



# City of Brighton

500 S. 4th Avenue  
Brighton, CO 80601

## Meeting Agenda

### City Council

**MAYOR - KENNETH J. KREUTZER**

**MAYOR PRO-TEM - JW EDWARDS**

**COUNCIL MEMBERS:**

**LYNN BACA, CLINT BLACKHURST, MARK HUMBERT,  
MATT JOHNSTON, GREGORY MILLS, MARY ELLEN POLLACK,  
KIRBY WALLIN**

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Tuesday, December 18, 2018

7:00 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 8:30–9:00 p.m.)*

#### **3. CONSENT AGENDA**

- A. [ID-407-18](#) Approval of the November 13, 2018 City Council Minutes
- B. [ID-408-18](#) Approval of the November 20, 2018 City Council Minutes
- C. [ID-419-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING A GRANT AGREEMENT WITH ADAMS COUNTY FOR THE AMOUNT NOT TO EXCEED FOUR HUNDRED TWENTY THOUSAND, FOUR HUNDRED TWENTY-FIVE DOLLARS (\$420,425.00) FOR THE COLORADO PARK ENHANCEMENT PROJECT; AUTHORIZING UNITED POWER (ENERGY EFFICIENCY REBATES) AS A MATCHING OBLIGATION OF NINE THOUSAND, FIVE HUNDRED DOLLARS (\$9,500.00); AUTHORIZING THE CITY'S MATCHING OBLIGATION OF THREE HUNDRED THIRTY-FOUR THOUSAND, FIVE HUNDRED DOLLARS (\$334,500.00); AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE GRANT AGREEMENT

**Attachments:** [Reso - Colo Park Enhancement Project.doc](#)

[Colorado\\_Park-Site\\_Map.pdf](#)

[Grant Award Agreement for the Colorado Park Enhancement Project.pdf](#)

D. [ID-420-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING A MINI-GRANT AGREEMENT WITH ADAMS COUNTY IN AN AMOUNT NOT TO EXCEED FIVE THOUSAND DOLLARS (\$5,000.00) FOR THE HIGH SCHOOL SENIORS' BEAUTIFICATION PROJECT AT BRIGHTON SPORTS COMPLEX; AUTHORIZING THE CITY'S MATCHING OBLIGATION OF SEVEN THOUSAND, SEVENTY DOLLARS (\$7,070.00); AND AUTHORIZING THE CITY MANAGER TO SIGN AND EXECUTE THE AGREEMENT

Attachments:

[Reso - Seniors Project - CA.doc](#)

[Grant Award Agreement for the High School Seniors Beautification Project....pd](#)

E. [ID-421-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING A GRANT AGREEMENT WITH ADAMS COUNTY FOR AN AMOUNT NOT TO EXCEED SEVENTY THOUSAND DOLLARS (\$70,000.00) FOR THE BRIGHTON PARKS, RECREATION, TRAILS, AND OPEN SPACE MASTER PLAN PROJECT; AUTHORIZING THE CITY'S MATCHING OBLIGATION OF ONE HUNDRED THOUSAND DOLLARS (\$100,000.00); AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT

Attachments:

[Resolution - AdCo 7-25-18 O.S. Grant - Passive Grant Agreement \(Brighton P.F](#)

[Grant Award Agreement for the Brighton Parks, Recreation, Trails, and Op....pd](#)

F. [ID-428-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE FIRST AMENDMENT TO THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF BRIGHTON, COLORADO, AND THE HOUSING AUTHORITY OF THE CITY OF BRIGHTON TO EXTEND THE AGREEMENT FOR A ONE-YEAR TERM, AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT

Attachments:

[Reso - 1st Amend MOA w BHA](#)

[Signed MOA \(2013\)](#)

[MOA Brighton Housing Authority](#)

G. [ID-437-18](#)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THREE OIL AND GAS LEASES (NO SURFACE OCCUPANCY) WITH GREAT WESTERN OIL AND GAS COMPANY FOR +/- 63.7866 NET MINERAL ACRES IN CERTAIN PORTIONS OF SECTIONS 13 AND 35 IN TOWNSHIP 1 SOUTH, RANGE 67 WEST IN ADAMS COUNTY, COLORADO AND IN SECTION 17 IN TOWNSHIP 1 SOUTH, RANGE 66 WEST IN ADAMS COUNTY, COLORADO; FINDING THAT THE TERMS OF SAID LEASES ARE REASONABLE AND THAT IT IS IN THE BEST INTEREST OF THE CITY TO ENTER INTO SAID LEASES; AUTHORIZING THE MAYOR TO EXECUTE SAID LEASES ON BEHALF OF THE CITY; AND AUTHORIZING THE CITY MANAGER TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID LEASES (FIRST READING)

