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City of Brighton

500 S. 4th Avenue  
Brighton, CO 80601



Meeting Minutes - Draft

Tuesday, August 21, 2018

7:00 PM

## Council Chambers

### 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**

#### **1. CALL TO ORDER**

*Mayor Kreutzer called the meeting to order at 7:00 p.m.*

##### **A. Pledge of Allegiance to the American Flag**

*Local Boy Scouts led the recitation of the Pledge of Allegiance to the American Flag.*

##### **B. Roll Call**

**Present:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

#### **2. APPROVAL OF REGULAR AGENDA**

**Motion by Councilmember Blackhurst, seconded by Councilmember Johnston, to approve the Regular Agenda as presented. Motion passed by the following vote:**

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

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

##### **A. Approval of the July 17, 2018 City Council Minutes**

##### **B. Approval of the July 24, 2018 City Council Minutes**

##### **C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON,**

## COLORADO, RATIFYING THE MAYORAL APPOINTMENTS TO THE CITY OF BRIGHTON YOUTH COMMISSION FOR TERMS ENDING IN MAY OF 2020

Resolution No: 2018-90

Motion by Councilmember Wallin, seconded by Councilmember Baca, to approve the Consent Agenda as presented. Motion passed by the following vote:

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

### 4. CEREMONIES

#### A. Swear in Youth Commission Members

*City Clerk Natalie Hoel swore in members of the Youth Commission and the Youth Corps of Volunteers.*

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

*Michael Boutwell, Brighton, Colorado. Mr. Boutwell expressed concern regarding the way he was treated by the Police Department after an incident with a neighbor.*

*Steve O'Dorisio, County Commissioner. Commissioner O'Dorisio spoke to City Council about the Colorado Legal Services Agreement Project pilot program to provide legal services to members in the community that are facing eviction.*

### 6. PUBLIC HEARINGS

#### A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING WITH CONDITIONS AS SET FORTH HEREIN A CONDITIONAL USE FOR THE RON COX FIELD CELLULAR TOWER, A COMMERCIAL MOBILE RADIO SERVICE FACILITY, GENERALLY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, BRIGHTON, COLORADO, AND SETTING FORTH DETAILS IN RELATION THERETO (PUBLIC HEARING CONTINUED FROM AUGUST 7, 2018)

*Mayor Kreutzer read the title of the Resolution into the record.*

*Mayor Kreutzer opened the public hearing at 7:26 p.m. on August 7, 2018. The public hearing was continued at that time. City Clerk Natalie Hoel verified the required postings and publications (July 18, 2018 in the Brighton Standard Blade) for this public hearing were completed.*

*City Manager Philip Rodriguez introduced Senior Planner Mike Tylka.*

*Senior Planner Mike Tylka explained that the public hearing was continued from August 7, 2018 for unanswered questions. The proposal is for AT&T to lease two sites on School District 27J property, one for accessory equipment and the other for a cell tower. Staff recommends approval of the request with nine conditions. These conditions address construction, maintenance, and signage and needed site easements. The applicant is available to answer any questions that were left unanswered from the last meeting.*

*Mayor Kreutzer asked if the applicant would like to add anything to the presentation.*

Gene Carroll, General Manager of Selective Site Consultants, Denver, Colorado. Mr. Carroll entered into the record a letter from AT&T Senior RF Engineer (Exhibit A). The letter deals with the representation that AT&T and this site meets all FCC guidelines, the facility complies with all current FCC regulations and the site will not interfere with any public safety frequencies or any municipal radio wireless systems in the City of Brighton. The nearest residence from the tower is just over 505 ft. Per City regulations; there is not a prescribed setback distance other than the underlying Land Use setback requirements. The Telecommunications Act of 1996 covers the specifics regarding radio frequencies and discussion by the local jurisdiction to determine the decision. The federal law covers any RF discussion as far as health and determination. The site, location and purpose of the tower have been covered by staff. The applicant accepts the recommendation and conditions presented by staff.

Mayor Kreutzer asked if anyone in the audience had questions for the applicant.

Mike Boutwell, Brighton. Mr. Boutwell asked how many more towers are needed in the City of Brighton. Does Council understand the amount of radio waves the tower exudes? Mr. Carroll explained that the need for cell towers is customer driven. If there is an area that lacks coverage, the provider will try to satisfy the customer's coverage to provide good services to customers.

Mayor Kreutzer asked if anyone in the audience wished to speak on behalf of the request, there was none.

