

# City of Brighton

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



## Meeting Agenda

**Tuesday, June 2, 2015**

**7:00 PM**

**Amended**

**Council Chambers**

### **City Council**

**MAYOR - RICHARD N MCLEAN**

**MAYOR PRO-TEM - KIRBY WALLIN**

**COUNCIL MEMBERS:**

**LYNN BACA, REX BELL, JW EDWARDS**

**MARK HUMBERT, JOAN KNISS, KEN KREUTZER**

**CYNTHIA A MARTINEZ**

**1. CALL TO ORDER**

A. Pledge of Allegiance to the American Flag.

B. Roll Call.

**2. CONSENT AGENDA**

A. [ID-144-15](#) Approval of the May 5, 2015 City Council Minutes

**3. APPROVAL OF REGULAR AGENDA**

*(Council may take a short break between 8:30–9:00 p.m.)*

**4. CEREMONIES**

A. [ID-44-15](#) Introduction of New Employees by Human Resources Director Karen Surine

B. [ID-71-15](#) International Code Council (ICC) Certification for Permit Technician for Jennifer Holmes and Tiffany Cruz

**5. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA**  
**(Speakers limited to five minutes)****6. PUBLIC HEARINGS**

A. [ID-134-15](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING A REZONING FROM R-1-A, R-3 AND C-O TO THE CHAPEL HILL PLANNED UNIT DEVELOPMENT (PUD) WITH AN UNDERLYING ZONING OF R-1 (SINGLE-FAMILY RESIDENTIAL), FOR THE APPROXIMATE 10.44 ACRE PROPERTY, LOCATED WITHIN THE SOUTHEAST ONE-QUARTER OF SECTION 4, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, SUBJECT TO SPECIFIC CONDITIONS AS SET FORTH HEREIN.

**Attachments:** [CC Ord. 5.18.15](#)  
[15-06 Chapel Hill PUD](#)  
[Chapel Hill Rezoning Map](#)

**7. ORDINANCES FOR INITIAL CONSIDERATION**

- A. [ID-147-15](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AMENDING ARTICLE 2-65. LIQUOR LICENSING AUTHORITY AND ARTICLE 5-8. ALCOHOL BEVERAGES OF THE BRIGHTON MUNICIPAL CODE, REPEALING PROVISIONS RELATED TO THE FIVE MEMBER LIQUOR LICENSING AUTHORITY, AND PROVIDING THAT THE CITY COUNCIL MAY, BY RESOLUTION, APPOINT A HEARING OFFICER TO SERVE AS THE LIQUOR LICENSING AUTHORITY FOR THE CITY OF BRIGHTON; SPECIFYING THAT THE CITY CLERK MAY APPROVE CERTAIN APPLICATIONS RELATED TO LIQUOR LICENSES PURSUANT TO STATED CRITERIA; AND SETTING FORTH DETAILS IN RELATION THERETO

Attachments: [LLA Code Amend Ord](#)

- B. [ID-148-15](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING AN OIL AND GAS LEASE (NO SURFACE OCCUPANCY) WITH WARD PETROLEUM CORPORATION FOR +/- 34.6 NET ACRES IN CERTAIN PORTIONS OF SECTION 14 TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., ADAMS COUNTY COLORADO; FINDING THAT THE TERMS OF SAID LEASE ARE REASONABLE AND THAT IT IS IN THE BEST INTEREST OF THE CITY TO ENTER INTO SAID LEASE; AUTHORIZING THE MAYOR TO EXECUTE SAID LEASE ON BEHALF OF THE CITY; AUTHORIZING THE CITY MANAGER TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID LEASE; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: Oil and Gas Lease Attorney Memo Confidential

[Oil and Gas Lease Ordinance](#)

Exhibit A - Confidential

## **8. ORDINANCES FOR FINAL CONSIDERATION**

- A. [ID-115-15](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE THIRD AMENDMENT TO COMPREHENSIVE FUNDING PLAN, MASTER DEVELOPMENT AGREEMENT, PRE-ANNEXATION AGREEMENT, AND INTERGOVERNMENTAL AGREEMENT FOR PRAIRIE CENTER, BRIGHTON, COLORADO, AUTHORIZING THE MAYOR TO EXECUTE SAID THIRD AMENDMENT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO; AND PROVIDING OTHER MATTERS RELATED THERETO

**Attachments:** [Ordinance Approving Third Amendment to Comprehensive Agreement \(as filed\)](#)  
[Third Amendment to Comprehensive Agreement \(2015\) \(as filed with the City\)](#) ;  
[Exhibit J - Map of Prairie Center Residential Village One 25922790 1](#)

## **9. RESOLUTIONS**

- A. [ID-131-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF COMMERCE CITY, COLORADO AND THE CITY OF BRIGHTON FOR THE CREATION OF A JOINT SPECIAL WEAPONS AND TACTICS TEAM.

