

City of Brighton

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



Meeting Minutes

Tuesday, June 6, 2023

6:00 PM

Council Chambers

City Council

**MAYOR - GREGORY MILLS
MAYOR PRO TEM - CLINT BLACKHURST
COUNCIL MEMBERS:
TOM GREEN, MATT JOHNSTON,
PETER PADILLA, JAN PAWLOWSKI,
MARY ELLEN POLLACK, ANN TADDEO**

1. CALL TO ORDER

Mayor Pro Tem Blackhurst called the meeting to order at 6:00 p.m.

A. Pledge of Allegiance to the American Flag

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

B. Roll Call

Present: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

2. APPROVAL OF REGULAR AGENDA

Motion by Councilmember Pawlowski, seconded by Councilmember Green, to approve the Regular Agenda as presented. Motion passed by the following vote:

Aye: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

3. CONSENT AGENDA

A. Approval of the May 2, 2023 City Council Minutes

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

Aye: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

4. CEREMONIES

A. LGBTQ+ Pride Month Proclamation

Councilmember Padilla read the Proclamation into the record.

B. Performance and Leadership Academy Graduation

Budget and Performance Manager Kayla Barber-Perrotta recognized the graduates from the Performance and Leadership Academy.

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

Ron Morse, Brighton. Mr. Morse expressed concern regarding the development off Telluride Street and the trouble this will cause for existing neighbors and parking issues in the area.

Sandy Nguyn invited everyone to the Temple Pagoda celebration on June 17th and 18th at 26300 E 152nd Avenue in Brighton.

6. PUBLIC HEARINGS

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PLAN FOR ALL PUBLIC IMPROVEMENTS ASSOCIATED WITH THE BRIGHTON CROSSING FILING NO. 7, FIRST AMENDMENT SUBDIVISION PLAN, AN APPROXIMATELY 21.76 ACRE PROPERTY, GENERALLY LOCATED NORTH OF EAST BRIDGE STREET, WEST OF MT. BIERSTADT STREET, EAST OF NORTH 45TH AVENUE, SOUTH OF SINGLETREE LANE, AS WELL AS NORTH OF BOWIE DRIVE, WEST OF NORTH 50TH AVENUE, EAST OF CHARDON AVENUE, SOUTH OF TALBOT PLACE, SITUATED IN THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO**

Mayor Pro Tem Blackhurst read the title of the Resolution into the record.

Mayor Pro Tem Blackhurst opened the public hearing at 6:30 p.m.

Associate Planner Summer McCann presented the Brighton Crossing Filing No. 7 First Amendment Subdivision Plan. The applicant is Sue Sibel of Dewberry, and the owner is Brookfield Residential, LLC. The 21.76-acre site is in two parcels of the Brighton Crossing Filing No. 7 Development. The first parcel is located to the north of East Bridge Street, west of Mt. Bierstadt Street, east of North 45th Avenue and south of Singletree Lane. The second parcel is located north of Bowie Drive, west of North 50th Avenue, east of Chardon Avenue and south of Talbot Place. Staff used the review criteria outlined in the Land Use and Development Code Section 2.02 D. 1. The property was annexed in 1985 as part of the Bromley Place Annexation and was previously platted in 2020 as part of the Brighton Crossing Filing No. 7 Final Plat. The property is zoned Single-Family Detached.

The Subdivision Plan analyzes the developments impact to public right-of-way and infrastructure. This Plan proposed additional sidewalk connections, expansion of existing landscape tracts, and the extension of several public streets. As this property was previously platted, it remains under the obligations of the Brighton Crossing Filing No. 7 Development Agreement. If approved, in addition to the in-place agreement, an amended Development Agreement will be drafted for this development.

The Future Land Use portion of the Comprehensive Plan has designated this area as appropriate for Low Density Residential. The property is primarily surrounded by low density residential designations with some commercial designations to the south of the second parcel. The proposed Subdivision Plan meets numerous other policies in the Comprehensive Plan including:

- Chapter Four: Citywide Principles, Policies & Strategies Policy 1.1, Policy 1.2, Policy 2.1 and Policy 6.1.

