



# City of Brighton

500 S. 4th Avenue  
Brighton, CO 80601

## Meeting Agenda

### City Council

*MAYOR - KENNETH J. KREUTZER*

*MAYOR PRO-TEM - JW EDWARDS*

*COUNCIL MEMBERS:*

*LYNN BACA, CLINT BLACKHURST, MARK HUMBERT,  
MATT JOHNSTON, GREGORY MILLS, MARY ELLEN POLLACK,  
KIRBY WALLIN*

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Tuesday, May 7, 2019

7:00 PM

Council Chambers

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#### **1. CALL TO ORDER**

- A. Pledge of Allegiance to the American Flag.
- B. Roll Call.

#### **2. APPROVAL OF REGULAR AGENDA**

*(Council may take a short break between 8:30–9:00 p.m.)*

#### **3. CONSENT AGENDA**

- A. [ID-130-19](#) Approval of the April 2, 2019 City Council Minutes
- B. [ID-141-19](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING JO ELIZABETH PINTO AS A MEMBER OF THE BRIGHTON HISTORIC PRESERVATION COMMISSION TO FILL AN UNEXPIRED TERM TO JUNE 2020

**Attachments:** [HPC May 2019 Pinto](#)

#### **4. CEREMONIES**

- A. [ID-139-18](#) Swearing In of New Board and Commission Member
- B. [ID-138-19](#) Recognition of Brighton Employee Charities Scholarship Winners
- C. [ID-95-19](#) National Kids to Parks Day Proclamation

**Attachments:** [Kids to Parks Proclamation](#)

- D. [ID-139-19](#) Archeology & Historic Preservation Month Proclamation

**Attachments:** [Historic Preservation Proclamation](#)

- E. [ID-140-19](#) Building Safety Month Proclamation

Attachments: [Building Safety Proclamation](#)

**5. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA (Speakers limited to five minutes)**

**6. PUBLIC HEARINGS**

**7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW**

- A. [ID-146-19](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF AN APPROXIMATE 34.97 ACRES OF CONTIGUOUS LAND IN THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, TO BE KNOWN AS THE BRIGHTON LAKES: 2 BAR C DAIRY AND STARBUCK ANNEXATION (PUBLIC HEARING)

Attachments: [Resolution of Eligibility-Brighton Lakes Annexation-2 Bar C Dairy and Starbuck Aerial-Brighton Lakes Annexation Map](#)  
[Annexation Map-Signed](#)  
[1st Reading-Brighton Lakes Annexation-ppt](#)

- B. [ID-143-19](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 34.97 ACRES OF CONTIGUOUS LAND IN THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO, TO BE KNOWN AS THE BRIGHTON LAKES: 2 BAR C DAIRY AND STARBUCK ANNEXATION (FIRST READING)

Attachments: [Ord Brighton Lakes Annexation - CA revised](#)  
[Aerial-Brighton Lakes Annexation Map](#)  
[1st Reading-Brighton Lakes Annexation-ppt](#)

- C. [ID-147-19](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, FAVORABLY RECOMMENDING FURTHER DEVELOPMENT OF THE BRIGHTON LAKES OVERALL DEVELOPMENT PLAN (ODP) FIRST AMENDMENT

Attachments: [Reso - Brighton Lakes ODP - CA revised](#)  
[PC Reso 19-05 Brighton Lakes PUD 1st Amend Rezoning & ODP](#)  
[Brighton Lakes PUD ODP Final PC](#)

- D. [ID-149-19](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REQUEST TO REZONE THE BRIGHTON LAKES PLANNED UNIT DEVELOPMENT AND ADJACENT PARCEL ZONED ADAMS COUNTY A-3 IN ACCORDANCE WITH THE BRIGHTON LAKES PUD, FIRST AMENDMENT, FOR THE APPROXIMATELY 476.067-ACRE PROPERTY GENERALLY LOCATED SOUTH OF 144TH AVENUE, NORTH OF 136TH AVENUE, EAST OF SABLE BOULEVARD, AND WEST OF THE 19TH AVENUE ALIGNMENT, IN BRIGHTON, COLORADO. THE BRIGHTON LAKES PUD, FIRST AMENDMENT, IS GENERALLY LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE WEST HALF OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, ALL IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (FIRST READING, PUBLIC HEARING)

