

City of Brighton

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



Meeting Minutes

Tuesday, August 17, 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 6:01 p.m.

A. Pledge of Allegiance to the American Flag

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

B. Roll Call

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

Not Present: 1 - Councilmember Jordinelli

2. APPROVAL OF REGULAR AGENDA

Mayor Pro Tem Johnston asked that the Regular Agenda be amended to move Item 12D after Item 2.

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

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

Absent: 1 - Councilmember Jordinelli

12. REPORTS

D. By the City Manager

Kristen Chernosky gave an update on the upcoming Wall that Heals events.

3. CONSENT AGENDA

A. Approval of the July 20, 2021 City Council Minutes

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE SUBMITTAL OF A GRANT APPLICATION TO COLORADO DEPARTMENT OF LOCAL AFFAIRS FOR THE MAIN STREET: OPEN FOR BUSINESS GRANT PROGRAM; AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE APPLICATION

Resolution No. 2021-57

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING MICHAEL ALI PISHAKI AS AN ALTERNATE MEMBER OF THE PLANNING COMMISSION TO FILL AN UNEXPIRED TERM TO JANUARY 2025

Resolution No. 2021-58

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

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

Absent: 1 - Councilmember Jordinelli

4. CEREMONIES

A. Swearing In of New Board and Commission Member

City Clerk Natalie Hoel swore in the new Board and Commission Member.

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

Rita Malleck, Brighton. Ms. Malleck expressed concern regarding the parking lot at the tennis courts behind Carmichael Park and asked that the lot be fixed.

Laurie Lozano Maier, Brighton. Ms. Lozano Maier expressed concern regarding the lack of regulations for micro-mobility in the City of Brighton and the need to have policies in place. Ms. Lozano Maier asked Council to give staff direction regarding this issue.

6. PUBLIC HEARINGS

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE SERVICE PLAN FOR THE BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 1; SETTING FORTH CERTAIN FINDINGS IN RELATION THERETO; AND APPROVING AN INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH

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

Mayor Mills opened the public hearing at 6:20 p.m. and City Clerk Natalie Hoel verified the required postings and publications (July 21, 2021 in the Brighton Standard Blade) for this public hearing were completed.

Deputy City Manager Marv Falconburg introduced Senior Planner Mike Tylka.

Senior Planner Mike Tylka explained that for the Brighton Ridge Metropolitan District No. 1 Service Plan and Intergovernmental Agreement, City staff and the applicant are jointly asking for a continuation to a date certain of September 7, 2021 for this item and Item 6B. The continuation is being requested so the Model Service Plan could be approved before this item is presented to Council.

Motion by Councilmember Watts, seconded by Councilmember Taddeo, to continue the public hearing to a date certain of September 7, 2021. Motion passed by the following vote:

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

Absent: 1 - Councilmember Jordinelli

Mayor Mills called for a break at 6:24 p.m. to address technical issues.

Mayor Mills reconvened the meeting at 6:34 p.m.

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE SERVICE PLAN FOR THE BRIGHTON RIDGE METROPOLITAN DISTRICT NO. 2; SETTING FORTH CERTAIN FINDINGS IN RELATION THERETO; AND APPROVING AN INTERGOVERNMENTAL AGREEMENT IN CONNECTION THEREWITH

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

Mayor Mills opened the public hearing at 6:35 p.m. and City Clerk Natalie Hoel verified the required postings and publications (July 21, 2021 in the Brighton Standard Blade) for this public hearing were completed.

Deputy City Manager Marv Falconburg asked that this public hearing be continued to September 7, 2021.

Motion by Councilmember Watts, seconded by Councilmember Humbert, to continue the public hearing to a date certain of September 7, 2021. Motion passed by the following vote:

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

Absent: 1 - Councilmember Jordinelli

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING, IN ACCORDANCE WITH SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE OF BONDS TO FINANCE A PROJECT FOR CAMPUS PARTNERS

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

Mayor Mills opened the public hearing at 6:37 p.m.

Mayor Mills stated this is a hearing for purposes of meeting the requirements of Section 147(f) of the Internal Revenue Code, regarding the possible issuance by The Industrial Development Authority of the County of La Paz (the "Authority") of one or more series of its Charter School Lease Revenue Bonds (Campus Partners 1 Project) Series 2021 pursuant to a plan of finance in order to finance costs for a Project within the City of Brighton, Colorado in an aggregate principal amount of not to exceed \$16,500,000.

