



# City of Brighton

500 S. 4th Avenue  
Brighton, CO 80601

## Meeting Agenda

### 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**

#### *Notice of Non-Discrimination*

*It is the policy of the City of Brighton to provide equal services, programs and activities without regard to race, color, national origin, creed, religion, sex, sexual orientation, disability, or age and without regard to the exercise of rights guaranteed by state or federal law. The City of Brighton has a policy to provide language access services at no charge to persons with limited English proficiency (LEP) and persons with a disability who are served by the City.*

*For more information on non-discrimination or interpretation, please contact the City's Coordinator at [ADACoordinator@brightonco.gov](mailto:ADACoordinator@brightonco.gov) or 303-655-2096. The City will make reasonable accommodations for citizens in accordance with the Americans with Disabilities Act (ADA) or will arrange for an interpreter in accordance with Title VI of the Civil Rights Act. Any request for an interpreter must be made by 9:00 a.m. on the Thursday prior to the City Council meeting.*

*Si desea traducción o acomodaciones de acuerdo con la Ley de Derechos de Discapacitados ("ADA" en inglés) o Título VI, por favor comuníquese por correo electrónico a [ADACoordinator@brightonco.gov](mailto:ADACoordinator@brightonco.gov) o 303-655-2096. Cualquier petición para un intérprete debe ser pedido antes de las 9 a.m. el jueves anterior de la sesión del consejo.*

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Tuesday, October 17, 2023

6:00 PM

Council Chambers

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## **1. CALL TO ORDER**

- A. Pledge of Allegiance to the American Flag
  
- B. Roll Call

## **2. APPROVAL OF REGULAR AGENDA**

*(Council may take a short break between 7:30–8:00 p.m.)*

**3. CONSENT AGENDA**

- A. [ID-316-23](#) Approval of the September 19, 2023 City Council Minutes
- B. [ID-343-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF JR ENGINEERING, LLC FOR DESIGN SERVICES FOR SABLE BOULEVARD IMPROVEMENTS PROJECT #23-007963 FOR THE CONTRACT AMOUNT OF TWO MILLION THREE HUNDRED SEVENTY-ONE THOUSAND THREE HUNDRED THIRTEEN DOLLARS (\$2,371,313.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY
- Attachments:** [RESO 23 Sable Blvd Design 2023.10.05](#)  
[Design - Sable Blvd City Council 2023.10.10](#)  
[343 PPT](#)
- C. [ID-342-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF LARSON INCITTI ARCHITECTS P.C. FOR THE BRIGHTON GYM EXPANSION DESIGN, PROJECT #23-008162, FOR THE CONTRACT AMOUNT OF FIVE HUNDRED TWENTY-FOUR THOUSAND DOLLARS (\$524,000.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE SAID CONTRACT ON BEHALF OF THE CITY
- Attachments:** [RESO 23 Larson Incitti Architects in re rec center gym expansion](#)  
[Parks Recreation Brighton Presentation Gym Expansion - Copy \(1\).pptx](#)  
[342 PPT](#)
- D. [ID-344-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AFFORDABLE HOUSING BASELINE ESTIMATE RELATED TO PROPOSITION 123 AND AUTHORIZING THE SUBMISSION OF A COMMITMENT RELATED THERETO
- Attachments:** [Draft Resolution](#)  
[Memorandum on Brighton's Proposition 123 Baseline Estimate](#)

- E. [ID-315-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, CALLING FOR A SPECIAL MAIL BALLOT RUN-OFF MUNICIPAL ELECTION FOR WARD 4, IF NECESSARY, TO BE HELD ON DECEMBER 5, 2023; APPOINTING THE BRIGHTON CITY CLERK AS THE DESIGNATED ELECTION OFFICIAL; SPECIFYING THE AUTHORITY OF THE CITY CLERK REGARDING THE CONDUCT OF THE ELECTION; AND SETTING FORTH OTHER DETAILS RELATED THERETO

**Attachments:** [Reso Calling Run-off Election 2023](#)

- F. [ID-329-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, WAIVING THE FORMAL SOLICITATION PROCEDURE FOR THE PURCHASE OF FLEET VEHICLES AND EQUIPMENT THROUGH THE END OF THE 2024 FISCAL YEAR

**Attachments:** [RESO 23 Waiving Formal Solicitation for Fleet Vehicles in 2024](#)

- G. [ID-341-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING ACCEPTANCE OF AN EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) AND AUTHORIZING THE CHIEF OF POLICE TO SIGN THE JAG GRANT AGREEMENT AND ANY OTHER PUBLIC SAFETY GRANT AGREEMENTS FROM THE FEDERAL GOVERNMENT

**Attachments:** [RESO-23 Approving JAG Grant](#)  
[FY 2023 JAG Program - Local Solicitation - O-BJA-2023-171790](#)  
[FY 2023 JAG Allocations - CO fy23-jag-local-allocations-CO](#)  
[Chief Executive Certification](#)  
[Police Department Brighton Presentation 2023 JAG \(1\)](#)  
[341 PPT](#)

- H. [ID-346-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AMENDMENT NO. 1 TO THE MASTER PRICE AGREEMENT 22-007836M WITH BUILDING TECHNOLOGY SYSTEMS, INC. FOR ON-CALL HVAC SERVICES WITH THE ANNUAL NOT-TO-EXCEED CONTRACT AMOUNT OF SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE AMENDMENT ON BEHALF OF THE CITY