Mayor Kreutzer asked if anyone in the audience wished to speak against the request.

Mike Boutwell, Brighton, Colorado. Mr. Boutwell feels this is about the needs of the corporation, not the customer. There are many microwave towers around the City and they share their signal. Mr. Boutwell does not feel that the town needs to be saturated in microwave radiation to satisfy the revenue potential of the greedy companies. Another cellular company that previously appeared before City Council stated that the natural health of the people was not taken into consideration. Council should consider if the City needs more radiation and is it that difficult to communicate.

Mayor Kreutzer asked if the applicant would like to respond to any comments, he did not.

Mayor Kreutzer asked if any correspondence had been received, there was none.

Mayor Kreutzer asked if there were questions from City Council.

Councilmember Johnston asked if there is a setback limit in the City or State Code and asked for the distance from the school to this tower. Senior Planner Tylka reported that the cell tower base is 50.41 ft. from the school; this meets the setback for a structure in the Public Land zone district. There is nothing in the Land Use and Development Code relating to distance from a school. The Land Use and Development Code sets that the operator or owner of the facility is responsible for making sure that all FCC standards and regulations are met. The FCC regulations state that there are periodic reviews of radio frequency emissions. The Local Officials Guide to RF give worst case distances from these towers. They are measured on the amount of power that is supplied to them, the frequency, distance and angle. The letter that AT&T provided references that this tower meets the FCC regulations. Councilmember Johnston asked the timeframe for testing of the emission radiation, where the results are sent, who completes the test and when City Council will be informed. Senior Planner Tylka explained that the tests are done as needed, or if requested. Mr. Carroll explained that there would be a six-month or yearly test, unless a test is requested to be sure the tower is operating at the proper frequencies.

Councilmember Wallin asked if there is a specific number regarding distance and the tower emissions. Mr. Carroll explained that the RF engineering is set by the federal government, FCC and the land use regulations of the local jurisdiction for setback distance. Councilmember Wallin asked if there is the capability to colocate this tower. There is an existing tower across the street so would it be possible for the existing tower to be used instead of adding the proposed tower. Mr. Carroll explained that this tower is structurally designed to colocate with other carriers; the existing tower is not designed for that. This tower will serve as a light pole and a communications facility.

Councilmember Baca stated that this hearing is too late; the contractor appears to be in compliance. They

*have met City Code and have agreed to follow FCC regulations. It would be a good idea to direct staff to look into the issue of saturation in an area. Both of these cell towers reside on public land owned by the School District, so they have a benefit in this. While the City can rewrite the Code, any other public agency can lease their own land. City Council has always stood up for property owners having their own rights.*

*Mayor Kreutzer closed the public hearing at 7:42 p.m.*

**Motion by Mayor Pro Tem Edwards, seconded by Councilmember Humbert, to approve Resolution 2018-91 approving with conditions as set forth herein a conditional use for the Ron Cox Field Cellular Tower, a commercial mobile radio service facility, generally located in the southeast quarter of section 7, township 1 south, range 66 west of the sixth principal meridian, Brighton, Colorado, and setting forth details in relation thereto. Motion passed by the following vote:**

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

## **7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW**

### **A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, MAKING CERTAIN FINDINGS OF FACT REGARDING THE PROPOSED ANNEXATION OF AN APPROXIMATE 9.040 ACRE PARCEL OF LAND, TO BE KNOWN AS THE NEFF II ANNEXATION, LOCATED IN THE NORTHWEST QUARTER SECTION 1, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO (PUBLIC HEARING)**

*Mayor Kreutzer read the title of Items 7A and 7B into the record.*

*Mayor Kreutzer opened the public hearing at 7:45 p.m. and City Clerk Natalie Hoel verified the required postings and publications (July 25, August 1, August 8 and August 15, 2018 in the Brighton Standard Blade) for this public hearing were completed.*

*City Manager Rodriguez introduced Senior Planner Lauren Simmons.*

*Senior Planner Lauren Simmons presented the Neff II Annexation. The owner is Galaxy Land Company and they are represented by Eric Eckberg. The first item is the Resolution of the finding of fact for the criteria of annexation and the second item is the first reading for the Ordinance of annexation. The property is located south of Baseline Road, north of I-76, north of Bridge Street and adjacent to the 60<sup>th</sup> Avenue alignment, and east of the 50<sup>th</sup> Avenue alignment. The property is 100% surrounded by the City of Brighton city limits and is adjacent to the Brighton East Farms Filing 3 subdivision.*