Proceeds in the maximum amount of \$16,500,000 from the sale of the Bonds will be loaned by the Authority to Campus Partners 1 and its affiliates, all single member limited liability companies and disregarded entities of Campus Partners 1 (which we will refer to collectively as the "Borrower"), to be used to finance or reimburse all or a portion of the costs of a project that consists of (1) the acquisition and improvement of a public charter school facility for use in its school operations at the location and in the estimated maximum principal amount listed below (the "Charter School Facility"); (2) the funding of any required reserves; and (3) the payment of the costs of issuance of the Bonds. The Borrower will lease the Charter School Facility to qualified 501(c)(3) entities or governmental entities. The Charter School Facility will be owned by the Borrower as the initial legal owner. The proceeds of the Bonds will be used to acquire and improve the following Charter School Facility in the City of Brighton; Foundations Academy located at 340 S. 45th Avenue, Brighton, CO 80601-4652 in the estimated maximum amount of \$16,500,000.

Mayor Mills asked if there were any persons that would wish to speak regarding the Bonds or the Project, there was none.

Deputy City Manager Falconburg introduced Acting City Attorney Lena McClelland.

Acting City Attorney Lena McClelland explained that the information was presented in the packet and asked if there were any questions from City Council.

Mayor Mills closed the public hearing at 6:41 p.m.

Motion by Councilmember Watts, seconded by Councilmember Pollack, to approve Resolution 2021-59. Motion passed by the following vote:

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

Absent: 1 - Councilmember Jordinelli

City Manager Jane Bais DiSessa arrived at 6:42 p.m.

D. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE ORCHARD SUBDIVISION ZONING MAP AMENDMENT REQUEST FOR APPROXIMATELY 8.762 ACRES OF LAND FROM A ZONING DESIGNATION OF RESTRICTED RETAIL AND SERVICES (C-2) TO A ZONING DESIGNATION OF MIXED-DENSITY RESIDENTIAL (R-2), GENERALLY LOCATED SOUTHEAST ONE-QUARTER OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE SIXTH 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 6:42 p.m. and City Clerk Natalie Hoel verified the required postings and publications (August 2, 2021 on the City of Brighton Website) for this public hearing were completed.

City Manager Jane Bais DiSessa introduced Senior Planner Mike Tylka.

Senior Planner Mike Tylka explained that after the posting occurred, the applicant formally withdrew their application and the letter of withdrawal is included in the packet. Jac Cuney was part of the applicant team and is present.

Mayor Mills asked if there were any questions from the audience.

Jac Cuney, Brighton. Mr. Cuney explained that the letter withdrawing the application for rezoning is in the City Council packet. The reason behind the letter is the water rate increase that has gone into effect based on Council's approval of an Ordinance in May and June. Someone was in the process of buying twenty-seven acres of the Orchard Church property. These water rates not only impact developers, but also property owners in Brighton intending to sell property for development. At a previous meeting Council was discussing storm drainage fees. In Council's wisdom, those fees were to be implemented over a three year period. The new water rates and method for yield, goes into effect January 1, 2022 without recognition for the impact to landowners and developers. The water rates are quite onerous if not punitive, especially with the yield. One of the amendments in the Ordinance was to go from average yield to firm yield, which means worst case looking at drought years. Ditch water is the main source developers have and the yield is very complicated. It has high yield, low yield and average yield years. The previous method of the yield analysis was on the average, not on the drought years. As it is written now, it is drought years, period. It is doubtful that the City would pay developers back when there is high yield and they have paid for the low yield. This is a challenging situation for developers. It was stated to the developer that they received six months' notice, what is not recognized is the months, sometimes years and hundreds of thousands of dollars has been invested to get to a certain place. With the timing that it takes to get to a permit and entitlements, it is just not possible to get to a final plat by December 31, 2021. It took Orchard Church two years to get to entitlements. Getting this done in less than a year is unreasonable and unlikely. There are some developments in

the City that have gone on for years and are not done yet. Brighton Lakes has been in process for years. There is no consideration for those investments over time and the same wisdom not being applied to incrementally moving in this direction, which was certainly a possibility. Going to the firm yield instead of an average yield is onerous and punitive. It is difficult throughout the Front Range in all developments and municipalities. This is why Orchard has a vested interest with what the City is doing with respect to the twenty-seven acres for sale for development.

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

Mayor Mills asked if there were questions from City Council, there was none.