**Attachments:** [SWAT Resolution - 060215](#)  
[SWAT IGA revised 02-05-15 1 final - 060215](#)

- B. [ID-122-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING DANIELLE HENNINGER AS A MEMBER OF THE BRIGHTON HISTORIC PRESERVATION COMMISSION WITH A TERM TO JUNE, 2019

**Attachments:** [HPC Jun 2015 Henninger](#)

- C. [ID-123-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING KRISTEN HOOD AS A WARD 1 MEMBER OF THE PARKS AND RECREATION ADVISORY BOARD WITH A TERM TO JANUARY, 2019

**Attachments:** [P&R Jun 2015 Hood](#)

- D. [ID-139-15](#) A RESOLUTION AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING WITH WELD COUNTY FOR THE COLLECTION OF SALES AND/OR USE TAX

**Attachments:** [Reso MOU Weld County](#)  
[Brighton MOU Tax Collection with Weld County 2015](#)  
[BBrighton MOU with Weld County prior](#)

- E. [ID-135-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, FINDING GOOD CAUSE TO WAIVE THE FORMAL BID PROCESS FOR THE "FISHING POND" PROJECT IN KEN MITCHELL LAKES CELL 1; APPROVING A CONTRACT WITH CLAYSTONE CONSTRUCTION INC. IN THE AMOUNT OF \$98,871.70 FOR THE CONSTRUCTION OF THE "FISHING POND"; AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO.

**Attachments:** [Resolution approving Claystone mrb rev 5 22 15 clean](#)  
[Cell 1 Fish Pond Quote Clay stone](#)  
[Ken Mitchell Cell 1 Pond Proposal Fiore and son proposal](#)

- F. [ID-128-15](#) RESOLUTION AUTHORIZING THE SIGNING OF A GRANT AGREEMENT WITH ADAMS COUNTY FOR MINI-GRANT FUNDING IN THE AMOUNT NOT TO EXCEED \$4,600.00 FOR THE CARMICHAEL PARK TREE PLANTING PROJECT, AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE GRANT AGREEMENT.

**Attachments:** [Resolution - AdCo 2-2-15 O S Grant - Mini Grant Contract \(Carmichael Park Tr](#)

- G. [ID-129-15](#) RESOLUTION AUTHORIZING THE SIGNING OF A GRANT AGREEMENT WITH ADAMS COUNTY FOR GRANT FUNDING IN THE AMOUNT NOT TO EXCEED \$983,650.00 FOR THE "CFRT (COLORADO FRONT RANGE TRAIL) ALONG THE SOUTH PLATTE RIVER" PROJECT; AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE GRANT AGREEMENT.

**Attachments:** [Resolution - AdCo 2-2-15 O.S. Grant - Passive Grant Contract \(CFRT Along the](#)

- H. [ID-146-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE ALLOCATION OF FOUR HUNDRED FIFTY FOUR THOUSAND THIRTY EIGHT DOLLARS (\$454,038) FROM THE UNDERGROUNDING FUND AS PROVIDED IN THE FRANCHISE AGREEMENT WITH UNITED POWER; AUTHORIZING THE CITY MANAGER TO EXECUTE THE NECESSARY DOCUMENTATION FOR SUCH ALLOCATION; AND AUTHORIZING THE EXPENDITURE OF SAID FUNDS FOR THE SOUTHERN STREET, TOWER ROAD AND CARMICHAEL PARK LIGHTING PROJECTS IN 2015

**Attachments:** [Lighting Underground Tower Southern Carmichael Reso.doc](#)

- I. [ID-142-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF LOGAN SIMPSON AND AWARDING THE CONTRACT FOR THE COMPREHENSIVE PLAN UPDATE, RFP #15-018, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED NINETY THOUSAND DOLLARS (\$190,000.00), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO.

Attachments: [15-018 Resolution](#)  
[RFP Evaluation Matrix - RFP #15-018](#)

## **10. UTILITIES BUSINESS ITEMS**

### **Resolutions**

- A. [ID-141-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS STORMWATER ENTERPRISE, ACCEPTING THE STATEMENT OF QUALIFICATION FROM ENGINUITY ENGINEERING SOLUTIONS, LLC, AWARDING THE CONTRACT FOR THE STORMWATER MASTER PLAN PROPOSAL #15-025, TO ENGINUITY ENGINEERING SOLUTIONS, LLC IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY

Attachments: [15-025 RESO - Stormwater Master Plan - 2015 05 26 - SB](#)  
[RFQ Evaluation Matrix - RFP #15-025](#)

- B. [ID-140-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WASTEWATER ENTERPRISE, ACCEPTING THE PROPOSAL OF MARTIN/MARTIN, INC., AWARDING THE CONTRACT FOR THE WASTEWATER MASTER PLAN PROPOSAL #15-023, TO MARTIN/MARTIN, INC. IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY

Attachments: [15-023 RESO - Waste Water Master Plan](#)  
[RFQ Evaluation Matrix - RFP #15-023](#)

## **11. GENERAL BUSINESS**

- A. [ID-136-15](#) Cyber Café Moratorium Update

- B. [ID-137-15](#) Cancel the June 16, 2015 City Council Meeting
- C. [ID-138-15](#) Schedule a Special City Council Meeting on June 23, 2015 at 7:00 p.m. for the Orchard Church Annexation, Chapel Hill Rezoning, Chapel Hill Development Agreement Amendment, Liquor Code Amendment, Oil and Gas Lease, IGA with Coplink, IGA with Adams County for CDBG Funds, Approval for Coordinated Election with Adams and Weld Counties, Park Restroom Renovation Bid Award, Water Systems Masterplan, Erger's Pond Augmentation Station Contract Award and the Seventh Day Adventist Agreement.

## **12. REPORTS**

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

## **13. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS**

## **14. EXECUTIVE SESSION**

- A. [ID-386-14](#) For a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding Denver International Airport

## **15. ADJOURNMENT**