

City of Brighton

500 S. 4th Avenue
Brighton, CO 80601



Meeting Agenda

Tuesday, December 16, 2014

7:00 PM

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-298-14](#) Approval of the October 21, 2014 City Council Minutes

Attachments: [Exhibit A](#)
[Exhibit B](#)
- B. [ID-321-14](#) Approval of the November 18, 2014 City Council Minutes
- C. [ID-317-14](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING CERTAIN EMPLOYEES OF THE CITY TO SIGN ON THE CITY'S FINANCIAL ACCOUNTS.

Attachments: [Bank Reso](#)

3. APPROVAL OF REGULAR AGENDA

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

4. CEREMONIES

- A. [ID-311-14](#) Youth Commission Presentation on NLC Conference
- B. [ID-312-14](#) Turkey Trot Recognition & Presentation to Senior Advisory Board

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

- A. [ID-308-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE LEASE OF A 13.6 ACRE PARCEL OF CITY- OWNED LAND IN ELMWOOD CEMETERY TO PETROCCO FARMS, INC; SETTING OUT THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY

Attachments: [Elmwood Property Ordinance](#)
[Elmwood Cemetery Property Lease Agreement](#)
[Elmwood Cemetery Map](#)
[Fee Proposals - Revised](#)

- B. [ID-303-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE LEASE OF A 92.5 ACRE PARCEL OF CITY- OWNED LAND, THE “COLE PROPERTY”, TO DAVID AND RHONDA LOEFFLER; SETTING OUT THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY

Attachments: [Cole Property Ordinance](#)
[Cole Property Lease Agreement](#)
[Cole map](#)
[Fee Proposals - Revised](#)

- C. [ID-304-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE LEASE OF A 34.3 ACRE PARCEL OF CITY- OWNED LAND, THE “EAGLE PRESERVE PROPERTY”, TO GIANNA’S CUSTOM HAY, FRANK SERAFINI; SETTING OUT THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY

Attachments: [Eagle Preserve Property Ordinance](#)
[Eagle Preserve Property Lease Agreement](#)
[Eagle Preserve Map](#)
[Fee Proposals - Revised](#)

- D. [ID-306-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE LEASE OF A 44.3 ACRE PARCEL OF CITY- OWNED LAND, THE “LETTERLY (ROBINSON) NORTH PROPERTY”, TO PETROCCO FARMS, INC. AND BERRY PATCH FARMS, LLC, AS CO-TENANTS; SETTING OUT THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY

Attachments: [Letterly North Property Ordinance mrb rev 12 3 14 \(2\)](#)
[Letterly Property North Lease Agreement mrb rev 12 3 14 \(2\)](#)
[Letterly North Map](#)
[Fee Proposals - Revised](#)

- E. [ID-305-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE LEASE OF A 31.4 ACRE PARCEL OF CITY- OWNED LAND, THE “LETTERLY (ROBINSON) SOUTH PROPERTY”, TO AUTUMN NURSERY, LLC; SETTING OUT THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY

Attachments: [Letterly South Property Ordinance](#)
[Letterly Property South Lease Agreement](#)
[Letterly South Map](#)
[Fee Proposals - Revised](#)

- F. [ID-309-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE LEASE OF A 39.8 ACRE PARCEL OF CITY- OWNED LAND, THE “STEGMAN PROPERTY”, TO PETROCCO FARMS, INC; SETTING OUT THE TERMS OF SAID LEASE; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE ON BEHALF OF THE CITY

Attachments: [Stegman Property Ordinance](#)
[Stegman Property Lease Agreement mrb rev 12 2 14](#)
[Stegman Map](#)
[Fee Proposals - Revised](#)

7. ORDINANCES FOR FINAL CONSIDERATION

- A. [ID-275-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AMENDING SECTION 1-27-40, FEES AND CHARGES, OF THE BRIGHTON MUNICIPAL CODE TO AMEND FEES CHARGED FOR TIME REQUIRED TO RESEARCH, RETRIEVE, COPY AND/OR REDACT RECORDS PRODUCED IN RESPONSE TO REQUESTS MADE UNDER THE COLORADO OPEN RECORDS ACT; AND SETTING FORTH DETAILS RELATED THERETO

Attachments: [Code Amendment Research & Retrieval Fees](#)

- B. [ID-279-14](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTION 2-4-10. ELECTION OF MEMBERS AND TERM OF THE BRIGHTON MUNICIPAL CODE BY THE ADDITION OF A NEW SUBPARAGRAPH (C) RELATED TO THE FILING AND CONSIDERATION OF PROTESTS AS TO THE NOMINATION AND QUALIFICATIONS OF THE MAYOR AND MEMBERS OF THE CITY COUNCIL; AND, SETTING FORTH DETAILS IN RELATION TO THE FOREGOING

Attachments: Staff Report Amend 2-4-10 Election of Membes CONFIDENTIAL
[Ord to Amend 2-4-10 Election of Members](#)

8. RESOLUTIONS

- A. [ID-290-14](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING THE DEFINED BENEFIT PLAN SELECTION FOR ACTIVE MEMBERS OF THE STATEWIDE HYBRID PLAN-MONEY PURCHASE COMPONENT; AUTHORIZING THE CITY CLERK TO FORTHWITH PROVIDE A COPY OF THIS RESOLUTION TO THE FPAA; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [RESOLUTION - FPPA Election Approval](#)
[FPPA](#)

- B. [ID-299-14](#) A RESOLUTION AMENDING CERTAIN ACCOUNTS IN THE PARKS AND RECREATION CAPITAL FUND AND APPROPRIATING MONEY FOR EXPENDITURE FOR THE NORTH ELEMENTARY-MALCOM PARK PLAY YARD PROJECT (PROJECT #90410) IN THE AMOUNT OF \$23,000.

