

City of Brighton

500 S. 4th Avenue
Brighton, CO 80601



Meeting Agenda

Tuesday, August 18, 2015

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**3. APPROVAL OF REGULAR AGENDA**

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

4. CEREMONIES

- A. [ID-225-15](#) A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE PLACEMENT OF A PLAQUE ON MEMORIAL PARKWAY RECOGNIZING SAMUEL ALBIN MAR WAGNER FOR HIS SERVICE TO THE BRIGHTON COMMUNITY

Attachments: [Memorial Parkway Plaque for Samuel Albin Mar Wagner Reso](#)
[Naming Petition for Albin Wagner \(00000002\)](#)
[Albin Support Letter](#)

- B. [ID-226-15](#) Introduction of New Employees by Chief of Police Clint Blackhurst

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

- A. [ID-222-15](#) AN ORDINANCE, OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE REZONING OF AN APPROXIMATELY 53.1152 ACRE AREA OF LAND GENERALLY LOCATED IN SECTION 6, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, FROM AN ADAMS COUNTY ZONING DESIGNATION OF I-3 (INDUSTRIAL) TO A ZONING DESIGNATION OF PUD (PLANNED UNIT DEVELOPMENT) WITH AN UNDERLYING ZONE DESIGNATION OF MU (MIXED USE) (FIRST READING)

Attachments: [CC Ordinance Riverfront PUD](#)
[CC Ordinance Riverfront PUD w PC Recs](#)
[_2015-06-09 Riverfront PUD](#)
[15-07 Riverfront PUD Zoning](#)

7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW

- A. [ID-399-14](#) AN ORDINANCE OF THE CITY OF BRIGHTON CITY COUNCIL, APPROVING THE REZONING OF AN APPROXIMATELY 0.56 ACRE AREA OF LAND, KNOWN AS LOT 1, KUM & GO STORE #940, 1ST AMENDMENT, WHICH IS GENERALLY LOCATED IN SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66, WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO, FROM A ZONING DESIGNATION OF DT (DOWNTOWN) TO A ZONING DESIGNATION OF C-3 (GENERAL RETAIL AND SERVICES). (FINAL READING)

Attachments: [CC Ordinance Kum & Go Rezone 3.3.15](#)
[Ku&Go Rezone Map](#)
[1 Zone Change Questionnaire](#)
[PC Resolution 15-01](#)

- B. [ID-223-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE FIRST (1ST) AMENDMENT TO THE PLATTE VIEW FARM DEVELOPMENT AGREEMENT; AUTHORIZING THE MAYOR TO EXECUTE SAID FIRST AMENDMENT ON BEHALF OF THE CITY; AUTHORIZING THE CITY MANAGER TO UNDERTAKE SUCH TASKS AND EXECUTE SAID DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT AND ENFORCE THE PROVISIONS OF SAID FIRST (1ST) AMENDMENT; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [CC reso final DA Amend Kum and Go](#)
[DA signed by owners_Kum and Go](#)

8. ORDINANCES FOR FINAL CONSIDERATION

- A. [ID-203-15](#) AN ORDINANCE OF THE CITY OF BRIGHTON CITY COUNCIL APPROVING THE DESIGNATION OF THE BRIGHTON BUDDHIST TEMPLE (21 SOUTH 1ST AVENUE) AS A LOCAL HISTORIC LANDMARK; SETTING FORTH CERTAIN FINDINGS IN SUPPORT OF SAID DESIGNATION; AUTHORIZING THE INCLUSION OF THE PROPERTY IN THE BRIGHTON REGISTER OF LOCALLY AND DESIGNATED HISTORIC LANDMARKS AND DISTRICTS; INSTRUCTING THE CITY MANAGER OR HIS DESIGNEE TO NOTIFY THE OWNER OF THE PROPERTY OF ITS OBLIGATIONS AND RESTRICTIONS ASSOCIATED WITH THE DESIGNATION; AND SETTING FORTH OTHER DETAILS RELATED THERETO.

Attachments: [CC ordin_hist designation buddhist temple 7.22.15](#)
[HPC Memo designation Buddhist Temple](#)
[Approved HPC Resolution_15-03](#)

9. RESOLUTIONS

- A. [ID-230-15](#) A RESOLUTION PROVIDING FUNDS FOR A 2015 SUPPLEMENTAL BUDGET APPROPRIATION IN THE AMOUNT OF SIX HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$650,000.00) FOR TOWER ROAD AND SOUTHERN STREET ROAD CONSTRUCTION PROJECT

Attachments: [Reso SuppBud Tower and Southern 08.12.15](#)

- B. [ID-231-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING CHANGE ORDER #2 TO THE CITY OF BRIGHTON CONTRACT WITH ASPHALT SPECIALTIES COMPANY, INC. (ASCI) FOR CONSTRUCTION SERVICES FOR THE TOWER ROAD AND SOUTHERN STREET PROJECT IN THE AMOUNT NOT TO EXCEED SIXTY TWO THOUSAND TWO HUNDRED ONE AND 80/100 DOLLARS (\$62,201.80); AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CHANGE ORDER NO. 2 ON BEHALF OF THE CITY; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT THE CHANGE ORDER AND COMPLETE THE PROJECT; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [14-034 ASCI Reso CO 2 08.12.15](#)

- C. [ID-232-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO APPROVING CHANGE ORDER #2, #3, AND #4 TO THE CITY OF BRIGHTON CONTRACT WITH HUNT CONSTRUCTION, CONSULTING, MANAGEMENT INC. FOR CONSTRUCTION SERVICES FOR THE TOWER ROAD AND SOUTHERN STREET PROJECT IN THE AMOUNT NOT TO EXCEED THREE HUNDRED THIRTY TWO THOUSAND NINE HUNDRED FIVE DOLLARS (\$6332,905.00); AUTHORIZING THE CITY MANAGER TO EXECUTE SAID CHANGE ORDER #2, #3, AND #4 ON BEHALF OF THE CITY; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT THE CHANGE ORDER AND COMPLETE THE PROJECT; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Attachments: [14-056 Hunt Reso CO2 CO3 CO4 08.12.15](#)

- D. [ID-233-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ENTERING INTO AN AGREEMENT WITH XCEL ENERGY FOR THE DESIGN AND CONSTRUCTION TO LOWER A NATURAL GAS LINE AS PART OF THE TOWER ROAD AND SOUTHERN STREET PROJECT, IN AN AMOUNT NOT TO EXCEED FOUR HUNDRED TEN THOUSAND DOLLARS (\$410,000.00), AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO

Attachments: [Xcel Reso 08.12.15](#)
[Xcel brighton relo agmt](#)

10. UTILITIES BUSINESS ITEMS

Resolutions

- A. [ID-224-15](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ENTERPRISE, APPROVING THAT MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE CITY OF BRIGHTON AND BRIGHTON SCHOOL DISTRICT 27J REGARDING NON-POTABLE IRRIGATION CONNECTION AND SERVICE, AND AUTHORIZING THE MAYOR TO EXECUTE THE MOU ON BEHALF OF THE CITY.

Attachments: [2015 08 18 RESO 27J \(CWB draft\)](#)
[27J-Brighton NonPot MOU \(July 16 2015 draft\)](#)
[Non-Potable-2c](#)

11. GENERAL BUSINESS

- A. [ID-227-15](#) Cancel the November 3, 2015 City Council Meeting
- B. [ID-228-15](#) Schedule a Special City Council Meeting on November 10, 2015
- C. [ID-229-15](#) Cancel the November 24, 2015 Study Session Meeting

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**

- A. [ID-387-14](#) For a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) regarding Ballot Question

15. ADJOURNMENT