



# City of Brighton

500 S. 4th Avenue  
Brighton, CO 80601

## Meeting Agenda

### City Council

**MAYOR - GREGORY MILLS**  
**MAYOR PRO TEM - ADAM CUSHING**  
**COUNCIL MEMBERS:**  
**CLINT BLACKHURST, 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](mailto: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](mailto: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.*

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Tuesday, October 4, 2022

6:00 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 7:30–8:00 p.m.)*

**3. CONSENT AGENDA**

- A. [ID-345-22](#) Approval of the August 23, 2022 City Council Minutes
- B. [ID-346-22](#) Approval of the September 6, 2022 City Council Minutes
- C. [ID-347-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING AMBER ROBBINS AS AN ALTERNATE MEMBER OF THE BRIGHTON HISTORIC PRESERVATION COMMISSION WITH A TERM TO JUNE 2024

**Attachments:** [2022 HPC Oct Robbins](#)

- D. [ID-348-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING KATHERINE LEWIS AS AN ALTERNATE MEMBER OF THE BRIGHTON HISTORIC PRESERVATION COMMISSION WITH A TERM TO JUNE 2025

**Attachments:** [2022 HPC Oct Lewis](#)

- E. [ID-366-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING RICHARD GONZALES AS A MEMBER OF THE BRIGHTON URBAN RENEWAL AUTHORITY WITH A TERM TO AUGUST 2027

**Attachments:** [BURA Oct 2022 - Gonzales](#)

**4. CEREMONIES**

- A. [ID-139-18](#) Swearing In of New Board and Commission Member
- B. [ID-349-22](#) Domestic Violence Awareness Month Proclamation

**Attachments:** [Domestic Violence Awareness Proclamation](#)  
[Domestic Violence Awareness Month Attachment](#)

- C. [ID-350-22](#) Breast Cancer Awareness Month Proclamation

**Attachments:** [Breast Cancer Awareness Proclamation](#)

- D. [ID-351-22](#) Code Enforcement Month Proclamation

**Attachments:** [Code Enforcement Proclamation](#)

- E. [ID-336-22](#) Performance and Leadership Academy Graduation

**Attachments:** [October 2022 Graduation Presentation](#)  
[336 PPT](#)

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

- A. [ID-327-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN ACCOUNTS IN THE CAPITAL FUND, AND STORM DRAINAGE FUND; AND APPROPRIATING MONEY FOR EXPENDITURES IN THE AMOUNT OF ELEVEN MILLION SEVEN HUNDRED FOURTEEN THOUSAND FIVE HUNDRED EIGHTY-EIGHT DOLLARS (\$11,714,588) FOR THE TRANSFER OF AMERICAN RESCUE PLAN FUNDING AND ADDITIONAL STORM DRAINAGE REBATES

**Attachments:** [Resolution 3rd Budget Amendment](#)  
[2022 Budget 3rd Amendment](#)  
[327 PPT](#)

- B. [ID-361-22](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CHAPTER 15 OF THE BRIGHTON MUNICIPAL CODE; ADOPTING BY REFERENCE THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL RESIDENTIAL CODE, AND INTERNATIONAL SWIMMING POOL AND SPA CODE; AND SETTING FORTH AMENDMENTS THERETO (FINAL READING)

**Attachments:** [Ordinance Adopting 2021 International Codes](#)  
[Public Notice](#)  
[Building Code PPT](#)  
[361 PPT](#)

**7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW**

- A. [ID-299-22](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 95.105 ACRES OF CONTIGUOUS LAND, IN THE SOUTHWEST QUARTER OF SECTION 11, THE EAST ONE HALF OF SECTION 11, THE WEST ONE HALF OF SECTION 12, AND THE NORTH HALF OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (FINAL READING)

**Attachments:**

[Draft Annexation Ordinance](#)  
[Aerial Map by City Staff](#)  
[Annexation Map by Applicant](#)  
[Newspaper Proof of Publication](#)  
[City Council Resolution 2022-78 \(Substantial Compliance\)](#)  
[Draft City Staff Presentation \(6\).pptx](#)  
[299 PPT](#)

- B. [ID-297-22](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE MAGPIE PROPERTY ZONING MAP AMENDMENT FROM ADAMS COUNTY A-3 TO I-1 FOR AN APPROXIMATELY 95.105 ACRES OF PROPERTY, GENERALLY LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 11, THE EAST ONE-HALF OF SECTION 11, THE WEST ONE-HALF OF SECTION 12, AND THE NORTH HALF OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (FINAL READING)

**Attachments:**

[Draft City Council Ordinance](#)  
[Planning Commission Resolution 22-4](#)  
[Aerial Map by City Staff](#)  
[Zoning Map Amendment by Applicant](#)  
[Neighboring Property Owner Notification](#)  
[Buffer Map of Mailing Area](#)  
[Website Notice](#)  
[Website Publication Proof](#)  
[Affidavit of Sign Posting](#)  
[City Staff's Draft Presentation](#)  
[297 PPT](#)