Mayor Mills closed the public hearing at 6:49 p.m.

E. 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

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

Mayor Mills opened the public hearing at 6:50 p.m. and City Clerk Natalie Hoel verified the required postings and publications (July 20, 2021 on the City of Brighton Website) for this public hearing were completed.

City Manager Bais DiSessa introduced Community Development Director Holly Prather.

Community Development Director Holly Prather introduced Assistant Planner Oscar Ortiz and explained that a new, updated Land Use and Development Code has been approved. Previously staff would not have recommended spot zoning, but the new Code encourages this zoning as long as it is in compliance with the goals and principles in the Land Use Map and Comprehensive Plan and that the properties should be rezoned so they can move forward in accordance with the vision set forth in the Comprehensive Plan.

Assistant Planner Oscar Ortiz presented the 57 North 10th Avenue rezoning. The applicant is Richard White with HJD Consulting, and the property owner is Diana Lara. The request is to rezone the property from the Neighborly Housing Services PUD to R-2. The owner desires to build a duplex on the property. The property is located in the City core and is currently part of the House of Neighborly Service PUD. The property is located north of Bridge Street between North 9th Avenue and North 10th Avenue and south of Walnut Street. The surrounding uses include R-2 to the west and east, R-1 (Single Family Residential) to the north and commercial properties to the south. The Comprehensive Plan designates this area as High Density Residential, which allows twelve to twenty-four dwelling units per acre. This request is in accordance with the Future Land Use. To the west is Medium Density Residential, Low Density Residential to the north, Medium Density Residential to the east and Commercial to the south. Article 4 Zoning and District Uses of the Land Use and Development Code designates the intent of the R-2 Zoning District, which provides residential living which will be a wide range of small scale residential building types in a compact, walkable neighborhood setting allowing a mix of housing options at strategic locations. The proposed R-2 zoning that the applicant is trying to obtain for a duplex is a residential building designed to accommodate two to four primary dwelling units in an urban neighborhood or suburban setting.

City Council shall use the following criteria based on the Land Use and Development Code Section 2.03, B:

1. *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 proposal has been analyzed and is in accordance with the Land Use and Development Code.

2. *The proposal will support development in character with existing or anticipated development in the area, including the design of streets, civic spaces and other open space.*

The proposal is in the City core so there is not a need for additional infrastructure.

3. *The City or other agencies have the ability to provide services or facilities that may be necessary for this property.*

Infrastructure in the area is available so nothing else is required for the property to be served.

4. *The change will serve a community need, amenity or development that is not possible under the current zoning.*

The property is currently zoned PUD and the applicant is asking for R-2 zoning to build a duplex, this zone change would serve a need for housing.

5. *The recommendations of any professional staff or advisory review bodies.*

If the rezoning is approved, the applicant would need to submit a site plan, which will need review and approval by the Development Review Committee and City staff and be in conformance with the Design Standards.

Public notice was provided in accordance with the Land Use and Development Code. On July 19, 2021, written notice was mailed to all property owners within 300 feet of the subject property, a notice was published on the City's website, a sign was posted on the subject property and staff posted notice of the hearing on various social media sites. A neighborhood meeting was held on March 9, 2021.

The Development Review Committee reviewed the application and recommends approval. The Planning Commission heard the request on July 8, 2021 and recommended approval unanimously. Staff finds the proposal is in general compliance with the requirements as outlined in the Land Use and Development Code. Staff recommends approval of the zone change as it is in accordance with the Comprehensive Plan and meets the review criteria in the Land Use and Development Code.

Mayor Mills asked if the applicant would like to add anything to the presentation.

Diana Lara, Fort Lupton. Ms. Lara explained that the purpose of the rezoning of this property to R-2 from PUD is to allow the building of a two unit duplex for the family to live in. There are already multi-family buildings to the north and south of this parcel. Due to this, the applicant does not feel there will be a drastic change to the community. Ms. Lara has provided a site plan and elevations of the duplex.

Mayor Mills asked if anyone in the audience had questions for the applicant.

Laurie Lozano Maier, Brighton. Ms. Lozano Maier asked if there will be garages on the property, Ms. Lara said there would not be. Ms. Lozano Maier asked if there would be only two units and not four, Ms. Lara said there would be only two units. Ms. Lozano Maier explained that she grew up in this area and there were mostly single-family dwellings, once duplexes were built, it would become a fourplex and if there are no garages, it would be only street parking and the streets are then filled with cars. If it is only going to be used for family and only two units, there is not an issue.