Attachments: [Resolution - AdCo 8-1-13 O.S. Grant \(Active\) - Amending Accounts for Funding](#)

- C. [ID-295-14](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE BID OF DESIGNSCAPES COLORADO INC. AND AWARDED THE CONTRACT FOR THE NORTH ELEMENTARY - MALCOM PARK PLAY YARD PROJECT, BID #14-043, TO DESIGNSCAPES COLORADO INC. COLORADO INC. IN AN AMOUNT NOT TO EXCEED TWO HUNDRED NINETY FOUR THOUSAND THREE HUNDRED NINETY DOLLARS (\$294,390.00), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO.

Attachments: [14-043 Resolution - Final](#)
[14-043 Bid Abstract](#)

- D. [ID-301-14](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE BID OF HUNT CONSTRUCTION CONSULTING & MANAGEMENT, INC. AND AWARDED THE CONTRACT FOR THE WATERLINE CONSTRUCTION AT SOUTHERN STREET PROJECT, BID#14-056 TO HUNT CONSTRUCTION CONSULTING & MANAGEMENT, INC. IN AN AMOUNT NOT TO EXCEED ONE HUNDRED SIXTY FOUR THOUSAND FOUR HUNDRED THIRTY DOLLARS (\$164,430.00), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO.

Attachments: [14-056 Resolution](#)
[14-056 Official Bid Abstract](#)

- E. [ID-310-14](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT REGARDING LOCAL FOOD PRODUCTION DISTRICT AND BRIGHTON SOUTH SUB-AREA PLAN UPDATE (IGA) BETWEEN THE CITY OF BRIGHTON AND ADAMS COUNTY, REGARDING THE CREATION OF A LOCAL FOOD DISTRICT; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF BRIGHTON; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

Attachments: [Reso to Approve IGA 12.8](#)
[IGA Revised Draft 11 10 14](#)

- F. [ID-291-14](#) RESOLUTION APPROVING TEMPORARY DEFERRAL OF DEVELOPMENT IMPACT FEES FOR NEW RESIDENTIAL CONSTRUCTION

Attachments: [Resolution Temp Reduce Res Fees 2014](#)

- G. [ID-316-14](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO SETTING FORTH THE CITY OF BRIGHTON, COLORADO, INVESTMENT POLICIES; DESIGNATING THE CITY MANAGER, OR THE CITY MANAGER'S DESIGNEE, AS THE CITY OFFICIAL WITH INVESTMENT AUTHORITY AND OVERSIGHT SUBJECT TO THE AUTHORITY OF THE CITY COUNCIL; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

Attachments: [Brighton Investment Policy 12-16-14](#)

- H. [ID-315-14](#) 2015 ADOPTED FEE RESOLUTION
RESOLUTION CHANGING AND RATIFYING CERTAIN FEES
AND CHARGES ASSESSED BY THE CITY OF BRIGHTON

Attachments: [2015 Fee Resolution 12-9-14](#)

- I. [ID-281-14](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, PURSUANT TO AND IN ACCORDANCE WITH ORDINANCE NO. 1620 (THE "PACING ORDINANCE"), AS AMENDED BY ORDINANCE NO. 1664, AS AMENDED BY ORDINANCE NO. 1720, TEMPORARILY SUSPENDING THE IMPLEMENTATION OF THOSE PROVISIONS OF SAID ORDINANCE RELATING TO THE PROCESS OF ESTABLISHING AND ALLOCATING A SPECIFIC NUMBER OF RESIDENTIAL BUILDING PERMITS FOR CALENDAR YEAR 2015, AS MORE FULLY SET FORTH HEREIN.

Attachments: [CC Reso_pacing_2015](#)
[CC Study Session Memo_pacing_2015](#)
[Residential Subdivision Rpt \(Nov 2014\)](#)

9. UTILITIES BUSINESS ITEMS

- A. [ID-318-14](#) RESOLUTION CHANGING AND RATIFYING CERTAIN FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON - 2015 UTILITY FEE RESOLUTION

Attachments: [2015 Fee Resolution](#)

10. GENERAL BUSINESS

- A. [ID-313-14](#) Cancel the December 23, 2014 Study Session Meeting
- B. [ID-314-14](#) Schedule a Special Study Session on January 6, 2015 at 6:00 p.m. for a meeting with RTD

11. REPORTS

A. By the Mayor.

B. By Department Heads.

C. By the City Attorney.

D. By the City Manager.

12. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS

13. EXECUTIVE SESSION

14. ADJOURNMENT