

City of Brighton

*500 S. 4th Avenue
Brighton, CO 80601*



Meeting Minutes

Tuesday, July 20, 2021

6:00 PM

Amended

Council Chambers

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**

1. CALL TO ORDER

Mayor Mills called the meeting to order at 6:00 p.m.

A. Pledge of Allegiance to the American Flag

Councilmember Blackhurst led the recitation of the Pledge of Allegiance to the American Flag.

B. Roll Call

Present: 9 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Pollack, Councilmember Taddeo, and Councilmember Watts

2. APPROVAL OF REGULAR AGENDA

Mayor Pro Tem Johnston asked that Item 14A be moved after Item 5.

Motion by Mayor Pro Tem Johnston, seconded by Councilmember Blackhurst, to approve the Regular Agenda as amended. Motion passed by the following vote:

Aye: 9 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Pollack, Councilmember Taddeo, and Councilmember Watts

3. CONSENT AGENDA

A. Approval of the June 15, 2021 City Council Minutes

B. Approval of the June 18, 2021 City Council Minutes

C. Approval of the June 22, 2021 City Council Minutes

D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE INTERGOVERNMENTAL AGREEMENT AMONG THE CITIES OF AURORA, BRIGHTON, COMMERCE CITY, FEDERAL HEIGHTS, NORTHGLENN, THORNTON, WESTMINSTER AND THE ADAMS COUNTY SHERIFF'S OFFICE FOR THE PROVISION OF MUNICIPAL COURT VIDEO SERVICES, AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT

Resolution No: 2021-48

E. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, RATIFYING THE MAYORAL APPOINTMENTS TO THE CITY OF BRIGHTON YOUTH COMMISSION FOR TERMS ENDING IN JUNE OF 2023

Resolution No: 2021-49

Motion by Councilmember Watts, seconded by Councilmember Humbert, to approve the Consent Agenda as presented. Motion passed by the following vote:

Aye: 9 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Pollack, Councilmember Taddeo, and Councilmember Watts

4. CEREMONIES

A. **Swear in Brighton Youth Commission and Youth Corps of Volunteers Members**

City Clerk Natalie Hoel swore in the Brighton Youth Commission and Youth Corps of Volunteers members.

B. **Introduction of Growing Grads Entrepreneur Program Members**

Youth Services Coordinator Tawnya Russell explained the background of the Growing Grads Entrepreneur Program and the professional development courses the members took. The members introduced themselves and gave a brief description of their business.

C. **Park and Recreation Month Proclamation**

Mayor Mills read the Proclamation into the record.

Motion by Councilmember Humbert, seconded by Councilmember Blackhurst, to approve the Proclamation. Motion passed by the following vote:

Aye: 9 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Pollack, Councilmember Taddeo, and Councilmember Watts

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

Tom Green and Dave Rose, United Power representatives presented a check to the City in the amount of \$34,277.85.

Amanda Roybal, Boulder. Ms. Roybal spoke about serving on the Youth Commission and the Youth Corps of Volunteers and the impact those organizations had on her life. She is disheartened that the funding for these groups is being questioned.

Josephine Martinez, Brighton. Ms. Martinez spoke on behalf of Christian Morales. The Youth Commission has had an impact on the City and its commissioners and has helped him grow as a leader and a person. The Director of Youth Services has been a mentor and the programs offered have made a difference in his life. Mr. Morales encouraged City Council to attend the Youth Commission meetings.

Hannah Armentrout, Denver. Ms. Armentrout spoke about her time on the Youth Commission since she was in 8th grade and how this program changed her life. After losing a classmate to suicide, the Youth Commission created SPEAK Week. The Youth Commission provides Council a youth voice and Ms. Armentrout asked Council to continue to support the voice of youth in the City.

Kathy Ruybal, Brighton. Ms. Ruybal is a parent of two daughters and a teacher, she explained that the Youth Commission is inclusive and includes as many kids as possible in the program. The Youth Commission teaches members to give back to the community and the Youth Commission staff are mentors for kids.

