

City of Brighton

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



Meeting Minutes

Tuesday, August 1, 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 Mills called the meeting to order at 6:07 p.m.

A. Pledge of Allegiance to the American Flag

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

B. Roll Call

Present: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

Not Present: 1 - Councilmember Pollack

2. APPROVAL OF REGULAR AGENDA

Councilmember Padilla asked that Item 11 be moved after Item 5.

Motion by Councilmember Padilla, seconded by Councilmember Johnston, to approve the Regular Agenda as amended. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

Absent: 1 - Councilmember Pollack

3. CONSENT AGENDA

A. Approval of the July 11, 2023 City Council Minutes

Motion by Mayor Pro Tem Blackhurst, seconded by Councilmember Pawlowski, to approve the Consent Agenda as presented. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

Not Present: 1 - Councilmember Pollack

4. CEREMONIES

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

Tom Lampo prayed for the city.

11. GENERAL BUSINESS

A. Brighton Cultural Arts Commission Mural Update

The Brighton Cultural Arts Commission presented an update regarding the mural at Founders Plaza.

6. PUBLIC HEARINGS

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE SOUTH MAIN REDEVELOPMENT PLANNED DEVELOPMENT FOR AN APPROXIMATELY 4.15 ACRE PROPERTY, GENERALLY LOCATED AT THE NORTHWEST CORNER OF SOUTH MAIN STREET AND WEST BROMLEY LANE, WITH A PORTION TO THE NORTHEAST OF SOUTH MAIN STREET AND WEST BROMLEY LANE ADJACENT TO JENSEN FOODS, MORE SPECIFICALLY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

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

Mayor Mills opened the public hearing at 6:38 p.m. and City Clerk Natalie Hoel verified the required postings and publications (July 17, 2023 on the City of Brighton Website) for this public hearing were completed.

Senior Planner Nick Di Mario presented the South Main Redevelopment Planned Development. The property is located at the northwest corner of South Main Street and West Bromley Lane with a portion to the northeast of South Main Street and West Bromley Lane adjacent to Jensen Foods. The property was zoned Downtown (DT) in 2013, is 4.15 acres in size and is not currently platted.

Planned Developments (PD) are necessary for projects that require a higher degree of specific planning and flexibility. The unique shape and geometry of the site coupled with three of the four sides being adjacent to right-of-way creates a unique situation. One of the sides is owned and operated by the Colorado Department of Transportation (CDOT). For these reasons, the property would not be able to meet many standards of the Land Use & Development Code. Staff has found that a PD is required to adopt new development standards that would allow the property to develop.

A minimum lot size of 7,000 sq. ft. and a maximum lot size of 65,000 sq. ft. is mandated by the PD along with a minimum 40' wide lot width. The setback shall be listed as 30' from the front setback, zero feet for the interior side setback, 25' for the corner side setback and 15' for the rear setback.

This PD proposes several development standards that differ from the Land Use & Development Code. This PD includes only those standards that cannot be met. The PD proposes to use CDOT right-of-way as part of landscape buffering, allow a broader range of uses than those allowed under the DT zone district, modify signage requirements, including the requirement of City branding to be incorporated in the signage, and incorporate amendment language in case of a future desired amendment to this PD if approved.

A 50' landscape buffer is required by the Land Use & Development Code for any commercial development adjacent to a highway, this would greatly reduce the amount of developable land. With the ability to utilize up to 104' of CDOT right-of-way as a buffer, the property would have more access to developable land while still applying a landscape buffer from the highway. CDOT has allowed the landowner to utilize their right-of-way with the condition that no trees, large rocks or boulders be placed within US Highway 85 right-of-way for safety and maintenance purposes. They have also allowed a 3' to 4' high berm to assist in visual screening. The PD requires that some degree of buffering can be captured onsite. The property shall provide anywhere from a 6' to 30' buffer around the western and southern edge of the property. If CDOT were to ever utilize their right-of-way for roadway purposes, sufficient landscape buffering would be onsite while not prohibiting the property owner from developing.

