



City of Brighton

500 S. 4th Avenue
Brighton, CO 80601

Meeting Agenda City Council

MAYOR - GREGORY MILLS
MAYOR PRO TEM - MATT JOHNSTON
COUNCIL MEMBERS:
CLINT BLACKHURST, ADAM CUSHING,
MARK HUMBERT, KRIS JORDINELLI, MARY ELLEN POLLACK,
ANN TADDEO, TIM WATTS

Tuesday, September 7, 2021

6:00 PM

Council Chambers

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 7:30–8:00 p.m.)

3. CONSENT AGENDA

- A. [ID-246-21](#) Approval of the August 3, 2021 City Council Minutes
- B. [ID-230-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE GRANT AGREEMENT WITH ADAMS COUNTY FOR GRANT FUNDING IN THE AMOUNT NOT TO EXCEED TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$2,500,000.00) FOR THE HSV TARGET PROPERTY #1; ACKNOWLEDGING A GRANT MATCH FROM GREAT OUTDOORS COLORADO (GOCO) OF ONE MILLION FIVE HUNDRED TWENTY SEVEN THOUSAND DOLLARS (\$1,527,000.00); ACKNOWLEDGING THE PRIVATE CONSERVATION BUYER MATCH OF TWO MILLION NINE HUNDRED FIFTY THOUSAND DOLLARS (\$2,950,000.00); AUTHORIZING THE CITY'S MATCHING OBLIGATION OF ONE MILLION SEVEN HUNDRED THIRTEEN THOUSAND DOLLARS (\$1,713,000.00); AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE GRANT AGREEMENT

Attachments: [Resolution - AdCo 3-31-21 O.S. Grant - Passive Grant Contract \(HSV Target Pr HSV Grant Agreement](#)

- C. [ID-231-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE GRANT AGREEMENT WITH ADAMS COUNTY FOR GRANT FUNDING IN THE AMOUNT NOT TO EXCEED THREE HUNDRED EIGHTY FIVE THOUSAND DOLLARS (\$385,000.00) FOR THE FOUNDERS PLAZA PHASE 2 PROJECT; AUTHORIZING THE CITY'S MATCHING OBLIGATION OF THREE HUNDRED FIFTEEN THOUSAND DOLLARS (\$315,000.00); AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE GRANT AGREEMENT

Attachments: [Resolution - AdCo 3-31-21 O.S. Grant - Active Grant Contract \(Founders Plaza Founders Plaza Grant Agreement\)](#)

- D. [ID-248-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, REAPPOINTING CANDACE WERTH AS A MEMBER OF THE BRIGHTON URBAN RENEWAL AUTHORITY WITH A TERM TO AUGUST 2026

Attachments: [BURA Aug 2021 - Werth](#)

- E. [ID-249-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING GARY WARDLE AS A MEMBER OF THE BRIGHTON URBAN RENEWAL AUTHORITY WITH A TERM TO AUGUST 2026

Attachments: [BURA Aug 2021 - Wardle](#)

4. CEREMONIES

- A. [ID-139-18](#) Swearing In of New Board and Commission Member

- B. [ID-260-21](#) Patriot Day 20th Anniversary Proclamation

Attachments: [Patriot Day 2021](#)

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

6. PUBLIC HEARINGS

- A. [ID-253-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE SERVICE PLAN FOR BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 1; SETTING FORTH CERTAIN FINDINGS IN RELATION THERETO; APPROVING AN INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH; AND SETTING FORTH OTHER DETAILS RELATED THERETO (CONTINUED FROM AUGUST 17, 2021)

Attachments: [City Council Resolution](#)
[Proof of Newspaper Publication](#)
[253 PPT](#)

- B. [ID-254-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE SERVICE PLAN FOR BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 2; SETTING FORTH CERTAIN FINDINGS IN RELATION THERETO; APPROVING AN INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH; AND SETTING FORTH OTHER DETAILS RELATED THERETO (CONTINUED FROM AUGUST 17, 2021)

Attachments: [City Council Resolution](#)
[Proof of Newspaper Publication](#)
[254 PPT](#)

- C. [ID-255-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AMENDMENT NO. 1 TO FIRST AMENDED AND RESTATED SERVICE PLAN FOR THE LAKES METROPOLITAN DISTRICT NO. 1; APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [Resolution for Approval](#)
[Current Service Plan & IGA](#)
[Notice of Publication](#)
[The Lakes PPT](#)

- D. [ID-256-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AMENDMENT NO. 1 TO FIRST AMENDED AND RESTATED SERVICE PLAN FOR THE LAKES METROPOLITAN DISTRICT NO. 3; APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [Resolution for Approval](#)
[Current Service Plan & IGA](#)
[Notice of Publication](#)
[The Lakes PPT](#)

- E. [ID-257-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AMENDMENT NO. 1 TO FIRST AMENDED AND RESTATED SERVICE PLAN FOR THE LAKES METROPOLITAN DISTRICT NO. 4; APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [Resolution for Approval](#)
[Current Service Plan & IGA](#)
[Notice of Publication](#)
[The Lakes PPT](#)

