

City of Brighton

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



Special Meeting Agenda

Tuesday, June 23, 2015

7:00 PM

Special City Council Meeting

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-168-15](#) Approval of the May 19, 2015 City Council Minutes

3. APPROVAL OF REGULAR AGENDA

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

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

- A. [ID-165-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING FORTH FINDINGS OF FACT AND DETERMINATIONS REGARDING THE STATUTORY ELIGIBILITY FOR ANNEXATION OF THE 38.101 ACRES OF CONTIGUOUS LAND, IN THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO; TO BE KNOWN AS THE ORCHARD CHURCH ANNEXATION; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [CC_reso_annex_eligibility_1st reading_Orchard Church_Draft](#)

- B. [ID-143-15](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 38.101 ACRES OF CONTIGUOUS LAND, IN THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 1 SOUTH, RANGE 67 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO; TO BE KNOWN AS THE ORCHARD CHURCH ANNEXATION (First Reading)

Attachments: [Resolution of Annexation Eligibility \(Draft\)](#)

[Annexation Ordinance-Draft](#)

[Annexation Map -Page 1](#)

[Annexation Map -Page 2](#)

7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW

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](#)

B. [ID-159-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE FIRST AMENDMENT TO THE DEVELOPMENT AGREEMENT FOR THE CHAPEL HILL FILING NO. 2 SUBDIVISION, DESCRIBED AS A PART OF 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; AUTHORIZING THE MAYOR TO EXECUTE SAID FIRST AMENDMENT ON BEHALF OF THE CITY; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments:[CC Reso DA 5.18.15](#)[DA Final Draft \(CC ready\)](#)**8. ORDINANCES FOR FINAL 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 AND ARTICLE 9-24. 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; REVISING THE TRAINING REQUIREMENTS; AND SETTING FORTH DETAILS IN RELATION THERETO

Attachments:

[Amended Liquor Code Ordinance](#)

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

9. RESOLUTIONS

A. [ID-149-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE 2016-2018 INTERGOVERNMENTAL AGREEMENT BETWEEN ADAMS COUNTY AND THE CITY OF BRIGHTON FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM; AND AUTHORIZING THE MAYOR TO EXECUTE THE "IGA" ON BEHALF OF THE CITY

Attachments:

[CDBG Resolution](#)

[URBAN COUNTY IGA 5_8_15](#)

B. [ID-157-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON APPROVING PARTICIPATION BY THE CITY OF BRIGHTON IN A COORDINATED ELECTION TO BE CONDUCTED BY THE ADAMS COUNTY CLERK AND RECORDER AND THE WELD COUNTY CLERK AND RECORDER ON NOVEMBER 3, 2015

Attachments:

[Reso - Participate in Coordinated Election](#)

C. [ID-167-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE AMENDATORY INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY AND COUNTY OF DENVER AND ADAMS COUNTY TO THE INTERGOVERNMENTAL AGREEMENT ON ANNEXATION AND AN INTERGOVERNMENTAL AGREEMENT ON A NEW AIRPORT DATED APRIL 21, 1988, AS A THIRD PARTY BENEFICIARY TO CERTAIN PROVISIONS OF THE AMENDATORY INTERGOVERNMENTAL AGREEMENT; SETTING FORTH THAT SUCH APPROVAL IS SUBJECT TO AND CONDITIONED UPON APPROVAL OF THE AMENDATORY INTERGOVERNMENTAL AGREEMENT BY THE VOTERS OF THE CITY AND COUNTY OF DENVER AND ADAMS COUNTY; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments:

[DIA Agreement Resolution](#)

Exhibit 1 CONFIDENTIAL

Exhibit 2 CONFIDENTIAL

D. [ID-163-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE SIGNING OF A GRANT AGREEMENT WITH COLORADO PARKS AND WILDLIFE FOR THE AMOUNT NOT TO EXCEED ONE HUNDRED TEN THOUSAND FOUR HUNDRED SEVENTY DOLLARS (\$110,470.00), FOR THE "CFRT (COLORADO FRONT RANGE TRAIL) – ERGER'S POND OPEN SPACE SECTION PROJECT"; AUTHORIZING THE CITY'S MATCHING OBLIGATION OF SEVENTY-THREE THOUSAND SIX HUNDRED FIFTY DOLLARS (\$73,650.00); AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE GRANT AGREEMENT

Attachments:

[Resolution - State Trails 11-3-14 Non-Motorized Recreational Trails Grant Conti](#)

E. [ID-164-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE SIGNING OF A GRANT AGREEMENT WITH HISTORY COLORADO (COLORADO HISTORICAL SOCIETY) FOR THE AMOUNT NOT TO EXCEED SIXTEEN THOUSAND FIVE HUNDRED DOLLARS (\$16,500.00), FOR THE "64 FARMSTEADS CULTURAL RESOURCE SURVEY" PROJECT; AUTHORIZING THE CITY'S MATCHING OBLIGATION OF TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00); AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE GRANT AGREEMENT

Attachments: [Resolution - History Colorado CLG 11-17-14 - CLG Grant Contract \(64 Brighton\)](#)

10. UTILITIES BUSINESS ITEMS

Resolutions

A. [ID-154-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ENTERPRISE, ACCEPTING THE STATEMENT OF QUALIFICATIONS AND PROPOSAL FROM HATCH MOTT MACDONALD, LLC, AWARDING THE CONTRACT FOR THE WATER MASTER PLAN PROPOSAL #15-024, TO HATCH MOTT MACDONALD, LLC 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: [15-024 RESO- Water Master Plan](#)
[RFQ Evaluation Matrix - RFP #15-024](#)

B. [ID-156-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ENTERPRISE, ACCEPTING THE PROPOSAL FROM BURNS AND MCDONNELL ENGINEERING CO., INC, AWARDING THE CONTRACT FOR THE ENGINEERING DESIGN OF THE ERGER'S POND AUGMENTATION STATION #15-026, TO BURNS AND MCDONNELL ENGINEERING CO., INC IN AN AMOUNT NOT TO EXCEED TWO HUNDRED NINETY EIGHT THOUSAND TWO HUNDRED NINETY EIGHT DOLLARS (\$298,298.00), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY

Attachments: [15-026 RESO- Erger's Pond Augmentation Station](#)
[RFQ Evaluation Matrix - RFP #15-026](#)

C. [ID-166-15](#)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ENTERPRISE, APPROVING THAT CERTAIN SECOND AMENDMENT TO THE EASEMENT AGREEMENT BY AND BETWEEN THE CITY AND THE SEVENTH DAY ADVENTIST ASSOCIATION OF COLORADO, INC., AND AUTHORIZING THE MAYOR TO EXECUTE THE SECOND AMENDMENT ON BEHALF OF THE CITY

Attachments: [2015 06 23 RESO 7th Day Adventist \(FINAL\)](#)
[7th Day Adventist 2nd Amend June 2015 \(Final Draft\)](#)

11. GENERAL BUSINESS**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****15. ADJOURNMENT**