*The annexation process is regulated by the Colorado Revised Statutes Sections 31-12-101 through 31-12-110. Annexation is a three-step process. Step 1 is approval of the Resolution for substantial compliance that has been completed. Step 2 is a Resolution for finding of fact and public hearing and first reading of the annexation ordinance. The final step will be a second reading of the annexation ordinance and review of the Annexation Agreement. On July 17, 2018, the substantial compliance resolution set the public hearing time and date. City Council will review the criteria for annexation and approve the resolution stating that the annexation meets the annexation criteria set forth in the Colorado Revised Statutes. If the resolution is approved, Council can read the annexation ordinance at first reading. As set forth in the resolution for substantial compliance, the annexation was published for four consecutive weeks in the Brighton Standard Blade. Notice of the public hearing was sent by registered mail to the Adams County Commissioners, the County Attorney and the School District.*

*There are four criteria reviewed for the statutory limitations that apply for eligibility for annexation.*

- 1. The property is at least 1/6 contiguous to the current Brighton city limits.*

2. *A community of interest exists between the municipality and the property.*
3. *The area to be annexed is said to be urban or urbanized in the future.*
4. *The area is to be integrated into the City and has the capability to be integrated.*

*This property meets all of the criteria.*

*The next step is the second reading of the ordinance. Council will read the ordinance and review the Annexation Agreement. Per the Colorado Revised Statutes, zoning must occur within 90 days of annexation of the property. The second reading for the annexation and the second reading for the zoning are scheduled for September 18, 2018. The public hearing for rezoning is scheduled for September 4, 2018.*

*Mayor Kreutzer asked if the applicant would like to add anything to the presentation, he did not.*

*Mayor Kreutzer asked if anyone in the audience had questions for the applicant, there was none.*

*Mayor Kreutzer asked if anyone in the audience wished to speak on behalf of the request, there was none.*

*Mayor Kreutzer asked if anyone in the audience wished to speak against the request, there was none.*

*Mayor Kreutzer asked if any correspondence had been received, there was none.*

*Mayor Kreutzer asked if there were questions from City Council, there was none.*

*Mayor Kreutzer closed the public hearing at 7:52 p.m.*

**Motion by Councilmember Humbert, seconded by Councilmember Pollack, to approve Resolution 2018-92 making certain findings of fact regarding the proposed annexation of an approximate 9.040 acre parcel of land, to be known as the Neff II Annexation, located in the northwest quarter section 1, township 1 south, range 66 west of the sixth principal meridian, County of Adams, State of Colorado. Motion passed by the following vote:**

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

**B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ANNEXING TO THE CITY OF BRIGHTON APPROXIMATELY 9.040 ACRES OF CONTIGUOUS LAND, IN THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO; TO BE KNOWN AS THE NEFF II ANNEXATION (FIRST READING)**

**Motion by Councilmember Mills, seconded by Councilmember Blackhurst, to approve the Ordinance annexing to the City of Brighton approximately 9.040 acres of contiguous land, in the northwest ¼ of section 1, township 1 south, range 66 west of the 6<sup>th</sup> principal meridian, County of Adams, State of Colorado; to be known as the Neff II Annexation. Motion passed by the following vote:**

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

**8. ORDINANCES FOR INITIAL CONSIDERATION**

**9. ORDINANCES FOR FINAL CONSIDERATION**

## 10. RESOLUTIONS

- A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF AMERICAN DEMOLITION, INC. AND AWARDING THE CONTRACT FOR THE DOWNTOWN PLAZA BUILDING STABILIZATION AND DEMOLITION PROJECT #99922, IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY FIVE THOUSAND DOLLARS (\$135,000.00) TO AMERICAN DEMOLITION, INC., AUTHORIZING A 20% CONTINGENCY FOR PROJECT #99922; AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO**

*Mayor Kreutzer read the title of the Resolution into the record.*

*City Manager Rodriguez explained that he has received feedback from Council regarding this item and wanted to assure Council that this item is about demolition of the buildings, not the next steps for the property. City Manager Rodriguez introduced Executive Director of BURA Ryan Johnson.*