This PD utilized the C-3 zone district for underlying zoning, which is used by staff to enforce standards of the Land Use & Development Code that are not within the proposed PUD. This PD allows for a broader range of uses than what is allowed under its current zoning of Downtown. Allowed uses include retail, animal care, day cares, grocery stores, lodging, medical care, office uses, recreation and entertainment, drive through car washes and gas stations. Gas station uses would be limited to no more than six double-sided pumps on three service islands, and an accessory retail area with no more than 5,500 sq. ft. Restaurants utilizing drive throughs would be required to screen their service areas with decorative masonry gabion walls. Restricted uses would include check cashing businesses, pawn

shops, major vehicle service and repair, and sexually oriented businesses. This PD allows all conditional commercial uses of the C-3 zone district as uses-by-right. Any commercial uses listed as conditional in the C-3 zone district would not require a CUP within this development, this includes any accessory drive throughs associated with a primary use.

The PD requires a City monument sign, the developer shall provide a monument sign that includes the City logo and name. The sign will be located at the southern edge of the property and will face the intersection of Bromley Lane and US Highway 85. The City logo shall be no less than 35 sq. ft. and the City logo and name shall be illuminated. The PD includes landscaping standards associated with the sign including several trees, shrubs, and the requirement of using decorative boulders. Any modifications to the City monument sign will be at the discretion of the City.

The Comprehensive Plan designates this property as Mixed-Use – Commercial. The purpose and character of this designation is to provide a variety of retail, service, employment, entertainment, and development. These areas should be supported by walkable landscapes with access to transit. The proposed PD will allow for such uses and will facilitate a scope of public improvements that include a more walkable landscape with access to an RTD transit stop. In relation to Chapter 3: Future Land Use Plan & Opportunity Areas, No. 3, the subject property has been identified as an area of redevelopment by the city. The property rests between a major arterial roadway to the south and Downtown zoned properties to the north. Redevelopment of the property would allow for improved roadways and pedestrian connections as well as provide visual improvements to the South Main Street corridor. The application pursues opportunity area No. 7 as the proposed PD allows for the development of shops, restaurants, offices, hotels, and other commercial uses. If the PD is approved and subsequently developed, any developer would be required to design new infrastructure improvements as well as upgrade the existing infrastructure and roadways in coordination with CDOT to ensure safe pedestrian and bicycle traffic as well as improve vehicular flow. This PD requires landscaping along US Highway 85, Bromley Lane and South Main Street.

The application pursues the policies of the Comprehensive Plan, Chapter Four: Citywide Principles, Policies & Strategies:

- Policy 1.1 – favoring existing infrastructure and planning.
- Policy 1.2 – furthering the Comprehensive Plan's broader vision with the upgrading of new infrastructure.
- Policy 1.3 – development paying its own way and bearing an equitable portion of infrastructure costs.
- Policy 1.4 – utilizing existing infrastructure to promote sustainable infill development.
- Policy 1.5 – the city, applicant and owner have worked with CDOT and other agencies throughout the review of the application.
- Policy 2.1 – the proposal will further the balance of commercial and residential uses and allow for the possibility of a reduction in the percentage of residents commuting outside of the city to pursue employment, shopping, and other commercial activities.
- Policy 2.2 – the property contains existing infrastructure and existing utility lines.
- Policy 2.4 – the property is within an already urbanized area.
- Policy 4.1 – future development of the land will require further coordination with CDOT and RTD to ensure safe vehicular and pedestrian transportation.
- Policy 5.1 – the PD will facilitate redevelopment of the property that will support Downtown reinvestment and help create a vibrant core with shops, services, and restaurants and help create a development that is pedestrian and bicycle friendly.
- Policy 8.1 – the PD will facilitate infill commercial development that is highly visible from the adjacent roadways and highways and will catalyze positive change in the surrounding area.