**Attachments:** [CC Brighton Lakes PUD ORD Final](#)  
[PC Reso 19-05 Brighton Lakes PUD 1st Amend Rezoning & ODP](#)  
[Neighbor Notice Brighton Lakes PUD 1st Amend CC](#)  
[Brighton Lakes, LLC PUD Presentation-CC Packet](#)

- E. [ID-150-19](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN APPLICATION FOR A VESTED PROPERTY RIGHT FOR THREE YEARS FOR THE BRIGHTON LAKES PUD, FIRST AMENDMENT, WHICH IS AN APPROXIMATE 476.067-ACRE PROPERTY GENERALLY LOCATED SOUTH OF 144TH AVENUE, NORTH OF 136TH AVENUE, EAST OF SABLE BOULEVARD, AND WEST OF THE 19TH AVENUE ALIGNMENT, IN BRIGHTON, COLORADO. FURTHER, THE BRIGHTON LAKES PUD, FIRST AMENDMENT IS GENERALLY LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 19 AND THE WEST HALF OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, ALL IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

**Attachments:** [CC Brighton Lakes PUD-VPR\\_Reso Final](#)  
[PC Reso 19-06 Brighton Lakes PUD 1st Amend VPR Extension](#)

## **8. ORDINANCES FOR INITIAL CONSIDERATION**

- A. [ID-142-19](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, GRANTING AND CONVEYING TO UNITED POWER, INC., A REASONABLE AND NECESSARY UTILITY EASEMENT ACROSS CITY-OWNED REAL PROPERTY, AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE INSTRUMENT OF CONVEYANCE

**Attachments:** [UP Utility Easement ordinance](#)  
[Attachment 1 - Grant of Easement w Exhibit A](#)  
[WO\\_201901043\\_BRIGHTON\\_PLAZA\\_ESMT\\_SIGNED\\_20190412\(1\)](#)  
[IMG\\_1874](#)  
[Tranformer site Plan](#)  
[142 PPT](#)

- B. [ID-148-19](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A LEASE OF CITY-OWNED REAL PROPERTY LOCATED AT 269 EAST BRIDGE STREET (THE "DEPOT") TO THE GREATER BRIGHTON CONVENTION AND VISITORS BUREAU, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY

**Attachments:** [Ord Depot Lease - Chamber](#)  
[Chamber Lease](#)

- C. [ID-157-19](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A LEASE OF CITY-OWNED REAL PROPERTY LOCATED AT 269 EAST BRIDGE STREET (THE "DEPOT") TO SUGAR MOUNTAIN ENTERPRISES, LLC, D/B/A MON CHERI BAKERY AND BISTRO, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY

**Attachments:** [Ord Depot Lease - Bistro](#)  
[Bistro Lease 4-3-2019](#)  
[Evaluation Matrix](#)

## **9. ORDINANCES FOR FINAL CONSIDERATION**

## **10. RESOLUTIONS**

- A. [ID-144-19](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING CERTAIN ECONOMIC INCENTIVES TO TEXAS ROADHOUSE HOLDINGS, LLC, IN THE FORM OF SALES TAX INCENTIVES NOT TO EXCEED A PERIOD OF FIVE YEARS OR UP TO \$100,000, WHICHEVER COMES FIRST; SETTING FORTH THE REQUISITE FINDINGS RECOGNIZING THE VALID PUBLIC PURPOSE AND COGNIZABLE BENEFIT JUSTIFICATIONS FOR SUCH ECONOMIC INCENTIVES; APPROVING THE INCENTIVE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY

