



Legislation Text

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## City of Brighton

*500 S. 4th Avenue  
Brighton, CO 80601*



## Meeting Minutes - Draft

**Tuesday, October 15, 2019**

**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 7:01 p.m.*

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

*Mayor Kreutzer 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 Humbert, seconded by Councilmember Mills, 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 September 3, 2019 City Council Minutes**

**B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING STEPHEN COLVIN AS A YOUTH MEMBER TO THE CITY OF BRIGHTON PLANNING COMMISSION WITH A TERM TO JUNE 2020**

**Resolution No: 2019-106**

**C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING ELENA MAURANDINO AS A YOUTH MEMBER TO THE CITY OF BRIGHTON PARKS AND RECREATION ADVISORY BOARD WITH A TERM TO JUNE 2020**

**Resolution No: 2019-107**

**D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING PRISYLLA ARTEAGA AS A YOUTH MEMBER TO THE CITY OF BRIGHTON HISTORIC PRESERVATION COMMISSION WITH A TERM TO JUNE 2020**

Resolution No: 2019-108

**E. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING KENNETH GUZMAN AS A YOUTH MEMBER TO THE CITY OF BRIGHTON HISTORIC PRESERVATION COMMISSION WITH A TERM TO JUNE 2020**

Resolution No: 2019-109

**Motion by Councilmember Wallin, seconded by Councilmember Pollack, 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. Swearing In of New Board and Commission Members**

**B. Parks and Recreation Professional of the Year**

*Mayor Kreutzer and City Council recognized Parks Supervisor Troy Channell for receiving the Parks and Recreation Professional of the Year award.*

**C. Brighton Armory 10 Year Anniversary**

*Brighton Urban Renewal Authority Chairperson Candace Werth shared the history of the Armory and the numerous events that have taken place in the past ten years. The ten-year celebration of the Armory will take place on Saturday.*

**D. Planning Month Proclamation**

*Mayor Kreutzer read the Proclamation into the record and presented it to Community Development Director Holly Prather.*

**Motion by Councilmember Blackhurst, seconded by Councilmember Baca, to approve the Proclamation. 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

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

*Sam McKinney, Brighton. Mr. McKinney expressed concern regarding the process that was used to collect signatures for the nomination petition of City Council candidate Debra Parmley.*

*Nathan Mudd, Brighton. Mr. Mudd invited everyone to the Fall Festival taking place at the Bromley/Hishinuma farm during the month of October.*

## **6. PUBLIC HEARINGS**

## **7. EMERGENCY ORDINANCES**

### **A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ESTABLISHING CERTAIN BENEFITS FOR CITY PERSONNEL FOR THE 2020 BUDGET YEAR, DECLARING AN EMERGENCY AND SETTING FORTH THE DETAILS RELATED THERETO**

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

*Acting City Manager Marv Falconburg introduced Administrative Services Director Karen Borkowski Surine.*

*Administrative Services Director Karen Borkowski Surine explained that the City would continue with the changes to healthcare that were made in 2019. The benefits for 2020 will include in network and out of network options for healthcare, stop-loss for any cost over the expected costs, the Telehealth program, life, accidental death and dismemberment, long-term and short-term disability, flexible spending account, and the Employee Assistance Program (EAP). The Zero Card Program is a new benefit that would allow certain procedures to be covered at no cost if done by participating providers. The City would like to reinstate the Employee time off leave program buy-back. Continued programs paid by the employee are AFLAC, additional life insurance and ID Shield. This has to be approved as an Emergency Ordinance due to the timing of the information received for the final renewal. Funds will be moved from the reserve account to the General Fund to pay for the buy-back program.*

**Motion by Councilmember Mills, seconded by Councilmember Humbert, to approve Ordinance 2318.  
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**

### **A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING SECTION 2-64-110 OF THE BRIGHTON MUNICIPAL CODE REGARDING ELIMINATION OF THE VESTING PERIOD FOR PARTICIPANTS' INTERESTS IN THE EMPLOYEE'S PENSION PLAN AND TRUST AGREEMENT**

