Time		2:30
July 6, 2015				
REGULAR		Call to Order; Pledge; Audience Intro; Citizen Comm; Minutes; Reports		1:00
PROC & RECOGNITION				
CONSENT	Z-923-15	Scott Josifek; Rezone from C-3 to R-1; 6310 Poplar St (1st reading June 1st)	CD	0:05
PUB HEARING				
RESOLUTION				
ORD 1ST READING				
PRESENTATION				
ADMIN BUSINESS				0:15
		Total Meeting Time		1:20
July 13, 2015				
STUDY SESSION		Reports	CMO	0:15
DISCUSSION	15-227	Discussion of potential ballot measures for November 2015 municipal election	COMM	0:30
	15-232	Preliminary Budget Session: Overview, Revenue & CIPP Discussion	FD	0:30
		Total Meeting Time		1:15
July 20, 2015				
REGULAR		Call to Order; Pledge; Audience Intro; Citizen Comm; Minutes; Reports		1:00
PROC & RECOGNITION				
CONSENT				
PUB HEARING				
RESOLUTION				
ORD 1ST READING				
PRESENTATION				
ADMIN BUSINESS				0:15
		Total Meeting Time		1:15
July 27, 2015				
STUDY SESSION		Reports	CMO	0:15
DISCUSSION				
		Total Meeting Time		0:15