City Council shall use the following criteria when making its decision from Section 2.04 C of the Land Use & Development Code:

- a. The PD will encourage development at the site that meets a number of policies of the Comprehensive Plan and will allow the property some flexibility to further encourage development that a general zoning district would not.
- b. Development of the land under this PD would not strictly benefit the applicant or a single project.
- c. The PD will allow the property to develop in such a manner to meet the intent of the base zone district.

- d. The proposed standards do not undermine the original intent or design objectives.
- e. The plan reflects generally accepted and sound planning and urban design principles with respect to applying the goals and objectives of the Comprehensive Plan to the area.
- f. The PD must meet all the review criteria for a zoning map amendment.

Pursuant to the criteria in Section 2.03 B:

- The proposal is in accordance with the goals and objectives of the Comprehensive Plan and any other plan, policy or guidance adopted pursuant to that plan.
- The property can be adequately served, and the change will serve a community need by facilitating commercial development.

In accordance with the Land Use & Development Code, the applicant completed a mineral interest notification and that the necessary website postings, sign postings, and mailings were completed in the required timeframes. Notice was posted on various social media sites. The Interactive Development Map was updated to include the date and time of this meeting. A neighborhood meeting was held. Planning staff has received no formal comments. The Development Review Committee reviewed the project and recommended approval. Staff finds that the Planned Development is in general compliance with the requirements in the Land Use & Development Code. The Planning Commission unanimously voted to recommend approval of the PD on June 6, 2023. City staff recommends approval of the South Main Redevelopment Planned Development.

Mayor Mills asked if the applicant would like to add anything to the presentation, he did not.

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

Jessica Reynolds is happy to see this moving forward but expressed concern regarding traffic.

Jack Sampson expressed concern regarding traffic on Bromley Lane and the ability to access Brighton Ford.

Pete Phibbs feels the plan does not meet the needs and will restrict driving access. There are concerns with Jensen Foods, the railroad and pedestrian access.

Mayor Mills asked if the applicant would like to clarify any statements.

Todd Carlson with Evergreen Development gave a history of the project that he has been working with BURA on for the past ten years. This project is challenging because of traffic, environmental concerns because the property was a landfill, and areas being under CDOT jurisdiction. Improvements will be made to make Bromley Lane a safer roadway for vehicles and pedestrians, the addition of a landscape buffer and gateway signage.

Mayor Mills asked if any correspondence had been received, there was none.

Mayor Mills asked if there were questions from City Council.

Councilmember Green asked how one can build on the landfill lot with methane release. Mr. Carlson explained that they will excavate a lot of soil and install vapor barriers to allow for venting. Councilmember Green asked about the buried fuel tanks for the gas station and Mr. Carlson explained there will be vapor barriers around the tanks. Councilmember Green asked if the left turn onto South Main Street from Bromley Lane will be eliminated even if this is not approved. Mr. Carlson stated that it will be because of traffic in the area. Traffic Engineer Curtis Rowe with Kimley Associates explained that the left turn into Brighton Ford and the left into South Main Street from Bromley Lane will be maintained, the left out will be restricted. Bromley Lane will be widened to the north to allow side-by-side left-turn lanes. The acceleration lane from Bromley Lane onto US Highway 85 will be extended. Councilmember Green asked if BURA owns the land and Mr. Carlson explained that BURA does own the land, and this is a partnership with BURA and the City to develop the land.

Mayor Pro Tem Blackhurst expressed disappointment in what has been proposed for this property and feels a new gas station will impact the business of the other four gas stations within ¼ mile of this property. Mayor Pro Tem Blackhurst asked Mr. Carlson how much he is paying for the property. Mr.

Carlson explained that they are paying for the improvements. This zoning is a necessity, not a choice. The Agreement with BURA obligates Mr. Carlson to put millions of dollars in improvements into the ground. Mayor Pro Tem Blackhurst feels adding a park and cleaning up the property would be a better use than adding businesses that will impact the traffic flow in the area.