**Attachments:** [HVAC Resolution](#)  
[HVAC PPT](#)

#### **4. CEREMONIES**

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

**6. PUBLIC HEARINGS**

- A. [ID-352-23](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE BROMLEY FARMS ZONING MAP AMENDMENT FROM THE BROMLEY FARMS PLANNED UNIT DEVELOPMENT TO THE ZONING DESIGNATIONS R-1A, R-1B, R-3, AND O FOR AN APPROXIMATELY 142.72 ACRES OF PROPERTY, GENERALLY LOCATED TO THE SOUTH OF BROMLEY LANE, EAST OF CHAMBERS ROAD, WEST OF THE BRIGHTON OASIS FAMILY AQUATIC PARK, NORTH OF THE INDIGO TRAILS SUBDIVISION, AND MORE SPECIFICALLY LOCATED IN THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (FIRST READING)

**Attachments:**

[Draft City Council Ordinance](#)  
[Planning Commission Resolution 23-8](#)  
[Aerial Map by City Staff](#)  
[Zoning Map Amendment by Applicant](#)  
[Bromley Farms PUD](#)  
[Neighboring Property Owner Notification](#)  
[Buffer of Mailing Radius](#)  
[Affidavit of Sign Posting](#)  
[Website Notice](#)  
[Website Publication Proof](#)  
[City Staff's Draft Presentation \(8\).pptx](#)  
[352 PPT](#)

**7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW**

- A. [ID-324-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ADOPTING THE FISCAL YEAR 2024 BUDGET, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS SPECIFIED BELOW IN THE AMOUNT OF \$265,434,894, FOR THE CITY OF BRIGHTON, COLORADO, FOR THE FISCAL YEAR 2024 (PUBLIC HEARING)
- Attachments:** [2024 Budget Resolution](#)  
[2024 October Budget Presentation Final](#)  
[324 PPT](#)
- B. [ID-323-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2024, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE CITY OF BRIGHTON, COLORADO, AND SETTING THE MILL LEVY AT 6.650 MILLS FOR THE 2024 BUDGET YEAR
- Attachments:** [RESO 23 Mill Levy](#)
- C. [ID-321-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING FORTH CERTAIN FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON, EFFECTIVE JANUARY 1, 2024
- Attachments:** [RESO 23 - 2024 Fee Reso](#)
- D. [ID-347-23](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING AND REPEALING CERTAIN SECTIONS OF THE CITY OF BRIGHTON MUNICIPAL CODE AND ENACTING SECTIONS RELATED TO THE SALE OF MARIJUANA (FINAL READING)
- Attachments:** [ORD 23 - Marijuana Stores \(Amended for 2nd Reading\)](#)  
[REDLINE Marijuana ORD \(1st to 2nd Reading\)](#)  
[Marijuana Store Licenses PPT \(Updated 10.6.23\)](#)  
[347 PPT](#)
- E. [ID-350-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO DEDICATING SALES TAX GENERATED BY MARIJUANA STORES TO PUBLIC SAFETY
- Attachments:** [RESO 23 - Directing Marijuana Sales Tax](#)

## **8. ORDINANCES FOR INITIAL CONSIDERATION**

## **9. ORDINANCES FOR FINAL CONSIDERATION**

- A. [ID-288-23](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, GRANTING A PERPETUAL EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO OVER A PORTION OF REAL PROPERTY GENERALLY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34 TOWNSHIP 1 NORTH RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID EASEMENT ON BEHALF OF THE CITY

**Attachments:** [ORD 23- Xcel Easement](#)  
[Grant of Easement - Xcel](#)  
[East side City of Brighton - Non-Exclusive Esmt](#)  
[Existing PSCo Easement](#)  
[PSCo Land GIS image](#)  
[Xcel Easement Expansion PowerPoint - City Council](#)  
[288 PPT](#)

## **10. RESOLUTIONS**

- A. [ID-330-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING COMPENSATION FOR THE CITY MANAGER AND AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT SETTING FORTH OTHER DETAILS RELATED THERETO

**Attachments:** [CM RESO-2023](#)

- B. [ID-340-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, IN SUPPORT OF BALLOT MEASURE 3F, THE PUBLIC SAFETY TAX, TO PROVIDE ADDITIONAL REVENUES TO FUND PUBLIC SAFETY

**Attachments:** [RESO-23-Supporting ballot measure 3F public safety tax](#)

- C. [ID-351-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AGREEMENT TO ALLOW PEDCOR INVESTMENTS, A LIMITED LIABILITY COMPANY TO PAY FEE-IN-LIEU OF WATER DEDICATION; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT ON BEHALF OF THE CITY

**Attachments:** [RESO-23 Pedcor FIL Agreement](#)  
[Pedcor - Brighton Ridge Agreement re FIL \(Execution Version\)](#)

## **11. UTILITIES BUSINESS ITEMS**

## **12. GENERAL BUSINESS**

- A. [ID-336-23](#) Schedule a Special City Council Meeting on November 9, 2023 at 6:00 p.m. to Certify the Ballot Content for the Special Ward 4 Run-off Election on December 5, 2023

**13. REPORTS**

- A. By the Mayor
- B. By Department Directors
- C. By the City Attorney
- D. By the City Manager
- E. By City Council

**14. EXECUTIVE SESSION**

**15. ADJOURNMENT**