Kitty LeDonne, Brighton. Ms. LeDonne expressed concern that the National Anthem was not played on Independence Day and gave a history of the National Anthem.

Andrea Donlucas, Brighton. Since joining the Youth Commission Ms. Donlucas has grown as a leader and a person. She has served on many community boards and worked with many different groups in the City. Ms. Donlucas is grateful to the Brighton Youth Commission and Tawnya Russell for what she has done for her.

Giana Rocha, Brighton. Ms. Rocha asked to be involved in any discussion regarding the Youth Commission in the future. The Youth Commission is a place where Ms. Rocha feels like she belongs and she has made connections with people across the country. This program has changed her life. She currently serves as a Youth Representative on the Planning Commission, the National League of Cities and is a Colorado DECA State Officer.

Yesenia Torres, Brighton. Ms. Torres learned a lot on the Youth Commission and was inspired to be part of a positive team. The impact was life changing and the program leaders encourage youth to have a voice. Ms. Torres hopes her siblings will follow her lead and feels the Youth Commission is a good resource for any teen and gives them great opportunities.

Mikayla Eisenbarth, Brighton. Ms. Eisenbarth was a Youth Commission member and now serves as an adult member. She will never be able to repay the impact this program has made in her life. The opportunities available help build relationships and provide many volunteer opportunities for members. Ms. Eisenbarth looks forward to continuing to serve.

Manuel Ornelas, Denver. Mr. Ornelas explained that opportunities in his life are directly associated with the privileges the City gave him through the Youth Commission. Mr. Ornelas expressed concern regarding the discussion about the Youth Commission and its leadership at the last Study Session meeting. The Youth Commission changes lives in the City and Tawnya Russell provides mentorship that extends long after high school. The community needs intergenerational leadership and the Youth Commission is a lifeline for kids with a desire to be the best they can be.

14. EXECUTIVE SESSION

Motion by Mayor Pro Tem Johnston, seconded by Councilmember Watts, to go into Executive Session at 7:31 p.m. for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding the City Attorney Recruitment and an Economic Development Prospect. Motion passed by the following vote:

Aye: 9 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Pollack, Councilmember Taddeo, and Councilmember Watts

Mayor Mills reconvened the meeting at 9:48 p.m.

Councilmember Pollack left during the Executive Session.

6. PUBLIC HEARINGS

7. ORDINANCES FOR INITIAL CONSIDERATION

8. ORDINANCES FOR FINAL CONSIDERATION

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY AT 49 SOUTH 5TH AVENUE, IN THE CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, TO THE BRIGHTON HOUSING AUTHORITY

Mayor Mills read the title of the Ordinance into the record.

Acting City Attorney Hillary Graham asked that in addition to what is listed on the agenda and the Ordinance for consideration, the Mayor has to be separately authorized to execute the Purchase and Sale Agreement in the motion.

Acting City Attorney Graham answered questions from Council regarding:

- *The requested motion being separate from what was referenced in the Ordinance.*
- *The ability to add the language to the motion to approve the Ordinance.*

Mayor Mills asked if there were any comments from the audience on the second reading of the Ordinance, there were none.

Motion by Councilmember Blackhurst, seconded by Councilmember Taddeo, to approve Ordinance 2366 adding the language to give the Mayor the authority to sign the Purchase and Sale Agreement. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Taddeo, and Councilmember Watts

Absent: 1 - Councilmember Pollack

- B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AMENDMENT TO AN OIL AND GAS LEASE WITH GREAT WESTERN OIL AND GAS COMPANY TO CORRECT THE LAND DESCRIPTION AND ADD +/- 0.271 NET MINERAL ACRES IN CERTAIN PORTIONS OF SECTION 13 IN TOWNSHIP 1 SOUTH, RANGE 67 WEST IN ADAMS COUNTY, COLORADO; FINDING THAT THE TERMS OF SAID LEASE AMENDMENT ARE REASONABLE AND THAT IT IS IN THE BEST INTEREST OF THE CITY TO ENTER INTO SAID LEASE AMENDMENT; AUTHORIZING THE MAYOR TO EXECUTE SAID LEASE AMENDMENT ON BEHALF OF THE CITY; AND AUTHORIZING THE CITY MANAGER TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID LEASE AMENDMENT**

Mayor Mills read the title of the Ordinance into the record.