Councilmember Pawlowski asked if the intersection will be signalized, and Mr. Carlson stated that CDOT will not allow a signal. Councilmember Pawlowski asked if a gas station would be a great asset and Mr. Carlson explained that the gas station will have a large store with restaurant capabilities.

Councilmember Johnston expressed concern that the city is not living up to the Comprehensive Plan and expressed concern regarding other modes of transportation and the history of the property. Councilmember Johnston does not feel this should be approved.

Councilmember Padilla stated that many ideas have been discussed regarding this property and feels that this development could provide food for those living in the area. The potential business in the area will drive sales tax revenue that the city does not receive today. This is the most creative development that has been proposed and Councilmember Padilla is excited about the development, the creative use of the right-of-way and a new monument sign. Councilmember Padilla does not see a negative to having a gas station and a car wash in the area. Councilmember Padilla asked that restriction of marijuana retail be added to the proposal.

Councilmember Taddeo does not feel this is a good area for a park and feels like all possibilities have been exhausted. Councilmember Taddeo is excited for the monument sign and feels the traffic issues have been addressed.

Mayor Mills feels there are challenges for the parcel and this solution might work best. The roadway improvements are appreciated, and new businesses will benefit the citizens.

Councilmember Johnston asked how far CDOT controls Bromley Lane and how long this control has been in place. Planner Di Mario explained that CDOT control of Bromley Lane extends to the railroad tracks and is not sure how long this has been in place.

Mayor Mills closed the public hearing at 7:45 p.m.

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

Aye: 4 - Mayor Mills, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

No: 3 - Mayor Pro Tem Blackhurst, Councilmember Green, and Councilmember Johnston

Absent: 1 - Councilmember Pollack

Mayor Mills called for a break at 7:47 p.m.

Mayor Mills reconvened the meeting at 8:00 p.m.

7. ORDINANCES FOR INITIAL CONSIDERATION

- A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 0.17 ACRES OF CONTIGUOUS LAND, LOCATED AT THE SOUTHEAST CORNER OF THE SOUTH 19TH AVENUE ALIGNMENT AND EAST 144TH AVENUE, IN A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO**

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

Senior Planner and Historic Preservationist Emma Lane presented the Annexation for South 19th Avenue. The applicant and property owner are the City of Brighton. The property is located at the southeast corner of East 144th Avenue and the South 19th Avenue Alignment. The property is approximately 0.17 acres in size, is unplatted and is currently zoned Adams County A-3 (Agriculture-3). The property is currently designated as City-owned Open Space. This land will be used as right-of-way in the future, so a zoning map amendment, plat, and site plan are not required. Permits will be required to construct the road as part of the Phase 2 improvements of Farmlore North. Annexations are regulated by Colorado State Law. As the property is owned by the City of Brighton and is not solely a public street or right-of-way, the City may annex the area into the municipality without a hearing or notice.

Staff used the Colorado Revised Statutes, the Comprehensive Plan and the Land Use & Development Code for review purposes. City Council will determine if the annexation complies with C.R.S. Section 31-12-104 (a) and 31-12-105. Planner Lane presented the statutory limitations that apply to the proposed annexation. Staff has deemed that the request meets the statutory limitations. Comprehensive and technical plans such as the Land Use & Development Code and the Transportation Master Plan outline a plan for the future use of the property. The annexation of the property would not deny reasonable access to adjoining landowners and would increase access.

The Future Land Use portion of the Comprehensive Plan designates this property as Parks and Open Space. The property is currently functioning as open space and will be designated as right-of-way in the future. The open space parcel as a whole was purchased through an Adams County Open Space Grant and Adams County has provided a letter of permission to use this portion of the open space as future right-of-way.

The proposed annexation advances goals of the Comprehensive Plan Policy 1.1 and Policy 1.3. Criteria in Section 2.11 B of the Land Use & Development Code should be used by City Council to make their decision. Planner Lane reviewed the criteria for approval. Staff has determined that the request for annexation meets all criteria and therefore recommends approval of the South 19th Avenue Annexation.