**Attachments:**[CA Great Western Ordinance](#)[Great Western lease attachment A](#)[City of Brighton Leasing Guidance - attachment D](#)H. [ID-438-18](#)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING ONE OIL AND GAS LEASE WITH PETROSHARE CORPORATION FOR +/- 8.905 NET MINERAL ACRES IN CERTAIN PORTIONS OF SECTIONS 17 AND 20 IN TOWNSHIP 1 SOUTH, RANGE 66 WEST IN 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; AND AUTHORIZING THE CITY MANAGER TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID LEASE (FIRST READING)

**Attachments:**[CA PetroShare Ordinance](#)[PetroShare lease attachment B](#)[City of Brighton Leasing Guidance - attachment D](#)

I. [ID-439-18](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING ONE OIL AND GAS LEASE WITH PETRO OPERATING COMPANY, LLC, FOR +/- 54.198 NET MINERAL ACRES IN CERTAIN PORTIONS OF SECTION 2 IN TOWNSHIP 1 SOUTH, RANGE 66 WEST IN 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; AND AUTHORIZING THE CITY MANAGER TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID LEASE (FIRST READING)

Attachments:

[CA Petro Operating Ordinance](#)

[Petro Packet attachment C](#)

[City of Brighton Leasing Guidance - attachment D](#)

#### **4. CEREMONIES**

A. [ID-432-18](#) #Doers Month, Leading the way through Entrepreneurship Proclamation

Attachments:

[Doers Proclamation](#)

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

#### **6. PUBLIC HEARINGS**

#### **7. ORDINANCES FOR INITIAL CONSIDERATION**

A. [ID-394-18](#) AN ORDINANCE OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE CONVEYANCE OF TRACT WWW, BRIGHTON CROSSING FILING NO 2, TO SCHOOL DISTRICT 27J AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SPECIAL WARRANTY DEED THEREOF

Attachments:

[Aerial 18.12.04\\_Brighton Crossing School Land Transfer](#)

[City Council Ordinance 18.12.04\\_Brighton Crossing School Land Transfer](#)

[394-18 PPT](#)

[SWD Tract WWW - CA.docx](#)

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

#### **9. RESOLUTIONS**

A. [ID-429-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE BID OF HAYNIE & COMPANY AND AWARDING THE CONTRACT FOR THE INDEPENDENT AUDITING SERVICES TO HAYNIE & COMPANY IN AN AMOUNT NOT TO EXCEED THIRTY SEVEN THOUSAND DOLLARS (\$37,000.00) FOR THE FIRST TERM, AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

Attachments: [Resolution External Auditor Selection](#)

B. [ID-422-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, TAKING ACTION UPON AN APPLICATION FOR SENIOR AFFORDABLE HOUSING ASSISTANCE SUBMITTED BY HC BRIGHTON LIBRETTO 2011, L.P., AND HENDRICKS COMMUNITIES, LLC, PURSUANT TO SECTIONS 3-5-50, 3-5-60, AND 3-5-70 OF THE BRIGHTON MUNICIPAL CODE, AND APPROVING THE REDUCTION OR SUBSIDY OF DEVELOPMENT IMPACT FEES AND USE TAX ACCORDINGLY

Attachments: [Draft Resolution Approving the Reduction of Fees](#)

[Libretto Senior Apartments Phase II – AMI Housing Matrix Fee Reduction Sheet](#)

[Application for Affordable Housing Assistance](#)

[422 PPT](#)

C. [ID-423-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN AGREEMENT FOR AFFORDABLE HOUSING FOR THE LIBRETTO APARTMENTS PHASE II PROJECT BETWEEN THE CITY OF BRIGHTON AND HC BRIGHTON LIBRETTO 2011 L.P.; MAKING CERTAIN FINDINGS PURSUANT TO SECTION 3-5-50 OF THE BRIGHTON MUNICIPAL CODE IN SUPPORT OF CERTAIN FEE REDUCTIONS AND WAIVERS; AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY