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

*Acting City Manager Falconburg introduced Administrative Services Director Karen Borkowski Surine.*

*Administrative Services Director Karen Borkowski Surine explained that this change would be for the ICMA benefitted employees. Because the City does not participate in Social Security staff is recommending that employees be fully vested at their time of employment. The City currently has a three-year vesting period, and if an employee leaves prior to those three years, the employee does not receive the full portion that the City has contributed. The loan program through ICMA will be eliminated. Director Borkowski Surine answered questions from Council regarding:*

- *The City receiving the funds they contributed if an employee leaves within three years.*

- *An employee being required to invest these funds with a new company.*

**Motion by Councilmember Mills, seconded by Councilmember Blackhurst, to approve the Ordinance. Motion passed by the following vote:**

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

**No:** 1 - Councilmember Pollack

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

### **10. RESOLUTIONS**

**A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, CALLING FOR A SPECIAL MAIL BALLOT RUN-OFF MUNICIPAL ELECTION FOR WARD 4, IF NECESSARY, TO BE HELD ON DECEMBER 3, 2019; 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**

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

*Acting City Manager Falconburg introduced Deputy City Clerk Patricia Leyva.*

*Deputy City Clerk Patricia Leyva explained that the City would participate in a Coordinated Election with Adams County and Weld County on November 5, 2019. Five candidates will be listed on the ballot for the open Ward 4 position. If no candidate for Councilmember for Ward 4 receives a majority of the votes cast for such office as required in Article 3, Section 3.6 of the City of Brighton Charter, a run-off election is required and will take place on December 3, 2019 between the two candidates who receive the highest number of votes for the position. If it is determined that a special run-off election is required, the City Clerk will prepare a Resolution for City Council's consideration at a Special Meeting on November 7, 2019 to set the ballot content for the election.*

**Motion by Councilmember Wallin, seconded by Councilmember Humbert, to approve Resolution 2019-110. 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. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE BID OF ARROW J LANDSCAPE & DESIGN, INC. AND AWARDING THE CONTRACT FOR PARK IMPROVEMENTS, PROJECT #19-017, TO ARROW J LANDSCAPE & DESIGN, INC. IN THE AMOUNT OF SIX HUNDRED SIXTY FOUR THOUSAND SEVEN HUNDRED FIFTY TWO DOLLARS FIFTY CENTS (\$664,752.50), AND AUTHORIZING THE CITY MANAGER 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.*

*Acting City Manager Falconburg introduced Assistant Director of Parks and Open Space Travis Haines.*

*Assistant Director of Parks and Open Space Travis Haines presented Items 10B and 10C, Park Improvements Project and Sports Court Lighting. Assistant Director Haines explained that the Colorado Park enhancements include a post tension concrete basketball court, off street asphalt parking lot and entry road, the Colorado Front Range Trail connection, a pedestrian bridge over the McCann Ditch, concrete curbing around the playground perimeter, sports court lighting (Item 10B), all excavation, erosion control and revegetation and new playground equipment (included in a separate bid). The Ken Mitchell Basketball Court project includes a post tension concrete basketball court, sports court lighting (Item 10B), connection to the existing parking lot and a chain-link fence around three sides of the court. The Veterans Park Concrete project includes an ADA compliant sidewalk, a shelter house connection, concrete curbing around the playground perimeter and new playground equipment (included in a separate bid). The Sister Cities Playground Concrete project includes removal of approximately 80 linear feet of existing concrete curbing, installation of 46 linear feet of new concrete playground curbing and improving the safety of the Castlegate climbing structure. Two bids were received; Arrow J. Landscape and Design for \$664,752.50 and A.D. Miller for \$940,469.95. Colorado Park Enhancements for \$502,384.50, Ken Mitchell Park Basketball Court for \$126,114.00, Veterans Park Concrete Work for \$22,690.00 and the Sister Cities Park Concrete Work for \$13,564.00 for a total of \$664,752.50.*