Acting City Attorney Hillary Graham explained that there were changes to a portion of the legal description in the attachment.

Motion by Mayor Pro Tem Johnston, seconded by Councilmember Blackhurst, to approve Ordinance 2367 with the changes to the legal description. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Taddeo, and Councilmember Watts

Absent: 1 - Councilmember Pollack

9. RESOLUTIONS

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING PARTICIPATION BY THE CITY OF BRIGHTON IN A COORDINATED ELECTION TO BE CONDUCTED BY THE ADAMS COUNTY CLERK AND RECORDER AND THE WELD COUNTY CLERK AND RECORDER ON NOVEMBER 2, 2021**

Mayor Mills read the title of the Resolution into the record.

City Clerk Natalie Hoel presented the Resolution to participate in the Coordinated Election on November 2, 2021 with Adams County and Weld County.

Motion by Councilmember Watts, seconded by Councilmember Cushing, to approve Resolution 2021-50. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Taddeo, and Councilmember Watts

Absent: 1 - Councilmember Pollack

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING ALICIA CALDERÓN AS THE CITY ATTORNEY, SETTING FORTH THE TERMS OF HER APPOINTMENT, AND ESTABLISHING OTHER DETAILS RELATED THERETO

Mayor Mills read the title of the Resolution into the record.

Motion by Councilmember Humbert, seconded by Councilmember Watts, to approve Resolution 2021-51. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Taddeo, and Councilmember Watts

Absent: 1 - Councilmember Pollack

10. UTILITIES BUSINESS ITEMS

Resolutions

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, APPROVING THE EXPENDITURE OF AN AMOUNT NOT TO EXCEED THIRTEEN MILLION FOUR HUNDRED FIVE THOUSAND DOLLARS (\$13,405,000.00) FOR THE ACQUISITION OF GROUNDWATER RIGHTS, WATER STORAGE RIGHTS, AND/OR SURFACE WATER RIGHTS ON OR BEFORE NOVEMBER 1, 2021; AND FURTHERMORE AUTHORIZING THE CITY MANAGER TO EXECUTE AN OFFER, EARNEST MONEY ESCROW, PURCHASE AND SALE AGREEMENT AND RELATED ACQUISITION DOCUMENTATION FOR SAID WATER RIGHTS AND TO EXECUTE AND UNDERTAKE SUCH TASKS AS MAY BE REQUIRED TO IMPLEMENT AND CLOSE ON SAID ACQUISITION

Mayor Mills read the title of the Resolution into the record.

City Manager Bais DiSessa explained that this Resolution would allow the City Manager to complete the negotiation and execute an agreement for the purchase of water shares. If an agreement is reached, all details would be brought back to City Council.

Motion by Mayor Pro Tem Johnston, seconded by Councilmember Cushing, to approve Resolution 2021-52. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Jordinelli, Councilmember Taddeo, and Councilmember Watts

Absent: 1 - Councilmember Pollack

11. GENERAL BUSINESS

12. REPORTS

A. By the Mayor

Mayor Mills announced that Thursday is Fragile X Syndrome Day and wanted to bring awareness to this genetic disorder.

B. By Department Heads

C. By the City Attorney

D. By the City Manager

City Manager Bais DiSessa invited everyone to attend the City BBQ on Thursday and reminded City Council to reach out to staff if they are interested in attending upcoming conferences.

13. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS

Councilmember Watts reported on the Wall that Heals events.

Councilmember Taddeo attended the South Adams County Water meeting and the Flix and Kicks event.

14. EXECUTIVE SESSION

- A. For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding the City Attorney Recruitment and an Economic Development Prospect**

This Item was moved after Item 5.

15. ADJOURNMENT

Mayor Mills adjourned the meeting at 10:13 p.m.

CITY OF BRIGHTON, COLORADO




Gregory Mills, Mayor

ATTEST:



Natalie Hoel, City Clerk



Approval Date