Motion by Mayor Pro Tem Blackhurst, seconded by Councilmember Johnston, to approve the Ordinance. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

Absent: 1 - Councilmember Pollack

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE RIGHT-OF-WAY VACATION FOR AN APPROXIMATELY 0.084 ACRE PORTION OF RIGHT-OF-WAY GENERALLY LOCATED TO THE NORTH OF EAST BRIDGE STREET AND SOUTH OF THE INTERSECTION OF NORTH 18TH AVENUE AND NORTH 19TH AVENUE, MORE PARTICULARLY LOCATED IN THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO

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

Associate Planner Summer McCann presented the Edgemark Subdivision Filing No. 2 Right-of-Way Vacation. The applicant is Melanie Bagley working on behalf of the prospective owner Victory Real Estate Development, LLC. The vacation area is located north of East Bridge Street, and south of the intersection of North 18th Avenue and North 19th Avenue. The property was platted in 2000 and dedicated the 0.084-acre portion of right-of-way. The property was replatted in 2008 into three lots as part of the Edgemark Subdivision Filing No. 2. The proposal is to vacate the current right-of-way and construct a private access drive onto North 19th Avenue. This drive will be owned and maintained by the property owner. An administrative Plat will create an access easement and ensure the private drive will serve the adjacent lot to the north.

City Council will use the criteria in the Land Use and Development Code Section 2.13 B when making its decision.

1. The city's adopted Transportation Master Plan has not identified the subject area for any planned thoroughfare. The vacation of this right-of-way does not impact the goals and policies of the Comprehensive Plan or the Transportation Master Plan.
2. The current 15' of right-of-way does not meet the minimum width requirement for any of the public street cross sections in the Transportation Master Plan.
3. A Site Plan currently in review indicates a private access drive off North 19th Avenue, which will be constructed and maintained by the property owner.
4. There are no adverse impacts on property in the area. The existing right-of-way has not been utilized to serve the subject lot or the adjacent parcel.
5. The proposal does not conflict with the Colorado Statutes, Colorado Constitution, or the Brighton City Charter.

Notice was posted on the website, social media and sent to property owners. The Development Review Committee recommended approval. Staff finds the proposal meets the review criteria in the Land Use and Development Code and recommends approval.

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

Aye: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

Absent: 1 - Councilmember Pollack

8. ORDINANCES FOR FINAL CONSIDERATION

9. RESOLUTIONS

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING CITY OF BRIGHTON COUNCILMEMBER CLINT BLACKHURST AS THE CITY OF BRIGHTON REPRESENTATIVE ON THE BOARD OF DIRECTORS OF THE METRO WATER RECLAMATION DISTRICT FOR A TWO-YEAR TERM ENDING JUNE 30, 2025**

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

Motion by Councilmember Padilla, seconded by Councilmember Pawlowski, to approve Resolution 2023-73. Motion passed by the following vote:

Aye: 6 - Mayor Mills, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

Absent: 1 - Councilmember Pollack

Recuse: 1 - Mayor Pro Tem Blackhurst

- B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING CERTAIN ECONOMIC INCENTIVES TO OLIVE GARDEN HOLDINGS, LLC IN THE FORM OF A 50 PERCENT SALES AND USE TAX REBATE; FINDING A VALID PUBLIC PURPOSE AND COGNIZABLE BENEFIT FOR SUCH ECONOMIC INCENTIVES; APPROVING THE INCENTIVE AGREEMENT; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY**

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

Economic Development Director Robin Martinez presented the agreement terms for the Incentive Agreement and the specifics of the agreement including the number of new jobs, the sales tax rebate not to exceed \$200,000 over eight years, and a use tax rebate estimated at \$32,500 share back with the city. The anticipated project start date is April 30, 2025.