*The Sports Court Lighting presentation is for Item 10B. Musco sports court lighting is a single source project. The projects include five individual light poles and fixtures at Colorado Park and one individual light pole and fixtures at Ken Mitchell Park. The new lighting for Musco is on their LED system with a 25-year materials and onsite labor warranty, eliminating 100% of maintenance costs for 25 years. The sports complex and tennis courts in the City are all on the Musco system. The Control Link system allows for remote on/off control and performance monitoring with 24/7 customer support. The cost for the Colorado Park lighting is \$105,000 and Ken Mitchell Park lighting is \$30,000 for a total of \$135,000. The City has been utilizing Musco lighting since 1998. Musco can monitor the lighting system and can determine if one bulb is not working and they will send someone to fix the problem.*

*Staff recommends awarding the contract to Arrow J Landscape & Design Inc. the most responsive and responsible bidder for \$664,752.50 for the Park Improvements project. Staff recommends approving the waiver of bid and awarding the contract to Musco Sports Lighting, LLC the single source bidder for \$135,000 for the Sports Lighting project. Assistant Director Haines answered questions from Council regarding:*

- The beginning date and completion date for the projects.*
- The City having shopped for other lighting companies since 1998.*
- Examples where Musco has used their system to shut off lights or fixed problems.*
- There being any issues with the Musco warranty.*
- The number of cars the parking lot would accommodate at Ken Mitchell Park.*
- Staff having considered diagonal parking on the street.*
- The ability to write the specs to see if any other companies could compete.*
- The time that would be lost if the lighting project went out to bid.*
- A number to call to turn the lights on if they go out during play.*
- The required time for the bid process to be completed.*
- The number of cars the parking lot would take off Miller Avenue.*
- The number of injuries that have taken place at the climbing structure at Sister Cities Park.*

**Motion by Councilmember Humbert, seconded by Mayor Pro Tem Edwards, to approve Resolution 2019-111. 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, FINDING GOOD CAUSE TO WAIVE THE FORMAL BID PROCESS FOR THE PARK LIGHTING IMPROVEMENTS; FINDING THAT THERE IS SUFFICIENT JUSTIFICATION TO DESIGNATE MUSCO SPORTS LIGHTING, LLC D/B/A MUSCO CORPORATION AS A SINGLE SOURCE SUPPLIER FOR THE PARK LIGHTING IMPROVEMENTS; ACCEPTING THE FAIR AND REASONABLE PROPOSAL OF MUSCO SPORTS LIGHTING, LLC D/B/A MUSCO CORPORATION; AND AWARDING THE CONTRACT FOR THE PARK LIGHTING IMPROVEMENTS TO MUSCO SPORTS LIGHTING, LLC D/B/A MUSCO CORPORATION IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THIRTY FIVE THOUSAND DOLLARS (\$135,000.00), TO MUSCO SPORTS LIGHTING, LLC D/B/A MUSCO CORPORATION; AND AUTHORIZING THE CITY MANAGER 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 Attorney Jack Bajorek and Assistant Director Haines answered questions from Council regarding:*

- The options for City Council regarding this item.*
- There being any time sensitivity regarding this project.*

**Motion by Councilmember Johnston, seconded by Councilmember Pollack, to deny the Resolution. 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, ACCEPTING THE BID OF NORAA CONCRETE CONSTRUCTION CORPORATION AND AWARDING THE CONTRACT FOR SKEEL STREET IMPROVEMENTS, PROJECT #19-028, TO NORAA CONCRETE CONSTRUCTION CORPORATION IN THE AMOUNT OF THREE HUNDRED EIGHTY SIX THOUSAND FOUR HUNDRED EIGHTY DOLLARS AND TWENTY CENTS (\$386,480.20), WITH NO CONTINGENCY FUNDING, AND AUTHORIZING THE CITY MANAGER 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.*

*Acting City Manager Falconburg introduced Public Works Engineer Christopher Montoya.*