*Executive Director of BURA Ryan Johnson presented the stabilization and demolition of the Downtown Plaza. Executive Director Johnson presented a timeline for the property since the City purchased it in December 2016 to the acceptance of the \$550,000.00 Adams County grant in June 2018. The project scope includes stabilizing the shared foundation wall with Wells Fargo, interior demolition, removal of sensitive materials, exterior building demolition, backfilling of the hole that will be created, and special inspections to be sure everything was done in conformance with the studies and drawings for the site. Executive Director Johnson presented the contractor's approach for the stabilization and demolition of the buildings. The buildings will be independently demolished. The site will be backfilled with dirt that the City owns located on a site at Southern Street and Tower Road at a savings of \$155,000.00. The truck route for the fill dirt will utilize arterial roadways to avoid added traffic on collector and residential streets.*

*The RFP was posted in May and closed in July. The scope was modified and was reopened with a closing on July 20, 2018. Two proposals were received. Work will be done Monday through Friday with truck traffic from 8:00 a.m. to 4:00 p.m. Staff does not anticipate any full street closures, but lane modifications may exist. The project should be completed in sixty days. The contractor is anticipating recycling 70% of the materials. Staff recommends awarding the contract to American Demolition, Inc. for \$162,000.00. This includes the contract payment of \$135,000.00 with a 20% contingency for unforeseen items. Executive Director Johnson answered questions from Council regarding:*

- Lane closures on Bridge Street during demolition.*
- The fill dirt being brought from 40<sup>th</sup> Avenue to Main Street.*
- The ability to have work begin later to accommodate students driving to school at 8:30 a.m.*
- The timeframe for construction after the demolition is complete.*

**Motion by Councilmember Blackhurst, seconded by Councilmember Humbert, to approve Resolution 2018-93 accepting the proposal of American Demolition, Inc. and awarding the contract for the Downtown Plaza Building Stabilization and Demolition Project #99922, in an amount not to exceed \$135,000.00 to American Demolition, Inc., authorizing a 20% contingency for Project #99922; and authorizing the Mayor to sign the contract on behalf of the City and the City Clerk to attest thereto. Motion passed by the following vote:**

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

*Mayor Kreutzer requested a break at 8:20 p.m.*

*Mayor Kreutzer reconvened the meeting at 8:30 p.m.*

**B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF BERRY DUNN, AND AWARDING THE CONTRACT FOR THE ERP CONSULTING SERVICES PROJECT #17033 IN AN AMOUNT NOT TO EXCEED SEVENTY NINE THOUSAND NINE HUNDRED DOLLARS (\$79,900.00) TO BERRY DUNN, AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO**

*Mayor Kreutzer read the title of the Resolution into the record.*

*City Manager Rodriguez introduced Assistant Director of IT Curtis Pollock.*

*Assistant Director of IT Curtis Pollock presented the Enterprise Resource Planning (ERP) project. The ERP is an integrated computer software suite that manages multiple core business processes. The system will help to eliminate data silos, automate business processes and deliver better services to the citizens. The current software system has several issues and does not perform, as it should. There are numerous gaps in the current system; staff is looking for a new system to fill those gaps. Staff will be looking for software for each module and will then write integrations between each module. The scope of work for the RFP includes performing a gap analysis to improve City processes, give a report for those findings, put the information together, write the RFP package, and facilitate vendor interviews and demonstrations through to the negotiations. Staff has also asked for an option to have the company manage implementation. Three proposals were received and staff recommends the proposal from Berry Dunn for \$79,900.00, they were the most responsive and low bidder. All of the work they do is with state and local government. Assistant Director Pollock answered questions from Council regarding:*

- The implementation of any software being included in the cost of \$79,900.00.*

**Motion by Councilmember Johnston, seconded by Councilmember Mills, to approve Resolution 2018-94 accepting the proposal of Berry Dunn, and awarding the contract for the ERP Consulting Services project #17033 in an amount not to exceed \$79,900.00 to Berry Dunn, and authorizing the Mayor to sign the contract on behalf of the City and the City Clerk to attest thereto. Motion passed by the following vote:**

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

**C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF CONFLUENT DESIGN, LLC, AND AWARDING THE CONTRACT FOR THE TWO CITY OPEN SPACE PARKS PROJECTS #98900 AND #17030 IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY FIVE THOUSAND TWO HUNDRED TWENTY FOUR DOLLARS (\$155,224.00) TO CONFLUENT DESIGN, LLC, AUTHORIZING A 2018 BUDGET AMENDMENT IN THE AMOUNT OF SIXTY EIGHT THOUSAND DOLLARS (\$68,000) FOR PROJECT #98900: KEN MITCHELL PROJECT; AND AUTHORIZING THE MAYOR TO SIGN THE CONTRACT ON BEHALF OF THE CITY AND THE CITY CLERK TO ATTEST THERETO**