Magdalena DelVillar, Brighton. Ms. DelVillar asked if it would be a duplex with four apartments and Ms. Lara said no, there will be one building with two units.

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

Mayor Mills asked if there were questions from City Council.

Councilmember Taddeo asked if there will be a basement, Ms. Lara said there will not be a basement.

Councilmember Blackhurst stated that this is a small lot, the duplex will fill up most of the lot with parking on either end. There is a need to have some of these types of properties in the City to provide housing for the community. This will be occupied by family, it fits in the neighborhood and is a good project for the purpose of providing diverse housing opportunities in the City.

Mayor Pro Tem Johnston asked if staff is doing this correctly. When something like this comes to the City, it is necessary to go through this process for individual homes. The entire viewpoint changed regarding spot zoning very quickly and there is apprehensive from Mayor Pro Tem Johnston to do spot zoning in other projects. How much will the City face now that this type of zoning has been opened up. In the past it was encouraged to stay away from spot zoning. Mayor Pro Tem Johnston asked if this type of request will be coming before Council a lot in the future. Assistant Planner Ortiz explained that this is in conformance with the Comprehensive Plan use. Staff will have to take a careful analysis to ensure that any other requests are in compliance with the surrounding uses. In this case, there are similar surrounding properties. Each particular case will be different and will be carefully analyzed. Mayor Pro Tem Johnston asked if there are more requests like this at this time. Assistant Planner Ortiz reported that there are none at this time.

Mayor Mills closed the public hearing at 7:07 p.m.

Motion by Councilmember Blackhurst, seconded by Councilmember Watts, to approve the Ordinance. Motion passed by the following vote:

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

Absent: 1 - Councilmember Jordinelli

7. ORDINANCES FOR INITIAL CONSIDERATION

A. 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

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

City Manager Bais DiSessa introduced Acting City Attorney Lena McClelland.

Acting City Attorney Lena McClelland explained that this request is for Council to amend the Brighton Municipal Code regarding offenses. The state legislature passed a bill HB 21-1090, which amended C.R.S. §18-13-122 and changed the possession amount of marijuana from one ounce to two ounces. This amendment would update the Municipal Code section to change it from one ounce to two ounces.

Acting City Attorney Lena McClelland and Commander Matt Domenico answered questions from Council regarding:

- This action being covered in what was repealed by Council in February.
- The consequences if the City does not approve this.
- The ability of the Police Department to enforce this action.
- The date the bill was passed.

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

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

Absent: 1 - Councilmember Jordinelli

B. 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

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

City Manager Bais DiSessa introduced Finance Director Maria Ostrom.

Finance Director Maria Ostrom explained that staff is working on an RFP for the Bromley Hishinuma Farm to request for people to propose renting the property and purposing it for what the City would like to see there. In the interim, it is necessary for someone to take care of the property so it remains in good working order. There are a couple of parties that are interested in taking care of this for the City for the next six months. This presentation covers Items 7B and 7C. The first lease is for the Migrant Worker House and is with the Michael Schliep Agency, an insurance agency that does focus on agribusiness, they have been in the community since 2002. They do lobbying for the Colorado Agriculture at the national level. While this lease does not meet the initial vision of the City Council, staff feels it is a good fit at this time to ensure they maintain this property. This lessee would pay \$1,500 per month for the next six months. This lessee has made an agreement with the other party that would like to lease and the other party would pay the utility bills.

The second lease is for the remainder of the farm and this proposed lease is with a registered Colorado non-profit. They have been operating under a sub-lease agreement with the prior lessee and they were maintaining the property in 2020. It was not open to the public but they did keep the property from falling into disrepair. This lessee has been on the property and they have had a few successful events. They are managing the Bromley Hishinuma Farm Facebook page and are keeping it updated. This lessee would pay \$1,000 per month and would cover the gas and electric bills and would reimburse the City for the water, wastewater and storm bills. They will maintain and keep the property in good working order during this timeframe.