**Attachments:** [Texas Roadhouse RESO Final 5.7.docx](#)  
[Brighton EDC Texas Roadhouse Incentive Approval 4.3.19](#)  
[Texas Roadhouse Incentive Agrmt FINAL4.29 \(1\).docx](#)  
[144 PPT](#)

- B. [ID-131-19](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A PROFESSIONAL SERVICES AGREEMENT FOR MUNICIPAL COURT PROBATION SERVICES IN THE AMOUNT NOT TO EXCEED \$54,000.00 AND AUTHORIZING THE CITY MANAGER TO SIGN SAID AGREEMENT

**Attachments:** [Resolution - Probation Services 4-16-19.docx](#)  
[RMOMS Agreement 2019 signed.pdf](#)  
[131 PPT](#)

- C. [ID-137-19](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DECLARING THE CITY'S DECISION TO DECLINE TO PURSUE DESIGNATION OF E-470 AS A HAZARDOUS MATERIALS ROUTE, AND AUTHORIZING THE MAYOR TO NOTIFY THE E-470 PUBLIC HIGHWAY AUTHORITY OF THE CITY'S POSITION

**Attachments:** [Draft Resolution for a Letter of Opposition](#)  
[Draft City Council Letter of Opposition](#)  
[137 PPT 5-7](#)  
[Text of CO Senate Bill 19-032](#)  
[City Staff's Report for City Council on 3/5/19](#)  
[137 PPT 3-5](#)  
[Adams County's Memorandum \(dated 2/25/19\)](#)  
[Adams County's Attachment 1 \(dated 2/25/19\)](#)  
[Adams County's Attachment 2 \(dated 2/25/19\)](#)  
[Adams County's Attachment 3 \(dated 2/25/19\)](#)  
[Adams County's Attachment 4 \(dated 2/25/19\)](#)  
[City Staff's Report for Study Session on 2/26/19](#)  
[137 PPT 2-26](#)  
[City Staff's Report for Study Session on 1/22/19](#)  
[137 PPT 1-22](#)  
[City Staff's Report for Study Session on 12/11/18](#)  
[137 PPT 12-11](#)

- D. [ID-151-19](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE BID OF RUSSELL & MILLS STUDIOS, AND AWARDING THE CONTRACT FOR BRIGHTON DEPOT PLAZA DESIGN SERVICES PROJECT # 19018 TO RUSSELL & MILLS STUDIOS, IN AN AMOUNT NOT TO EXCEED \$89,000.00, AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

**Attachments:** [Resolution](#)  
[Eval Matrix](#)

- E. [ID-154-19](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN ACCOUNTS IN THE GENERAL FUND, CAPITAL IMPROVEMENT FUND, PARKS AND RECREATION CAPITAL IMPROVEMENT FUND, CONSERVATION TRUST FUND, WATER ENTERPRISE FUND, WASTEWATER ENTERPRISE FUND, AND STORM DRAINAGE ENTERPRISE FUND; AND APPROPRIATING MONEY FOR EXPENDITURES AND EXPENSES IN THE AMOUNT OF \$3,367,640.00 FOR THE GENERAL FUND, \$1,696,000.00 FOR THE CAPITAL IMPROVEMENT FUND, \$598,925.00 FOR THE PARKS AND RECREATION CAPITAL IMPROVEMENT FUND, \$344,000.00 FOR THE CONSERVATION TRUST FUND, \$422,230.00 FOR THE WATER ACTIVITY ENTERPRISE FUND, \$165,848.00 FOR THE WASTEWATER ENTERPRISE FUND, AND \$50,422.00 FOR THE STORM DRAINAGE ENTERPRISE FUND

Attachments: [Budget Amendment 2019](#)  
[May 2019 Supp Approp- Exhibit A](#)

## **11. UTILITIES BUSINESS ITEMS**

## **12. GENERAL BUSINESS**

## **13. REPORTS**

- A. By the Mayor.
- B. By Department Heads.
- C. By the City Attorney.
- D. By the City Manager.

## **14. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS**

## **15. EXECUTIVE SESSION**

## **16. ADJOURNMENT**