Attachments: [Draft Resolution Approving the Affordable Housing Agreement](#)

[Draft Affordable Housing Agreement](#)

[422 PPT](#)

D. [ID-415-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF BRIGHTON AND THE ADAMS COUNTY SHERIFF'S OFFICE FOR THE PROVISION OF LAW ENFORCEMENT AND ADMINISTRATIVE PERSONNEL, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY AND TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID AGREEMENT ON BEHALF OF THE CITY

**Attachments:** [Reso - 2019 Terminal Guard IGA - CA.docx 112918.docx](#)

[2019 IGA for records administrative services - CA.docx 112918.docx](#)

[415.ppt](#)

E. [ID-381-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DESIGNATING THE AMOUNT OF THE 2018 BRIGHTON RESIDENTS FOOD TAX REVENUE TO BE REDISTRIBUTED FROM THE GENERAL FUND AND CREDITED TO THE CITY OF BRIGHTON FOOD TAX REBATE ACCOUNT PURSUANT TO THE PROVISIONS OF SECTION 3-28-15(d) OF THE BRIGHTON MUNICIPAL CODE BE IN THE AMOUNT OF ZERO DOLLARS (\$0.00); AND SETTING FORTH OTHER DETAILS RELATED THERETO

**Attachments:** [Food Sales Tax Rebate](#)

## **10. UTILITIES BUSINESS ITEMS**

### **Resolutions**

A. [ID-424-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, APPROVING THE 8.3MG TANK STRUCTURAL REPAIRS CHANGE ORDER TO THE CONTRACT WITH SEH DESIGN BUILD, INC., TO AMEND THE SCOPE OF WORK IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED THREE THOUSAND, SIX HUNDRED EIGHTY DOLLARS (\$503,680.00); AND AUTHORIZING THE MAYOR TO EXECUTE SAID CHANGE ORDER ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

**Attachments:** [Reso - 8.3MG Tank Structural Repairs - CA.doc](#)

B. [ID-398-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, ACCEPTING THE BID OF IMEG CORPORATION AND AWARDING THE CONTRACT FOR THE GREENSAND FILTER EFFLUENT LINE REPAIR PROJECT TO IMEG CORPORATION IN AN AMOUNT NOT TO EXCEED FIVE HUNDRED EIGHTY-TWO THOUSAND, SIX HUNDRED SEVENTEEN DOLLARS (\$582,617.00) AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

Attachments: [Greensand Reso - CA](#)  
[18-050 RFP Review & Evaluation](#)  
[398 PPT](#)

C. [ID-440-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF STANTEC CONSULTING SERVICES, INC. AND AWARDING THE CONTRACT FOR THE WATER, WASTEWATER, AND STORM DRAINAGE UTILITY RATE STUDY TO STANTEC CONSULTING SERVICES INC. IN AN AMOUNT NOT TO EXCEED SEVENTY FIVE THOUSAND DOLLARS (\$75,000.00), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

Attachments: [Resolution](#)  
[Evaluation Matrix](#)

D. [ID-425-18](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, ACCEPTING THE BID OF MOUNTAIN STATES PIPE & SUPPLY (MSPS) AND AWARDING THE CONTRACT FOR THE ADVANCED METERING INFRASTRUCTURE (AMI) SYSTEM FOR WATER UTILITIES AND CUSTOMER INFORMATION SYSTEM PROJECT TO MSPS IN AN AMOUNT NOT TO EXCEED THREE HUNDRED EIGHTY-EIGHT THOUSAND, SIX HUNDRED SEVENTY-THREE DOLLARS (\$388,673.00), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

Attachments: [Resolution G - AMI Fixed Network](#)  
[425 PPT](#)

## **11. GENERAL BUSINESS**

A. [ID-409-18](#) Schedule a Special City Council Meeting on January 8, 2019 at 6:00 p.m. to include approval of Victims of Crime Act Grant Acceptance, Violence Against Women Act Grant Acceptance, Naming Petition for Tract N Park, Brighton East Farms to Harvest Park, Brighton Crossing Filing No. 2 Land Transfer, Oil and Gas Lease for Great Western, Oil and Gas Lease for PetroShare, Oil and Gas Lease for Petro Operating, and Authorizing Certain Employees to Sign on City Financial Accounts

B. [ID-427-18](#) 75 Day Work Plan Summary

**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**