City Council should use the following criteria in Section 2.02 D. 1. Of the Land Use and Development Code. The densities and design features will help to support policies of the Comprehensive Plan. The Subdivision complies with the single-family detached lot standards as outlined in the Bromley Park Land Use Regulations. The Subdivision Plan describes the rights-of-way to be dedicated to the city. A Development Agreement Amendment will be required with the future Final Plat that will further simplify timing for the submittal of financial guarantees. As part of the Subdivision Plan, the phasing plan indicates two phases of development. Phases 8 and 9 are a continuation of the original Brighton Crossing Filing No. 7 Phasing Plan, which has seven phases. The Subdivision Plan meets the goals and policies of the Comprehensive Plan and does not impede the construction of any future infrastructure in the area. City staff finds the Subdivision Plan is appropriate based on the desires of the community as expressed in the Comprehensive Plan. Site development and building design will occur in accordance with the applicable zone district.

All posting was completed in accordance with the Land Use & Development Code and public hearing information was posted on social media sites. The Interactive Development Map was updated with the public hearing information. A neighborhood meeting was held on May 2, 2022. Staff has not received any formal comments.

The Development Review Committee reviewed this project and recommended acceptance. 27J Schools was a reviewing party and did not voice opposition. The Planning Commission heard the request on April 27, 2023 and unanimously voted to approve the Subdivision Plan. Staff finds the Subdivision Plan is in general compliance with the requirements as outlined in the Land Use & Development Code and recommends approval of the Subdivision Plan.

Mayor Pro Tem Blackhurst asked if the applicant would like to add anything to the presentation.

Chris Brentner with Brookfield Residential is excited to continue to build in Brighton.

Mayor Pro Tem Blackhurst asked if anyone in the audience had questions for the applicant, there was none.

Mayor Pro Tem Blackhurst asked if anyone in the audience wished to speak on behalf of or against the request, there was none.

Mayor Pro Tem Blackhurst asked if any correspondence had been received, there was none.

Mayor Pro Tem Blackhurst asked if there were questions from City Council.

Councilmember Padilla asked if this development would be impacted by the Bridge Street Widening Project, and it will not be.

Mayor Pro Tem Blackhurst closed the public hearing at 6:42 p.m.

Motion by Councilmember Green, seconded by Councilmember Padilla, to approve Resolution 2023-59. Motion passed by the following vote:

Aye: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PLAN FOR ALL PUBLIC IMPROVEMENTS ASSOCIATED WITH THE DHI TELLURIDE SUBDIVISION, AN APPROXIMATELY 11.18 ACRE PROPERTY GENERALLY LOCATED TO THE EAST OF THE BRIGHTON LATERAL DITCH, WEST OF TELLURIDE STREET, AND BETWEEN THE BRIGHTON CHARTER HIGH SCHOOL AND TELLURIDE BUSINESS PARK 2 SUBDIVISIONS, MORE SPECIFICALLY, LOCATED IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (PUBLIC HEARING)**

Mayor Pro Tem Blackhurst read the title of the Resolution into the record.

Mayor Pro Tem Blackhurst opened the public hearing at 6:43 p.m. and City Clerk Natalie Hoel verified the required postings and publications (May 18, 2023 on the City of Brighton Website) for this public hearing were completed.

Senior Planner Nick Di Mario presented the DHI Telluride Subdivision Plan. The applicant is Jeremy Lott of Norris Design, and the owner is Shelton Shirley K Revocable Trust. A Subdivision Plan is a land division or development impacting right-of-way or infrastructure that requires a more comprehensive review through subdivision plan and final plat procedures. Staff used criteria in Section 2.02 of Article 2 of the Land Use & Development Code for review of the proposal. The 11.18-acre property is located to the east of the Burlington Lateral Ditch, west of Telluride Street and between the Brighton Charter High

School and Telluride Business Park 2 Subdivisions. The property was annexed in 1971 as part of the Moler, White, Krough Annexation and zoned R-3 in 1976 via City Council Ordinance 905. The property is not platted.