Finance Director Maria Ostrom answered questions from Council regarding:

- The ability for the City to help promote some of these events.*
- An indication that Boots and Shorty will submit a proposal.*
- The lessee paying rent, water and sewer.*
- The length of the lease.*

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

Aye: 7 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Taddeo, and Councilmember Watts

No: 1 - Councilmember Pollack

Absent: 1 - Councilmember Jordinelli

C. 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

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

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

Aye: 7 - Mayor Mills, Mayor Pro Tem Johnston, Councilmember Blackhurst, Councilmember Cushing, Councilmember Humbert, Councilmember Taddeo, and Councilmember Watts

No: 1 - Councilmember Pollack

Absent: 1 - Councilmember Jordinelli

8. ORDINANCES FOR FINAL CONSIDERATION

9. RESOLUTIONS

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A REVISED MODEL SERVICE PLAN FOR USE BY PROPONENTS OF TITLE 32 SPECIAL DISTRICTS WITHIN THE CITY OF BRIGHTON

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

City Manager Bais DiSessa introduced Senior Planner Mike Tylka.

Senior Planner Mike Tylka introduced Dalton Kelley with Butler Snow serving as the Metro District Bond Counsel. Senior Planner Tylka presented some amendments to the Model Service Plan, which is used as a template for new Metropolitan Districts formed within the City. Members of the development community requested the same allowances that were granted to the Brighton Crossing Metropolitan District Nos. 5-8 last year. City Council granted three substantive changes to those Metropolitan Districts. Staff is asking whether City Council wants to make those allowances in the Model Service Plan so they will be in the template that the new Districts would use.

There are four main areas of substantive change, those are:

- 1. Allowing compound interest on District Debt, except for debt issued to the developer of the special district.*
- 2. Allow Districts to issue debt and impose property taxes and fees for final City development approvals, this does not allow Districts to spend the proceeds of that debt into development approvals in the City that have occurred.*
- 3. Clarification language regarding the discharge of District debt.*
- 4. Memorialization of the Notice of Inclusion and accompanying estimate of property taxes that City Council has added and used for recent new Model District Plans.*

Staff recommends approval of the changes as presented and believes that the new model incorporates the requests of the development community, but keeps the safeguards for the community in place.

Motion by Mayor Pro Tem Johnston, seconded by Councilmember Blackhurst, to approve Resolution 2021-60. Motion passed by the following vote:

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

Absent: 1 - Councilmember Jordinelli

10. UTILITIES BUSINESS ITEMS

Mayor Mills called for a break at 7:37 p.m.

Mayor Mills reconvened the meeting at 7:48 p.m.

11. GENERAL BUSINESS

- A. Consider Appointment of Brighton Urban Renewal Authority Applicants**
- B. Schedule a Special City Council Meeting on August 31, 2021 at 5:45 p.m. to Approve Ballot Content and for an Executive Session for Municipal Judge Interviews**

Motion by Mayor Pro Tem Johnston, seconded by Councilmember Watts, to schedule a Special City Council Meeting on August 31, 2021 at 5:45 p.m. to Approve Ballot Content and for an Executive Session for Municipal Judge Interviews. Motion passed by the following vote:

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

Absent: 1 - Councilmember Jordinelli

12. REPORTS

A. By the Mayor

Mayor Mills attended the Town Hall with Colorado Attorney General Weiser, an RTD meeting, a tour of the High Zone Water Tank construction site, the Padilla Elementary School ribbon cutting and a tour of the new 27J Schools Sakata Campus.

B. By Department Heads

Director of Utilities Brett Sherman updated City Council on the North Outfall construction project.

C. By the City Attorney

Acting City Attorney Lena McClelland announced that the new City Attorney will start next Monday.

City Council members thanked Lena for her hard work while serving as Acting City Attorney.

D. By the City Manager

13. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS

Councilmember Cushing attended the RTD meeting.

Councilmember Blackhurst attended the Legacy Foundation meeting and the Youth Commission meeting.

Mayor Pro Tem Johnston attended the E-470 meeting.

Councilmember Humbert attended the Housing Authority meeting the Historic Preservation Commission meeting and the HeArt of Brighton meeting. The Full Moon Bike Ride is August 22nd.

Councilmember Watts attended the Flix and Kicks event and the E-470 meeting. August 24th is an event to meet the Fire Chief candidates.

Councilmember Taddeo attended the Historic Preservation Commission meeting, and the Chamber luncheon. Tomorrow is the City of Brighton Employee luncheon.

14. **EXECUTIVE SESSION**

15. **ADJOURNMENT**

Mayor Mills adjourned the meeting at 8:27 p.m.

CITY OF BRIGHTON, COLORADO



Gregory Mills, Mayor

ATTEST:



Natalie Hoel, City Clerk



Approval Date