- C. [ID-362-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE ANNEXATION AGREEMENT FOR THE APPROXIMATELY 95.105 ACRES OF CONTIGUOUS LAND, IN THE SOUTHWEST QUARTER OF SECTION 11, THE EAST ONE HALF OF SECTION 11, THE WEST ONE HALF OF SECTION 12, AND THE NORTH HALF OF SECTION 14, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO; TO BE KNOWN AS THE MAGPIE PROPERTY ANNEXATION

**Attachments:** [Draft Resolution for Approval of the Annexation Agreement](#)  
[Aerial Map by City Staff](#)  
[Annexation Map by Applicant](#)  
[Resolution 2022-78 \(Substantial Compliance\)](#)  
[Resolution 2022-92 \(Annexation Eligibility\)](#)  
[Draft City Staff Presentation](#)  
[362 PPT](#)

## **8. ORDINANCES FOR INITIAL CONSIDERATION**

## **9. ORDINANCES FOR FINAL CONSIDERATION**

- A. [ID-329-22](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE ISSUANCE AND SALE OF CITY OF BRIGHTON, COLORADO, WATER ACTIVITY ENTERPRISE REVENUE BONDS (WATER SYSTEM PROJECT), SERIES 2022, TO FINANCE A NEW WATER TREATMENT FACILITY, PAYABLE SOLELY OUT OF THE NET REVENUES TO BE DERIVED FROM THE OPERATION OF THE CITY'S WATER AND SEWER FACILITIES; PROVIDING OTHER DETAILS CONCERNING THE BONDS, INCLUDING, WITHOUT LIMITATION, COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH

**Attachments:** [Bond Ordinance - 2022 Water Bonds](#)  
[Bond Ordinance - Presentation](#)  
[329 PPT](#)

- B. [ID-332-22](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING ARTICLE 2-10 OF THE BRIGHTON MUNICIPAL CODE REGARDING THE CITY OF BRIGHTON CODE OF ETHICS AND CREATING A PROCESS FOR REVIEW OF COMPLAINTS

**Attachments:** [Ordinance to Amend Article 2-10 v3](#)  
[Code of Ethics Ordinance 9-20-22](#)  
[332 PPT](#)

**10. RESOLUTIONS**

- A. [ID-352-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, CALLING FOR A SPECIAL MAIL BALLOT RUN-OFF MUNICIPAL ELECTION FOR WARD 1, IF NECESSARY, TO BE HELD ON DECEMBER 13, 2022; APPOINTING THE BRIGHTON CITY CLERK AS THE DESIGNATED ELECTION OFFICIAL; SPECIFYING THE AUTHORITY OF THE CITY CLERK REGARDING THE CONDUCT OF THE ELECTION; AND SETTING FORTH OTHER DETAILS RELATED THERETO

**Attachments:** [Reso Calling Run-off Election 2022](#)

- B. [ID-355-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING COMPENSATION FOR CITY ATTORNEY ALICIA CALDERÓN

**Attachments:** [Resolution - City Attorney Compensation](#)

- C. [ID-354-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE PEER AGENCY SUPPORT OF THE BUS RAPID TRANSIT COLORADO STATE HIGHWAY 7 STARTER SERVICE FOR TRANSPORTATION IMPROVEMENT PROGRAM CALL #3 WITH A FINANCIAL CONTRIBUTION OF TWO HUNDRED THOUSAND DOLLARS (\$200,000.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE DOCUMENTS ON BEHALF OF THE CITY

**Attachments:** [Resolution - Peer Agency Support BRT CO 7 Starter Service TIP #3](#)  
[Adams County Subregional Forum CO7 BRT TIP#3 Peer Agency Support f](#)  
[Adams County CO7 BRT TIP#3 Peer Agency Support Form 9-16- 2022](#)  
[CO7 BRT Starter Service - Public Works - 2022.09.22](#)  
[354 PPT](#)

**11. UTILITIES BUSINESS ITEMS****Ordinances**

- A. [ID-356-22](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACTING BY AND THROUGH ITS WATER ACTIVITY ENTERPRISE, AMENDING TITLE 13 OF THE BRIGHTON MUNICIPAL CODE PERTAINING TO NON-POTABLE WATER FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON; SETTING FORTH EFFECTIVE DATES FOR SAID RATES, FEES, AND CHARGES; AND OTHER DETAILS RELATED THERETO (FIRST READING)

**Attachments:**

[ORD non potable rates](#)

[Brighton - Non Potable Rate Study September 14 2022](#)

[Non-Potable Rate 9.23.22](#)

[356 PPT](#)

## **12. GENERAL BUSINESS**

## **13. REPORTS**

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

## **14. EXECUTIVE SESSION**

## **15. ADJOURNMENT**