This Subdivision Plan includes a Developer Contributions page. If the Plan is approved, a Development Agreement would be drafted that would outline the specifics for these contributions. Included is a requirement for dedicating water, payment of fees, building permits, financial guarantees of public improvements, and construction of community facilities internal to the development. Issues of traffic congestion and stormwater and flooding issues were brought to the attention of staff during the neighborhood meeting.

Telluride Street is designated as a collector street by the Transportation Master Plan. There is currently 257' of right-of-way and a 10' wide trail built to its ultimate condition adjacent to the property. The unbuilt portion of right-of-way to Bridge Street measures 25' wide. Telluride Street will be built to ultimate condition adjacent to the property and east to Bridge Street. A 10' wide trail will be constructed adjacent to the property and east to Bridge Street. The developer will upgrade the existing signalized intersection at East Bridge Street and Telluride Street or pay the development's pro-rata share depending on the timing of the Bridge Street widening.

Storm water infrastructure will be constructed within the expansion of Telluride Street and will redirect an existing storm inlet on the eastern side of Telluride Street to alleviate flooding issues from the pond at Pheasant Ridge. The developer will design and construct a portion of the Regional Outfall on their property. When the North Outfall and Bridge Street widening projects are completed, the Regional Outfall will be designed to carry runoff from the pond at Eagle Ridge Academy to the North Outfall. The developer will design and construct a new pond at the city-owned property south of Southern Street. This pond will be connected to the Regional Pond and will increase the overall capacity of available stormwater infrastructure for this development and others in the interim until the Bridge Street widening and North Outfall projects are complete. The developer will be required to extend all necessary water and sewer lines into the development.

Subdivision Plans include phasing for timing of public improvements to vertical development. All improvements are required to be completed in one phase. The public improvements are required to be initially accepted by the city prior to the development going vertical. There is a requirement of financially guaranteeing all the associated public improvements, these improvements are guaranteed at a rate of 115% of their cost and will only begin to be fully released once the improvements have received final acceptance, when all inspections are approved, and maintenance responsibilities are passed over to the city.

An Agreement is included that the developer shall design and construct the public improvements outside the bounds of this subdivision. This includes the ultimate expansion of Telluride Street, and the associated stormwater improvements. With the request that the city reimburse the developer for the public improvements, the city and the developer must enter into a Reimbursement Agreement. Said reimbursement cannot exceed \$903,357.95 and must be returned to the developer within 90 days from the formal reimbursement request. With the formal reimbursement request, the developer must submit detailed accounting, including receipts, invoices, and job cost reports to the city. The city has an escrow from the development to the north in the amount of \$51,884. This was provided to the city for the purpose of financing the adjacent developments pro-rata share to the expansion of Telluride Street. That escrow will be utilized under this Reimbursement Agreement. When the vacant property at the corner of Telluride Street and Bridge Street develops, that developer will be required to reimburse the city for its pro-rata share of the expansion of Telluride Street.

The Comprehensive Plan designates this property as Mixed Use – Commercial and is surrounded by Low-Density Residential, Medium-Density Residential and Public Land. The proposed Subdivision Plan meets numerous policies in the Comprehensive Plan including:

- *Chapter Three: Future Land Use Plan & Opportunity Areas: the application pursues Number 2 and Number 13.*
- *Chapter Four: Citywide Principles, Policies & Strategies: Policy 1.1, Policy 1.2, Policy 1.3, Policy 2.4, Policy 5.2, Policy 6.2 and Policy 6.5.*

City Council should use the criteria in the Land Use & Development Code when making its decision: The application is in accordance with the Comprehensive Plan and the requirements of the Land Use & Development Code and can meet all development and site design standards under the R-3 zoning district. The application includes performance, construction and maintenance assurances and acceptance of the improvements. The Plan indicates the phasing and the impacts identified by specific studies and technical reports have been incorporated into the application and agreed upon by the city and the developer. The application does not deter any existing or future development from meeting the goals of the Comprehensive Plan. The application does not prevent the construction of any future infrastructure in the area. City staff and external referring agencies find this Subdivision Plan is in accordance with the desires of the community as expressed in the Comprehensive Plan.