- F. [ID-258-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AMENDMENT NO. 1 TO SERVICE PLAN FOR THE LAKES METROPOLITAN DISTRICT NO. 5; APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [Resolution for Approval](#)
[Current Service Plan & IGA](#)
[Notice of Publication](#)
[The Lakes PPT](#)

- G. [ID-259-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AMENDMENT NO. 1 TO SERVICE PLAN FOR THE LAKES METROPOLITAN DISTRICT NO. 6; APPROVING AN AMENDED AND RESTATED INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [Resolution for Approval](#)
[Current Service Plan & IGA](#)
[Notice of Publication](#)
[The Lakes PPT](#)

7. ORDINANCES FOR INITIAL CONSIDERATION

- A. [ID-250-21](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN SECTIONS OF TITLE 3, TITLE 5, AND TITLE 8 OF THE BRIGHTON MUNICIPAL CODE PERTAINING TO LICENSING OF OUTDOOR VENDORS

Attachments: [Legistar Amended Ordinance](#)
[250 PPT](#)

8. ORDINANCES FOR FINAL CONSIDERATION

- A. [ID-240-21](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE REZONING OF THE 57 N. 10TH AVENUE PROPERTY ZONING REQUEST FROM THE "NEIGHBORLY HOUSING SERVICES" (PUD) TO THE R-2 (MIXED-DENSITY RESIDENTIAL) ZONE FOR THE APPROXIMATELY 0.1722 ACRE PROPERTY, GENERALLY LOCATED ON PART OF THE SOUTHEAST OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY ADAMS, STATE OF COLORADO

Attachments: [Draft City Council Ordinance](#)
[Copy of the Planning Commission Recommendation, Resolution #21-5](#)
[Aerial Map by City Staff](#)
[Neighboring Property Owner Notification](#)
[Addresses of Property Owners Notified](#)
[Buffer Map of Mailing Area](#)
[Website Notice](#)
[Website Publication Proof](#)
[240 PPT](#)

- B. [ID-225-21](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTION 9-28-40(C) OF THE BRIGHTON MUNICIPAL CODE REGARDING OFFENSES

Attachments: [210802_Ordinance 0000_Amending 9-28-40\(c\)](#)
[2021a_1090_signed](#)

- C. [ID-232-21](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A LEASE AGREEMENT FOR CITY-OWNED REAL PROPERTY LOCATED AT 1594 E. BROMLEY LANE (THE "MIGRANT WORKER HOUSE" AT THE BROMLEY/HISHINUMA FARM), AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE AGREEMENT ON BEHALF OF THE CITY

Attachments: [Ordinance for lease Migrant Worker House_2021](#)
[Migrant Worker House Lease_2021](#)
[Exhibit A](#)

- D. [ID-233-21](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A LEASE AGREEMENT FOR CITY-OWNED REAL PROPERTY LOCATED AT 1594 E. BROMLEY LANE (THE "FARM" AT THE BROMLEY/HISHINUMA FARM), AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE AGREEMENT ON BEHALF OF THE CITY

Attachments: [Ordinance for lease - Bromley Hishinuma Farm](#)
[Bromley Hishinuma Farm Lease_2021](#)

9. RESOLUTIONS

- A. [ID-251-21](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DIRECTING THE CITY MANAGER TO IMPLEMENT A BUILDING PERMIT PHASING PLAN FOR NEW RESIDENTIAL DEVELOPMENTS IN THE CITY OF BRIGHTON

Attachments: [Draft Resolution Responsible Growth](#)
[Responsible Growth Staff ReportAug24](#)
[Responsible Growth Presentationv4](#)

10. UTILITIES BUSINESS ITEMS

Ordinances

- A. [ID-235-21](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO (THE "CITY"), APPROVING A WATER LEASE AGREEMENT ("LEASE") FOR CITY-OWNED WATER AND WATER RIGHTS TO JIM MCCLAY OF MCCLAY FARMS (THE "LESSEE"), SETTING FORTH THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID WATER LEASE ON BEHALF OF THE CITY (FIRST READING)

Attachments: [Ordinance - McClay](#)
[McClay Lease](#)

- B. [ID-241-21](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO (THE "CITY"), APPROVING AN AGRICULTURAL LEASE ("LEASE") FOR CITY-OWNED REAL PROPERTY LOCATED AT SECTION 34, TOWNSHIP 3, NORTH, RANGE 67 WEST OF THE 6TH P.M, COUNTY OF WELD, STATE OF COLORADO (THE "PROPERTY"), TO JOSEPH MILLER; SETTING FORTH THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGRICULTURAL LEASE ON BEHALF OF THE CITY (FIRST READING)

Attachments: [Ordinance - Miller](#)
[Miller Lease](#)

- C. [ID-245-21](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO (THE "CITY"), APPROVING A WATER LEASE AGREEMENT ("LEASE") FOR CITY-OWNED WATER AND WATER RIGHTS TO RICHARD JAMES VOGL (THE "LESSEE"), SETTING FORTH THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID WATER LEASE ON BEHALF OF THE CITY (FIRST READING)

Attachments: [Ordinance - Vogl](#)
[Vogl Lease](#)

11. GENERAL BUSINESS

12. REPORTS

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

D. By the City Manager.

13. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS

14. EXECUTIVE SESSION

15. ADJOURNMENT