*Public Works Engineer Christopher Montoya presented the Skeel Street Improvements project. The Skeel Street entrance into the Pavilions does not include sidewalks or ADA compliant roads. The plan is to make improvements to the roadway including new sidewalks with three crosswalks for pedestrian connectivity and parking will be added to Main Street. Pavement will have to be removed since it does not meet the current standards and specifications and does not work for drainage. ADA compliant sidewalks will be constructed along with detectable warnings for crossings and street lighting. The contractor would have to go through the process with United Power for permits and undergrounding the utilities and completing the construction. Three bids were received and with the local contractor consideration, Noraa Concrete Construction Corp. was the low bidder. The budget for this project was \$201,732 and the bid award is \$386,480.20. The difference in cost is due to the complexities of the work to be done with United Power. Additional funds are needed for*

\$184,748.20; this is available in the Street Repairs fund. Engineer Montoya presented the timeframe for the work to be completed. The benefits for this project include pedestrian connectivity and redevelopment in the area. Public Works Engineer Montoya answered questions from Council regarding:

- The lighting in the area being upgraded to LED.
- An explanation of the timeline.
- The contractor completing the lighting and concrete work.
- The warranty on the lighting.

**Motion by Mayor Pro Tem Edwards, seconded by Councilmember Baca, to approve Resolution 2019-112. 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, ACCEPTING THE BID OF CRUZ CONSTRUCTION INC. AND AWARDING THE CONTRACT FOR GUARDRAIL TREATMENT, PROJECT #19-030, TO CRUZ CONSTRUCTION INC. IN THE AMOUNT OF ONE HUNDRED THIRTEEN THOUSAND FOUR HUNDRED NINETY DOLLARS (\$113,490.00), AND AUTHORIZING THE CITY MANAGER 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.*

*Acting City Manager Falconburg introduced Public Works Engineer Christopher Montoya.*

*Public Works Engineer Christopher Montoya presented the Guardrail Treatment Project. The intent of a guardrail is to keep vehicles from leaving the road and trying to redirect the vehicles to reduce the seriousness of crashes. Staff has been working on identifying assets and putting them into a GIS database. This helps staff to prioritize repairs that need to be completed. This process has helped to identify the guardrails and bridge structures that the City is responsible for maintaining. Staff has identified areas that require a guardrail where none exists and other locations where the guardrails do not meet current standards. This project includes five locations that need repairs based on their priority level. Two bids were received for this project and Cruz Construction, Inc. scored the highest on the bid evaluation. The budget for this project is \$165,000, the Engineer estimate is \$157,000 and the Contract award is \$113,490. Construction would begin around December 1, 2019 and be completed April 30, 2020. The project benefits include enhanced safety of the transportation system. Staff recommends approval of the project. Public Works Engineer Montoya answered questions from Council regarding:*

- *The need to repair other guardrails in a timely manner in the future.*

**Motion by Councilmember Baca, seconded by Councilmember Humbert, to approve Resolution 2019-113. 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 called for a break at 8:54 p.m.*

*Mayor Kreutzer reconvened the meeting at 9:04 p.m.*

## **11. UTILITIES BUSINESS ITEMS**



## Ordinances

**A. 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 WATER AND WASTEWATER 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)**

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

*Acting City Manager Falconburg introduced Finance Director Maria Ostrom.*

*Finance Director Maria Ostrom presented the proposed amendment to Title 13 of the Brighton Municipal Code. Stantec Financial was hired by the City in January to complete the work on the rate study. There are changes proposed to the billing administrations, water and wastewater plant investment fees, developer impact, water and wastewater rates and customer impact. Changes in the billing administration 13-4-120(B) include moving utility billing from the duty of the Director of Utilities to the duty of the Finance Director. The wording was changed in 13-4-20(D) to simplify the dates for notices sent if a bill is not paid by the due date. A change to 13-4-120(E) amends the disconnection of water to 'may' occur so there is more flexibility. An amendment to 13-4-120(F) regarding disconnection states that a fee will be added to the next billing statement instead of requiring payment of a fee prior to service being reconnected. Another change allows the bill to be paid in any manner, not a specific type of payment. Changes to 13-4-130(C) allows a homeowner to sign up for budget billing immediately instead of having to wait twelve months. The restriction for having to pay timely for twelve months to get on budget billing has been lifted. Regarding Plant Investment Fees (PIF), the water PIF would increase 21.3% for all tap sizes. In September, City Council asked what it would take to add a softening process to the Greensands expansion and the proposal would include an increase to the water PIF. The wastewater PIF would decrease 62.8% for all tap sizes because the City signed an agreement with Metro Wastewater in 2009 and the City agreed that it would decommission the Wastewater Treatment Plant in 2035. Stantec recommended that water and wastewater rates would decrease 8% and the Thornton contract surcharge would stay the same. Staff is working on acquiring water rights so the City can get off Thornton water. The average customer would pay \$110.02 down from \$118.70 at the previous rate. Staff recommends approval of the Ordinance. Director Ostrom answered questions from Council regarding:*