Public Notice was provided in accordance with the Land Use & Development Code including notice on the website, signs posted, and written notice mailed. Staff posted information in social media sites. The Interactive Development Map was updated to include the date and time of the hearing. A neighborhood meeting was held on November 10, 2021. Staff has received one formal comment.

The Development Review Committee reviewed the project and recommended acceptance. The Planning Commission heard the request on December 8, 2022 and unanimously voted to approve the Subdivision Plan. Staff finds the Subdivision Plan is in general compliance with the requirements as outlined in the Land Use & Development Code. Staff recommends acceptance of the DHI Telluride Subdivision Plan.

Mayor Pro Tem Blackhurst asked if the applicant would like to add anything to the presentation.

Marcus Pachner, with DHI Communities presented the background process and timeline for the project since 2021. The developer has met with the surrounding neighbors and have tried to address the concerns from the community.

Samantha Paul Miller presented the planning elements from the applicant's perspective. This is a planned single-family for rent community. The plans include 140 units, or 70 paired dwellings and homes are proposed in one and two-story floor plans with a mix of one-, two- and three-bedroom units. Each unit has an attached, rear-loaded garage. There is additional off-street parking for guests. A private amenity and pool are provided for residents. The property will be owned and maintained by one property manager. Residents will have a suburban style home and neighborhood with the benefit of a maintenance free lifestyle that comes with a rental community.

Mayor Pro Tem Blackhurst asked if anyone in the audience had questions for the applicant.

Adam Matthews, Brighton. Mr. Matthews expressed concern regarding the groundbreaking in the fall of 2023 during the school year and the traffic during that construction phase. There is no access for kids crossing the street to school and asked for possible speed humps to be installed on Telluride Street to slow the traffic down. Planner Di Mario explained that a traffic control plan is required to be submitted to the Public Works department for background traffic, hours of operation, and detours for school-goers and others will use to get around the construction.

Mayor Pro Tem Blackhurst asked if there is a crosswalk across Telluride Street or Southern Street. Planner Di Mario explained that staff will evaluate the need for a crosswalk to be done if warranted.

Mayor Pro Tem Blackhurst asked if anyone in the audience wished to speak on behalf of or against the request.

Susan VanHecke, Brighton. Ms. VanHecke expressed concern that there will be no parking allowed in front of the homes and there are way too many homes for the size of the lot. Mr. Pachner explained that there are two-car garages attached to each unit and guest parking is provided. The proposal is for 12.5 dwelling units per acre, which is a mid-density compared to the high-density or multi-family that could be placed in the R-3 zone district. The residents will be required to park in their garages. Ms. VanHecke expressed concern that vehicles will not be able to fit in the garages and the residents will be parking in Pheasant Ridge. Mr. Pachner explained that the garages are oversized to fit SUV's and oversized trucks. There will be a parking management plan to control the parking and solve any problems.

Councilmember Padilla read the email received into the record. "Mr. Di Mario, I have lived at 283 Mesa St in the Pheasant Ridge subdivision since it was built some 20 years ago. I have witnessed a dramatic increase in traffic congestion over the years due to added school traffic. The Eagle Ridge Academy does not have school bus service so all the students are dropped off by parents or drive themselves. This leads to a major traffic jam every morning and evening. Student park along Telluride all day because they have been run out of the residential streets. Parents line up along Telluride in the afternoon and at times are parked in the middle of the street as well. The increase of parents dropping off their children at Pennock Elementary causes traffic to back up down Estrella St to Telluride and from Bridge to Estrella because there is no left turn lane on Telluride at Bridge. Afternoon brings parents parking along both sides of the surrounding streets. Gridlock is now common so imagine adding more cars to come and go and an emergency run by the fire department. Students parking in the residential areas. Residents have to add fifteen minutes to their commute time. I believe the residents of Pheasant Ridge will suffer the most damage in the loss of property value, inconvenience, and peaceful premises. Could you please submit this statement at the June 6, 2023 City Council meeting. Thanks for your kind attention to this statement David Donaldson".

