



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 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 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.

Tuesday, February 21, 2023

6:00 PM

Council Chambers

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-35-23](#) Approval of the January 17, 2023 City Council Minutes
- B. [ID-36-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING RESOLUTION NO. 2022-04 AND 2022-53 AND APPOINTING OFFICIAL REPRESENTATIVES AND ALTERNATES OF THE CITY COUNCIL TO VARIOUS BOARDS AND COMMISSIONS
- Attachments:** [Amend Appt of CC to Various B&C 2023](#)
- C. [ID-48-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF AMUSEMENT RESTORATION COMPANIES, LLC FOR THE OASIS POOL SHELL REPLACEMENT PROJECT FOR THE CONTRACT AMOUNT OF FIVE HUNDRED FIFTY THOUSAND DOLLARS (\$550,000.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY
- Attachments:** [Resolution - Amusement Restoration Co](#)
- D. [ID-46-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF JUST BE YOU, INC. FOR PLAY STRUCTURE REPLACEMENT AT THE RECREATION CENTER FOR THE CONTRACT AMOUNT OF ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00), AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY
- Attachments:** [Resolution - Just Be you, Inc.](#)
[Park Improvement Powerpoint - City Council Meeting 2-21-2023](#)
[44 PPT](#)
- E. [ID-45-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF ATOZ RECREATION, LLC FOR THE DONELSON PARK REPLACEMENT, PROJECT #23-007947, FOR THE CONTRACT AMOUNT OF THREE HUNDRED FIFTEEN THOUSAND DOLLARS (\$315,000), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AND SIGN THE CONTRACT ON BEHALF OF THE CITY
- Attachments:** [Resolution - A to Z Recreation](#)
[Park Improvement Powerpoint - City Council Meeting 2-21-2023](#)
[44 PPT](#)

- F. [ID-44-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF HELLAS CONSTRUCTION, INC. FOR THE COLORADO PARK TENNIS COURT REPLACEMENT, PROJECT #23-007949, TO HELLAS CONSTRUCTION, INC. FOR THE CONTRACT AMOUNT OF FIVE HUNDRED THIRTY-FOUR THOUSAND DOLLARS (\$534,000), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

Attachments: [Resolution - Hellas Construction, Inc.](#)
[Park Improvement Powerpoint - City Council Meeting 2-21-2023](#)
[44 PPT](#)

- G. [ID-52-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, RE-APPOINTING STEPHANIE BROWN AS A WARD 1 MEMBER OF THE PARKS AND RECREATION ADVISORY BOARD WITH A TERM TO JANUARY 2027

Attachments: [P&R Feb 2023 Brown](#)

- H. [ID-53-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING JASON ROBBINS AS AN AT-LARGE MEMBER OF THE PARKS AND RECREATION ADVISORY BOARD TO FILL AN UNEXPIRED TERM TO JANUARY 2026

Attachments: [P&R Feb 2023 Robbins](#)

4. CEREMONIES

- A. [ID-139-18](#) Swearing In of New Board and Commission Members

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

6. PUBLIC HEARINGS

- A. [ID-42-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN ACCOUNTS IN THE GENERAL FUND, CAPITAL FUND, PARKS CAPITAL FUND, LODGING TAX FUND, WATER FUND, WASTEWATER FUND, AND STORM DRAINAGE FUND; AND APPROPRIATING MONEY FOR EXPENDITURES IN THE AMOUNT OF \$11,289,563.00 TO SUPPORT GRANT AWARDS, THE BRONCOS MONEY SPENDING PLAN, RE-APPROPRIATION FOR THE MUNICIPAL SERVICE CENTER AND HSV TARGET PROPERTY, LODGING TAX AWARD INCREASES, AND ADDITIONAL PROJECTS

Attachments: [Budget Amemdent Resoution](#)
[2023 Budget 1st Amendment](#)
[42 PPT](#)

7. ORDINANCES FOR INITIAL CONSIDERATION

- A. [ID-55-23](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, GRANTING A PERPETUAL EASEMENT TO ALLO BRIGHTON, LLC LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID EASEMENT ON BEHALF OF THE CITY

Attachments: [ALLO Easement - Ordinance](#)
[ALLO Easement](#)
[Allo Easement powerpoint](#)

8. ORDINANCES FOR FINAL CONSIDERATION

9. RESOLUTIONS

- A. [ID-47-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE PURCHASE OF REAL PROPERTY ENCUMBERED WITH A CONSERVATION EASEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE ASSOCIATED TRANSACTIONAL DOCUMENTS

Attachments: [RESO 2023 Approving Wagner Mahew \(3\)](#)
[HSV Presentation Final Purchase \(1\).pptx](#)
[47 PPT](#)

- B. [ID-43-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING LODGING TAX GRANTS AND ALLOCATIONS FROM THE LODGING TAX FUND IN THE AMOUNT OF FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000.00) FOR CALENDAR YEAR 2023; DESIGNATING THE RECIPIENTS AND AMOUNTS OF SAID GRANTS AND ALLOCATIONS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENTS WITH THE RECIPIENTS OF THE 2023 ALLOCATION ON BEHALF OF THE CITY; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [2023 BLTAC Awards Resolution](#)
[Lodging Tax 2023 Presentation](#)
[43 PPT](#)

- C. [ID-56-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING EXECUTION OF AN ENGAGEMENT LETTER WITH NAPOLI SHKOLNIK TO DRAFT A COMPLAINT AGAINST PRODUCERS OF PFAS FOR DAMAGES AND EXECUTION OF A COMMON INTEREST AGREEMENT WITH THE COLORADO ATTORNEY GENERAL'S OFFICE REGARDING PFAS LITIGATION

Attachments: [RESO 2023 Approving engagement letter w Napoli for PFAS Litigation](#)

10. UTILITIES BUSINESS ITEMS

Ordinances

- A. [ID-50-23](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTION 13-4-180 OF THE BRIGHTON MUNICIPAL CODE RELATING TO WATER USE, PROHIBITIONS, AND CONSERVATION MEASURES (FIRST READING)

Attachments: [ORD Water Use Restrictions and Penalties v2](#)
[Presentation- Water Use Restrictions and Penalties_Final.pptx](#)
[50 PPT](#)

Resolutions

- B. [ID-49-23](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE MILE HIGH FLOOD DISTRICT FOR MASTER PLANNING OF DRAINAGE FOR THE BEEBE DRAW AND TRIBUTARIES AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

Attachments: [RESO_2023 Approving IGA_Final](#)
[23-01.09_Final](#)
[Presentation- Beebe Draw MDP and FHAD_Final \(1\).pptx](#)
[49 PPT](#)

11. GENERAL BUSINESS

12. REPORTS

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

13. EXECUTIVE SESSION

14. ADJOURNMENT