



# Commerce City

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

## Meeting Minutes - Draft

### City Council

---

Monday, February 13, 2023

5:30 PM Council Chambers, 7887 E 60th Ave, Commerce City, CO 80022. The meeting will also be conducted in a hybrid format via Zoom. Registration link: [https://c3gov.zoom.us/webinar/register/WN\\_wOtkYkS1TVak9b6PahFjcw](https://c3gov.zoom.us/webinar/register/WN_wOtkYkS1TVak9b6PahFjcw)

---

#### Special Meeting

#### 1. Call to Order/Roll Call

*A special meeting of the City Council of the City of Commerce City was called to order by Mayor Huseman on February 13, 2023, at 5:30 PM.*

*A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Kim, to excuse those members not present. VOTE: 5 - Aye, 4 - Excused (Douglas, Ford, Hurst, Madera)*

**Present:** 7 - Mayor Benjamin Huseman, Mayor Pro Tem Jennifer Allen-Thomas, Council Member Oscar Madera, Council Member Renee Millard-Chacon, Council Member Susan Noble, Council Member Craig Hurst and Council Member Craig Kim

**Excused:** 2 - Council Member Sean Ford and Council Member Kristi Douglas

**Times given are estimates only.**

#### 2. Public Hearing

**The public hearings will be conducted hybrid in person and via Zoom. There will be an opportunity to testify live during the meeting via Zoom or in advance in advance via email or regular mail. Visit [c3gov.com/council](https://c3gov.com/council) and click on “Virtual Meeting and Public Comment Instructions” for instructions on how to register or submit comments. The deadline to register to comment and to submit written comments is noon on Monday, February 13, 2023. Please contact the City Clerk to request paper copies of materials.**

[Res 2023-014](#)

A RESOLUTION APPROVING THE AMENDED AND RESTATED TRIANGLE METROPOLITAN DISTRICT SERVICE PLAN INCLUDING EXHIBIT C THERETO: AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT BETWEEN AND AMONG THE CITY OF COMMERCE CITY AND THE TRIANGLE METROPOLITAN DISTRICT

*Mayor Huseman opened the public hearing.*

*Council Members Madera and Hurst arrived at the meeting at 5:39 PM.*

*John Bourjaily, Management Analyst, provided the staff presentation.*

*Bruce O'Donnell, applicant, was present to answer questions from Council.*

*Steve Douglas spoke in opposition to the case.*

*Mayor Huseman closed the public hearing.*

*A motion was made by Council Member Noble, seconded by Council Member Millard-Chacon, to amend Resolution 2023-014 to require public meetings to be within 5 miles of the property. VOTE: 7 - Aye, 2 - Excused (Douglas, Ford)*

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

**Aye:** 7 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst and Council Member Kim

**Excused:** 2 - Council Member Ford and Council Member Douglas

### 3. Executive Session

[23-015](#)

An executive session of the City Council pursuant to C.R.S. 24-6-402(4)(b) and (e) for the purposes of receiving legal advice and determining positions that may be subject to negotiation, specifically addressing the litigation against the City initiated by Oakwood Homes, currently pending in the Adams County District Court. Formal action by the City Council following the executive session is anticipated and will occur in open session.

**A motion was made by Mayor Pro Tem Allen-Thomas, seconded by Council Member Kim, to enter into an executive session of the City Council pursuant to C.R.S. 24-6-402(4)(b) and (e) for the purposes of receiving legal advice and determining positions that may be subject to negotiation, specifically addressing the litigation against the City initiated by Oakwood Homes, currently pending in the Adams County District Court. Formal action by the City Council following the executive session is anticipated and will occur in open session. VOTE:**

**Aye:** 6 - Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst and Council Member Kim

**Nay:** 1 - Mayor Huseman

**Excused:** 2 - Council Member Ford and Council Member Douglas

#### 4. Resolution

[Res 2023-016](#)

DRAFT - A RESOLUTION OF THE CITY OF COMMERCE CITY ATTESTING TO THE CERTIFICATION OF THE RECORD REGARDING ONGOING LITIGATION WITH OAKWOOD HOMES

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

**Aye:** 5 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Noble and Council Member Hurst

**Excused:** 2 - Council Member Ford and Council Member Douglas

**Recused:** 2 - Council Member Millard-Chacon and Council Member Kim

#### 5. Recess to City Council Study Session

*The special meeting was recessed at 6:18 PM.*

*The special meeting was reconvened at 8:54 PM.*

#### 6. Executive Session

[23-023](#)

An executive session of the City Council pursuant to C.R.S. 24-6-402(4)(f)(I) for the discussion of personnel matters, specifically to conduct a formulary session to establish performance standards and the manner of performance evaluations of the City Manager.

**A motion was made by Council Member Hurst, seconded by Council Member Madera, to enter into an executive session of the City Council pursuant to C.R.S. 24-6-402(4)(f)(I) for the discussion of personnel matters, specifically to conduct a formulary session to establish performance standards and the manner of performance evaluations of the City Manager. VOTE:**

**Nay:** 7 - Mayor Huseman, Mayor Pro Tem Allen-Thomas, Council Member Madera, Council Member Millard-Chacon, Council Member Noble, Council Member Hurst and Council Member Kim

**Excused:** 2 - Council Member Ford and Council Member Douglas

**7. Adjourn**

*The meeting adjourned at 8:58 PM.*

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

---

*Dylan A. Gibson, City Clerk*

**Any citizen requesting accommodations, with respect to rights under the Americans with Disabilities Act, to attend or participate in any public meeting, and/or to obtain this notice in alternate formats, is asked to please contact the City Clerk at 303-227-8791 as soon as possible before the meeting.**