Planner Di Mario explained that a center turn lane will be presented when Telluride is built out to its ultimate condition. This will help to alleviate traffic. Mayor Pro Tem Blackhurst asked if there will be parking on Telluride Street. Planner Di Mario explained that a collector street does not have on street parking.

Mayor Pro Tem Blackhurst asked if there were questions from City Council.

Councilmember Padilla asked if the area at the southwest corner of Southern Street and Telluride Street is planned to be an additional drainage ditch, not a parking lot. Councilmember Padilla asked how the drainage pond will be used. Planner Di Mario explained that the developer submits drainage reports at the time of Final Plat and the new pond will be dug out to hold the full capacity of the determined run-off. Councilmember Padilla expressed concern that both entrances are on Telluride Street, traffic to both schools and the possible need for a crosswalk, and the charter school year starting when construction is set to begin. Councilmember Padilla asked if the developer will be paying their pro-rata share of the signal at Bridge Street and Telluride Street. Planner Di Mario explained that the developer will design the signalized intersection to an interim condition if it is before the Bridge Street improvements or will pay its pro-rata share if it is after the Bridge Street improvements. Councilmember Padilla stated that speed humps are a good idea on Telluride Street and school zone signage is good for the schools. Councilmember Padilla asked if 31 guest parking spots matches the requirements in the Code and Planner Di Mario stated that it does meet the Code that was in place at the time of submittal. Councilmember Padilla asked that staff look at the current Code for the final plan for parking as it was increased.

Councilmember Green asked if there is a driveway to accommodate additional parking. Mr. Pachner explained that there is not a driveway, only the garage parking. Councilmember Green asked if parking is allowed on the street at all, and Mr. Pachner stated that there is no parking allowed on the street.

Mayor Pro Tem Blackhurst closed the public hearing at 7:37 p.m.

Motion by Councilmember Padilla, seconded by Councilmember Taddeo, to approve Resolution 2023-60. Motion passed by the following vote:

Aye: 5 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

No: 1 - Councilmember Pollack

Absent: 2 - Mayor Mills, and Councilmember Johnston

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE CONSTRUCTION AND REIMBURSEMENT AGREEMENT ASSOCIATED WITH THE DHI TELLURIDE SUBDIVISION PLAN AND AUTHORIZING THE MAYOR TO EXECUTE THE REIMBURSEMENT AGREEMENT ON BEHALF OF THE CITY

Mayor Pro Tem Blackhurst read the title of the Resolution into the record.

Motion by Councilmember Padilla, seconded by Councilmember Pawlowski, to approve Resolution 2023-61. Motion passed by the following vote:

Aye: 5 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

No: 1 - Councilmember Pollack

Absent: 2 - Mayor Mills, and Councilmember Johnston

8. ORDINANCES FOR INITIAL CONSIDERATION

- A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE RIGHT-OF-WAY VACATION FOR AN APPROXIMATELY 0.224 ACRE PORTION OF RIGHT-OF-WAY GENERALLY LOCATED NORTH OF SUGARLOAF STREET, SOUTH OF BASELINE ROAD, EAST OF NORTH 60TH AVENUE, WEST OF THE INTERSECTION OF LOST LAKE STREET AND CORRAL STREET, SITUATED WITHIN THE RIDGELINE VISTA DEVELOPMENT, MORE PARTICULARLY LOCATED IN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO**

Mayor Pro Tem Blackhurst read the title of the Ordinance into the record.

Associate Planner Summer McCann presented the Ridgeline Vista Filing No. 1, 2nd Amendment Right of Way Vacation. The applicant is Travis Frazier with Redland, and the property owner is the City of Brighton. The .224-acre site is located north of Sugarloaf Street, south of Baseline Road, east of North 60th Avenue and west of the intersection of Lost Lake Street and Corral Street. The property was annexed in 1987 as part of the Neff Annexation and was platted as right-of-way in 2021 as part of the Ridgeline Vista Filing No. 1 Final Plat. Xcel Energy expressed disapproval of the design due to an existing high-pressure line under that portion of the right-of-way. Xcel Energy was a referral agency with the civil drawings and did not note issues prior to approval of the Final Plat. The applicant is proposing to vacate a portion of the right-of-way. This would create three landscape tracts A, B and C and will be owned and maintained by the adjacent property owners. If the vacation moves forward, an Administrative Plat will combine all three tracts into one tract to be owned and maintained by the existing Ridgeline Vista Metro District. Council should use the criteria found in Section 2.13 B of the Land Use and Development Code.