*Mayor Kreutzer read the title of the Resolution into the record.*

*City Manager Rodriguez introduced Parks and Recreation Director Gary Wardle.*

*Parks and Recreation Director Gary Wardle presented the contract with Confluent Design, LLC for two open space projects. The first site is the Prairie Lakes Open Space and the second site is the Ken Mitchell entrance property/Aichelman property. The Aichelman property will be an entrance and nature center for the operation*



of Ken Mitchell. The Master Plan is for the property located at 144<sup>th</sup> Avenue and Old Brighton Road.

The Prairie Lakes Open Space is a group of dedications that the City will be receiving in the next year. The dedications are coming from Prairie Center, Brighton Lakes and City-owned land. This area will include a lot of open space and trails when it is completed. The property is located at 144<sup>th</sup> Avenue to the north, 136<sup>th</sup> Avenue to the south, 27<sup>th</sup> Avenue to the east and the future 19<sup>th</sup> Avenue alignment to the west. Prairie Lakes Open Space will be a Master Plan process, construction drawings will not be done at this phase. This phase will include identifying trails, public access and parking. A critical piece is to determine how the wildlife will be affected. Staff is asking City Council to consider the bid of Confluent Design because they have wildlife experts to help staff determine if some of the trails will have to be closed due to the migratory birds in the area. The cost for the project is \$41,665.00 and is included in the 2018 budget.

The Ken Mitchell and Aichelman property project will finish the Master Plan and complete construction drawings for the entrance into the park. The construction drawings will include parking lot design, entrance road design, trails, and some wildlife and open space landscape preservation. There are grants in place to help with the construction. The Aichelman property was mined and the City will be working on acquiring that land in the next few months. The cost for the project is \$113,559.00; staff is requesting a budget re-appropriation of \$68,000.00.

Staff received three proposals for these projects. Confluent Design met the vision of the project and were the most responsive and responsible bidder, not the low bidder. They will be able to work on the project in the most efficient timeframe. Staff recommends approval of the contract to Confluent Design for \$155,224.00. Director Wardle answered questions from Council regarding:

- The \$155,224.00 being available in the 2018 budget.
- The management and control of the new open space areas.
- Anything being done for the historic designation of the Aichelman property.

**Motion by Councilmember Humbert, seconded by Councilmember Blackhurst, to approve Resolution 2018-95 accepting the proposal of Confluent Design, LLC, and awarding the contract for the Two City Open Space Parks Projects #98900 and #17030 in an amount not to exceed \$155,224.00 to Confluent Design, LLC, authorizing a 2018 budget amendment in the amount of \$68,000.00 for Project #98900: Ken Mitchell Project; and authorizing the Mayor to sign the contract on behalf of the City and the City Clerk to attest thereto. Motion passed by the following vote:**

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

**D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ELIMINATING ALTERNATE COMMISSIONERS TO THE BRIGHTON URBAN RENEWAL AUTHORITY BY RESCINDING RESOLUTION NO. 09-22**

*Mayor Kreutzer read the title of the Resolution into the record.*

City Manager Rodriguez explained that this housekeeping item would bring BURA in line with Colorado Urban Renewal law and the Colorado Revised Statutes. This will also anticipate future required changes to the structure and composition of the BURA Commission pursuant to Colorado House Bill 15-13-48, called the Urban Redevelopment Fairness Act. This request is to rescind a Resolution that provided for alternates to serve on BURA. This will help the City be more consistent with State Statute and ensure that the City is ready for HB 15-13-48. The Brighton Urban Renewal Authority is aware of this request.