- The Thornton contract obligating the City to purchase water in perpetuity.*
- The status of the discussions regarding the payments due to Metro in 2035.*
- Changes to the billing process if the water-softening portion is added.*

*Debra Parmley, Brighton. Ms. Parmley expressed concern regarding the data that Stantec used for their rate study and feels the tiered structure would be a better choice.*

*Michael Boutwell, Brighton. Mr. Boutwell does not agree with the Stantec rate study and asked how this decrease would affect his water bill.*

*Peter Padilla, Brighton. Mr. Padilla feels that the billing simplification proposal would help with some customers receiving large water bills. Mr. Padilla is concerned that the rate decrease at this time would require the City to take on bond debt in the next three years to complete necessary projects.*

**Motion by Councilmember Johnston, seconded by Councilmember Humbert, to approve the Ordinance. 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

## **Resolutions**

### **B. Forensic Audit Selection Committee Update**

*Finance Director Maria Ostrom reviewed the Forensic Audit Firm selection process. Staff advertised for an RFP on August 9<sup>th</sup> and eight firms responded. On September 30<sup>th</sup> Council finalized the selection committee made up of two members from each ward.*

*Committee member Jim Snyder presented the recommendation of the Committee, Two Hills Accounting and explained the process that was used by the Committee to make this choice.*

**Motion by Councilmember Mills, seconded by Councilmember Pollack, to accept the recommendation of the Forensic Audit Selection Committee of Two Hills Accounting. 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

## **12. GENERAL BUSINESS**

### **A. Schedule a Special City Council Meeting on November 7, 2019 at 6:00 p.m. to Approve the Ballot Content for the Ward 4 Special Run-off Municipal Election**

**Motion by Councilmember Wallin, seconded by Councilmember Humbert, to approve Item 12A. 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. Cancel the November 19, 2019 City Council Meeting for the National League of Cities Conference**

**Motion by Councilmember Wallin, seconded by Councilmember Mills, to approve Item 12B. 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. Schedule a Special City Council Meeting on November 12, 2019 at 6:00 p.m. for approval of the following: Land Use and Development Code Amendment and Emergency Operations Plan Update**

**Motion by Councilmember Blackhurst, seconded by Councilmember Mills, to approve Item 12C. 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

Mills, Councilmember Pollack, and Councilmember Wallin

### 13. REPORTS

- A. By the Mayor
- B. By Department Heads
- C. By the City Attorney
- D. By the City Manager

*Acting City Manager Falconburg explained that the next meeting will include an item to cancel the November 26, 2019 Study Session for the Thanksgiving Holiday.*

### 14. REPORTS BY COUNCIL ON BOARDS & COMMISSIONS

### 15. EXECUTIVE SESSION

**Motion by Mayor Pro Tem Edwards, seconded by Councilmember Humbert, to go into Executive Session at 10:10 p.m. for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding E-470 and the Depot Property. Motion passed by the following vote:**

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

**No:** 1 - Councilmember Johnston

*Mayor Kreutzer reconvened the meeting at 11:03 p.m.*

### 16. ADJOURNMENT

**Motion by Councilmember Blackhurst, seconded by Councilmember Humbert, to adjourn at 11:04 p.m. 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

**CITY OF BRIGHTON, COLORADO**

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Kenneth J. Kreutzer, Mayor

**ATTEST:**

\_\_\_\_\_  
Patricia Leyva, Deputy City Clerk

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