- 1. The alteration of the roadway design does not impact the goals and policies of the Comprehensive Plan or the Transportation Master Plan.*
- 2. The adequate roadway connections and circulation are maintained. Sidewalk connectivity will be maintained through the proposed vacation area.*
- 3. The Public Works department has reviewed the proposal and finds there is sufficient access to the site.*
- 4. There is no adverse impact on property in the area. The access point will equally or better serve traffic in the area.*
- 5. The proposal has not been found to conflict with the Colorado Revised Statutes, the Colorado Constitution, or the Brighton City Charter.*

Notice was posted on the city's website, posted on social media and mailings sent to adjacent property owners on May 22, 2023. The Development Review Committee has reviewed the proposal and has recommended approval. Staff recommends approval of the proposed vacation.

Motion by Councilmember Green, seconded by Councilmember Padilla, to approve the Ordinance. Motion passed by the following vote:

Aye: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTIONS OF ARTICLE 3-8 OF THE BRIGHTON MUNICIPAL CODE REGARDING CONTRACTS AND PURCHASES, ENACTING ARTICLE 3-9 REGARDING DISPOSITION OF CITY-OWNED PERSONAL PROPERTY, AMENDING SECTIONS OF ARTICLE 3-28 REGARDING SALES TAX AND LICENSING, AND AMENDING SECTIONS OF ARTICLE 2-16 REGARDING ASSIGNMENT OF COSTS AND FEES LEVIED BY THE MUNICIPAL COURT

Mayor Pro Tem Blackhurst read the title of the Ordinance into the record.

Finance Director Catrina Asher and Procurement Manager Kelsey Archuleta presented the Finance Code clean-up. These updates include adding the following sections:

- *Collection of Delinquent Accounts for the Finance Director or the Municipal Court.*
- *Adding definitions for Capital Equipment Item and Construction Contract.*
- *Adding definitions for obsolete property and surplus Property.*
- *Defining the procedures for disposal of personal property.*
- *Designating the Finance Director as the individual responsible for overseeing disposal of personal property.*
- *Adding language for processing efficiency surrounding formal solicitation to allow cooperative agreements to satisfy the formal solicitation requirement and to allow the City Manager to approve a master price agreement up to their approval authority.*
- *Modification of licensing requirement for compliance with Senate Bill 22-032, which eliminates licenses for remote sellers.*

Motion by Councilmember Padilla, seconded by Councilmember Taddeo, to approve the Ordinance. Motion passed by the following vote:

Aye: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

Mayor Pro Tem Blackhurst called for a break at 8:01 p.m.

Mayor Pro Tem Blackhurst reconvened the meeting at 8:11 p.m.

9. ORDINANCES FOR FINAL CONSIDERATION

10. RESOLUTIONS

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF BRANNAN SAND AND GRAVEL, LLC FOR THE BRIDGE STREET WIDENING, PROJECT #23-007964, FOR THE CONTRACT AMOUNT OF NINETEEN MILLION FOUR HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED FIFTY-TWO DOLLARS AND FOUR CENTS (\$19,499,752.04), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

Mayor Pro Tem Blackhurst read the title of the Resolution into the record.

Assistant Director of Public Works Christopher Montoya presented the Bridge Street Widening Project from South 22nd Avenue to South 42nd Avenue. Assistant Director Montoya presented the schedule for the project and explained that four bids were received, and staff is recommending that Council accept the proposal of Brannan Sand and Gravel, LLC. For \$19,499,752.04.