Motion by Councilmember Green, seconded by Councilmember Pawlowski, to approve Resolution 2023-74. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

Absent: 1 - Councilmember Pollack

- C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING ASSIGNMENT TO THE AURORA HOUSING AUTHORITY OF A PRIVATE ACTIVITY BOND ALLOCATION OF THE CITY PURSUANT TO THE COLORADO PRIVATE ACTIVITY BOND CEILING ALLOCATION ACT; AUTHORIZING THE MAYOR TO EXECUTE SAID ASSIGNMENT ON BEHALF OF THE CITY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH DOCUMENTS AND UNDERTAKE SUCH TASKS AS MAY BE REQUIRED TO EFFECTUATE SAID ASSIGNMENT**

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

Finance Director Catrina Asher proposed that the assignment of the 2023 Private Activity Bonds be assigned to the Aurora Housing Authority for their Weatherstone Apartments project.

Motion by Councilmember Padilla, seconded by Councilmember Johnston, to approve Resolution 2023-75. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

Absent: 1 - Councilmember Pollack

10. UTILITIES BUSINESS ITEMS

Resolutions

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF BROWN & CALDWELL, INC. FOR THE CONTRACT AMOUNT OF FOUR MILLION NINETY-NINE THOUSAND FIVE HUNDRED NINETY-FIVE DOLLARS (\$4,099,595.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY**

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

Interim Utilities Director Scott Olsen asked for acceptance of the proposal of Brown & Caldwell, Inc. for the Water Treatment Plant Engineering Services During Construction project for \$4,099,595. Interim Director Olsen presented the services that will be provided by Brown & Caldwell and explained the justification for the waiver of formal solicitation for the procurement bid process.

Motion by Mayor Pro Tem Blackhurst, seconded by Councilmember Taddeo, to approve Resolution 2023-76. Motion passed by the following vote:

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

No: 1 - Councilmember Johnston

Absent: 1 - Councilmember Pollack

11. GENERAL BUSINESS

A. Brighton Cultural Arts Commission Mural Update

This item was moved after Item 5.

12. REPORTS

A. By the Mayor

Mayor Mills attended the Highway 7 Coalition meeting, the NATA meeting, the Swearing In ceremony for the Police Department, the City BBQ, the State of the Town for Bennett, the ADCOG meeting, Movie Night at Barr Lake, the Bridge Street Widening Project Kickoff and the Weld County Commissioners quarterly call.

B. By Department Directors

C. By the City Attorney

D. By the City Manager

City Manager Martinez explained that for meeting efficiency, items will be presented at Study Session and then a summary will be given at City Council meetings. There will be a press conference with Governor Polis, Senator Bennett, Representative Caraveo, Representative Neguse and Representative Pettersen at Founders Plaza.

E. By City Council

Councilmember Green attended the Bridge Street Kickoff event.

Councilmember Johnston thanked staff for the roadway fix on Telluride Street.

Councilmember Pawlowski attended the ADCOG meeting, the Bridge Street Widening Kickoff event, the Chamber After Hours event and the 27J Schools Red Carpet Reception for New Teachers.

Councilmember Padilla announced that the Almost Home Support Breakfast is Thursday and the Adams County Health Department meeting is next week.

13. EXECUTIVE SESSION

Motion by Mayor Pro Tem Blackhurst, seconded by Councilmember Pawlowski, to go into Executive Session at 8:53 p.m. for discussion of a personnel matter relating to the City Attorney Evaluation pursuant to C.R.S. Section 24-6-402(4)(f) and City Charter Section 5.4 (C) (3). Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Blackhurst, Councilmember Green, Councilmember Johnston, Councilmember Padilla, Councilmember Pawlowski, and Councilmember Taddeo

Absent: 1 - Councilmember Pollack

Mayor Mills reconvened the meeting at 9:29 p.m.

14. ADJOURNMENT

Mayor Mills adjourned the meeting at 9:30 p.m.

CITY OF BRIGHTON, COLORADO



Gregory Mills, Mayor

ATTEST:



Natalie Hoel, City Clerk



Approval Date