**Motion by Councilmember Johnston, seconded by Councilmember Baca, to approve Resolution 2018-96 eliminating alternate commissioners to the Brighton Urban Renewal Authority by rescinding Resolution No. 09-22. Motion passed by the following vote:**

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca, Councilmember

Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

**E. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO AUTHORIZING THE CITY MANAGER TO SIGN A MEMORANDUM OF UNDERSTANDING AMONG THE ADAMS COUNTY FOUNDATION, COLORADO LEGAL SERVICES, THE CITIES OF WESTMINSTER, THORNTON, NORTHGLENN, FEDERAL HEIGHTS, COMMERCE CITY, AURORA, AND THE CITY AND COUNTY OF BROOMFIELD REGARDING CONTRIBUTIONS TOWARD A LANDLORD/TENANT LEGAL SERVICES PILOT PROGRAM**

*Mayor Kreutzer read the title of the Resolution into the record.*

*City Manager Rodriguez introduced Special Assistant to the City Manager Alisha Janes.*

*Special Assistant to the City Manager Alisha Janes presented the Colorado Legal Services pilot program. The two-year pilot program provides free legal aid to vulnerable residents in the community. Adams County is collaborating with neighboring communities to provide these services. There is a suggested contribution of \$12,000.00 for Brighton to join the regional partners. Special Assistant Janes answered questions from Council regarding:*

- The reason Northglenn was added to the list.*
- The amount Northglenn will contribute.*

**Motion by Councilmember Pollack, seconded by Councilmember Wallin, to approve Resolution 2018-97 authorizing the City Manager to sign a Memorandum of Understanding among the Adams County Foundation, Colorado Legal Services, the Cities of Westminster, Thornton, Northglenn, Federal Heights, Commerce City, Aurora, and the City and County of Broomfield regarding contributions toward a Landlord/Tenant Legal Services Pilot Program. Motion passed by the following vote:**

**Aye: 9 -** Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca,  
Councilmember  
Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

**11. UTILITIES BUSINESS ITEMS**

**12. GENERAL BUSINESS**

**A. Cancel the August 28, 2018 Study Session for the Council in the Community Meeting**

**Motion by Councilmember Mills, seconded by Councilmember Baca, to cancel the August 28, 2018 Study Session for the Council in the Community meeting. Motion passed by the following vote:**

**Aye: 9 -** Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca,  
Councilmember  
Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

**13. REPORTS**

**A. By the Mayor**

*Mayor Kreutzer attended the ACC Meeting, the Elaine Padilla Memorial Parkway dedication, the McDonalds Grand Opening, the 3E's Cemetery Picnic, the ADCOG breakfast and the new Chapter and Officer Induction for the VFW Brighton Chapter.*

## B. By Department Heads

## C. By the City Attorney

*City Attorney Jack Bajorek reported that he has been meeting with staff, management and outside counsel. City Attorney Bajorek is scheduling interviews for the paralegal position.*

## D. By the City Manager

*City Manager Rodriguez announced that the City has concluded the first Employee Appreciation week and thanked all staff members for their service to the community.*

## 14. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS

*Mayor Pro Tem Edwards attended the ACC meeting, the Elaine Padilla Memorial Parkway dedication, the 3E's Cemetery Picnic and the Senior Advisory Board meeting. The Annual Craft Fair will take place on November 3<sup>rd</sup> and the Annual Car Show will take place on September 8<sup>th</sup>.*

*Councilmember Johnston will attend a meeting with HOA's in Ward 1 and the Ward 1 Council event will take place on August 30<sup>th</sup>.*

*Councilmember Humbert attended the Historic Preservation Commission meeting.*

*Councilmember Wallin attended the Youth Commission meeting and the Eye for Art Committee meeting.*

*Councilmember Baca announced that there is an Adams County Transportation Forum meeting tomorrow.*

## 15. EXECUTIVE SESSION

**Motion by Mayor Pro Tem Edwards, seconded by Councilmember Baca, to go into Executive Session at 9:20 p.m. for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees regarding the City Manager Performance Evaluation. Motion passed by the following vote:**

**Aye:** 9 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca,  
Councilmember Blackhurst, Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

*Mayor Kreutzer reconvened the meeting at 10:38 p.m.*

## 16. ADJOURNMENT

**Motion by Councilmember Humbert, seconded by Councilmember Mills, to adjourn at 10:39 p.m. Motion passed by the following vote:**

**Aye:** 8 - Mayor Kreutzer, Mayor Pro Tem Edwards, Councilmember Baca,  
Councilmember Humbert, Councilmember Johnston, Councilmember Mills, Councilmember Pollack, and Councilmember Wallin

**Absent:** 1 - Councilmember Blackhurst

**CITY OF BRIGHTON, COLORADO**

\_\_\_\_\_  
Kenneth J. Kreutzer, Mayor

**ATTEST:**

\_\_\_\_\_  
Natalie Hoel, City Clerk

\_\_\_\_\_  
Approval Date