Motion by Councilmember Green, seconded by Councilmember Pollack, to approve Resolution 2023-62. Motion passed by the following vote:

Aye: 5 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Pollack

Absent: 2 - Mayor Mills, and Councilmember Johnston

Recuse: 1 - Councilmember Taddeo

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN ACCOUNTS IN THE GENERAL FUND, CAPITAL FUND, LODGING TAX FUND, CEMETERY FUND AND WASTEWATER FUND; AND APPROPRIATING MONEY FOR EXPENDITURES IN THE AMOUNT OF \$46,856,273 TO SUPPORT ADDITIONAL SCHOOL RESOURCE OFFICERS, A STREETScape BRANDING STUDY, ADDITIONAL LODGING TAX AWARDS, POSITIONS IN THE PARKS AND RECREATION DEPARTMENT, AND BORROWING FOR THE BUYOUT OF A CONTRACT WITH METRO WATER RECOVERY

Mayor Pro Tem Blackhurst read the title of the Resolution into the record.

Budget and Performance Manager Kayla Barber-Perrotta explained that this Resolution corrects an error that was in the previous Resolution amending the budget.

Motion by Councilmember Padilla, seconded by Councilmember Pawlowski, to approve Resolution 2023-63. Motion passed by the following vote:

Aye: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A LEASE AGREEMENT WITH MAIN STREET CREATIVES FOR CITY-OWNED REAL PROPERTY LOCATED AT 36 SOUTH MAIN STREET, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE AGREEMENT

Mayor Pro Tem Blackhurst read the title of the Resolution into the record.

Finance Director Catrina Asher presented the leases for Main Street Creatives and Nature in Bronze at 36 South Main Street. This is a proposed one-year lease with the option to renew for five years and includes an increase per square feet lower than market rate.

Gary Dickenson with Main Street Creatives asked City Council to consider not increasing the amount of the lease by 15% since they were recruited by the city to move into this building. The increase could cause the artists to leave the building if they cannot afford the new payment.

Motion by Councilmember Padilla, seconded by Councilmember Pawlowski, to postpone Items 10C and 10D. Motion passed by the following vote:

Aye: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

- D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A LEASE AGREEMENT WITH NATURE IN BRONZE FOR CITY-OWNED REAL PROPERTY LOCATED AT 36 SOUTH MAIN STREET, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE AGREEMENT**

11. UTILITIES BUSINESS ITEMS

12. GENERAL BUSINESS

- A. Cancel the July 4, 2023 City Council Meeting for the Independence Day Holiday**

Motion by Councilmember Green, seconded by Councilmember Padilla, to cancel the July 4, 2023 City Council meeting for the Independence Day holiday. Motion passed by the following vote:

Aye: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

- B. Schedule a Special City Council Meeting on July 11, 2023 at 6:00 p.m.**

Motion by Councilmember Padilla, seconded by Councilmember Pawlowski, to schedule a Special City Council meeting on July 11, 2023 at 6:00 p.m. Motion passed by the following vote:

Aye: 6 - Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Padilla, Councilmember Pawlowski, Councilmember Pollack, and Councilmember Taddeo

Absent: 2 - Mayor Mills, and Councilmember Johnston

13. REPORTS

- A. By the Mayor**

- B. By Department Directors**

IT Director David Guo announced a partnership with Almost Home to repurpose old computers for community use.

- C. By the City Attorney**

- D. By the City Manager**

City Manager Michael Martinez thanked everyone that attended and worked on Brighton Summerfest.

- E. By City Council**

Councilmember Taddeo attended Brighton Summerfest and the Housing Authority meeting.

Councilmember Green attended Brighton Summerfest and several graduations.

Councilmember Pawlowski thanked staff for a great job on Brighton Summerfest.

Councilmember Padilla attended the Brighton Cultural Arts Committee meeting and announced that the retirement of Mark Heidt is Friday, Saturday is the Adams County Pride Event and upcoming concerts at the Armory.

14. EXECUTIVE SESSION

15. ADJOURNMENT


Mayor Pro Tem Blackhurst adjourned the meeting at 8:59 p.m.

CITY OF BRIGHTON, COLORADO


Clint Blackhurst, Mayor Pro Tem

ATTEST:


Natalie Hoel, City Clerk


Approval Date