City of Brighton

500 S. 4th Avenue
Brighton, CO 80601

Meeting Minutes - Draft

Tuesday, October 15, 2024

6:00 PM

Council Chambers

City Council

MAYOR - GREGORY MILLS
MAYOR PRO TEM - PETER PADILLA
COUNCIL MEMBERS:
CHRIS FIEDLER, TOM GREEN,
MATT JOHNSTON, JAN PAWLOWSKI,
JIM SNYDER, ANN TADDEO, LLOYD WORTH

1. CALL TO ORDER

Mayor Mills called the meeting to order at 6:00 p.m.

A. Pledge of Allegiance to the American Flag

Councilmember Green led the recitation of the Pledge of Allegiance to the American Flag.

B. Roll Call

Present: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

2. CONSENT AGENDA

Councilmember Johnston asked that Item 2C be removed from the Consent Agenda.

A. Approval of the September 17, 2024 City Council Minutes

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING COMPENSATION FOR CITY MANAGER MICHAEL P. MARTINEZ UPON CONCLUSION OF THE ANNUAL PERFORMANCE EVALUATION

Resolution No. 2024-77

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING EMPLOYEE BENEFITS FOR 2025 AND AUTHORIZING THE CITY MANAGER TO EXECUTE BENEFIT CONTRACT DOCUMENTS

This item was removed from the Consent Agenda.

D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPOINTING MEMBERS TO THE CITY OF BRIGHTON YOUTH COMMISSION FOR TERMS ENDING IN JUNE OF 2025 AND 2026

Resolution No. 2024-79

Motion by Councilmember Green, seconded by Councilmember Worth, to approve the Consent Agenda as amended to remove Item 2C. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING EMPLOYEE BENEFITS FOR 2025 AND AUTHORIZING THE CITY MANAGER TO EXECUTE BENEFIT CONTRACT DOCUMENTS

Mayor Mills read the title of the Resolution into the record.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Taddeo, to approve Resolution 2024-78. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

No: 1 - Councilmember Johnston

Absent: 1 - Councilmember Fiedler

3. APPROVAL OF REGULAR AGENDA

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Green, to approve the Regular Agenda as amended to remove Item 4A and move Item 10A to become Item 7D. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

4. CEREMONIES

A. Swear in Brighton Youth Commission Members

This item was removed from the agenda.

B. Red Ribbon Week Proclamation

Mayor Mills read the Proclamation into the record.

C. Domestic Violence Awareness Month Proclamation

Councilmember Taddeo read the Proclamation into the record.

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

Brian Bratcher, Development Manager with DR Horton expressed concern regarding increased development impact fees in 2025.

Tom Lampo prayed for the city.

Mike Boutwell expressed concern regarding drug trafficking in the city.

6. PUBLIC HEARINGS

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING ARTICLES 1 AND 2 OF THE LAND USE AND DEVELOPMENT CODE TO ADD ENFORCEMENT MECHANISMS FOR VIOLATIONS OF THE LAND USE AND DEVELOPMENT CODE AND OTHER

RELATED MATTERS (FIRST READING)

Mayor Mills read the title of the Ordinance into the record.

Mayor Mills opened the public hearing at 6:25 p.m. and City Clerk Natalie Hoel verified the required postings and publications (September 27, 2024, on the City of Brighton website) for this public hearing were completed.

Mayor Mills asked City Council if there are any conflicts of interest or any ex parte communications that need to be disclosed, there were none.

Community Development Director Holly Prather presented the Amendment to the Land Use and Development Code to add Enforcement Mechanisms for Violations. This proposal will amend the existing Land Use & Development Code (LUDC) Section 1.04 Enforcement in its entirety. Section 1.04 will be entirely focused on violations and would add a new section 1.06 for enforcement provisions, and a new section 1.07 for penalties.

Staff is proposing to remove all generic language in section 1.04 and replace it with more specific language as to what may constitute a violation. The proposed violations include failure to comply with not only the LUDC, but any other regulation as adopted by any other city department, any violations of any agreement or an approved plat, any conditions that may be attached to a permit or any other development approvals, illegally subdividing property, obstructing or removing any notice that is posted or otherwise given, and interfering with city staff in performing their duties.

Section 1.06 Enforcement has been added to the LUDC and discusses enforcement responsibility and the ability to perform inspections for potential violations. The proposed enforcement powers include the ability to withhold a building permit or certificate of occupancy, withhold other permits or approvals, withhold water taps or water service, the revocation of permits or approvals, suspension of licenses, stop work orders, abatement, injunctive relief, utilization of Article 1-24 Powers, city abatement and recovery costs, and others as permitted by law.

There are two types of enforcement procedures, non-emergency matters and emergency matters. For non-emergency matters, a written notice of violation will be provided either by mail, leaving a copy on the premises with an agent of the premises, or affixing the notice in a conspicuous place. For correction of violations, generally ten calendar days from the date of the notice will be given. Additional time may be given by the Director if necessary. A shorter time period may be given if the violation can be reasonably corrected in less time. A summons to court can be given if the violations are not corrected within the required timeframe and may be subject to appearance in municipal court and subject to additional penalties. An emergency matter must be an immediate threat to public health and safety, or an emergency with the potential to create substantially increased problems, costs, or liabilities for the city. The city may utilize enforcement powers without prior notice and instead, give notice simultaneously with the beginning of the enforcement action.

Section 1.07 Penalties has been added to the LUDC. Each day of continued violation shall constitute a separate violation. Any violation shall be punishable in accordance with the penalty as set forth in section 1-24 of the Municipal Code.

Section 2.02(D)(2) will be revised and the proposed changes to the Review Procedure for Subdivision Plan applications are to have the Planning Commission make a recommendation to City Council and to have the City Council approve the subdivision plan and accept all public lands or proposed facilities. Section 2.01(G)(7) will be added to require the applicant,

or a representative of the applicant, to attend any public hearings. If the applicant or representative is not in attendance, the public hearing will be rescheduled.

The Planning Commission reviewed the Code Amendments at their September 26, 2024, meeting and unanimously recommended approval.

Notice was provided in accordance with the Land Use & Development Code and was posted on various social media sites.

Director Prather presented the review criteria Council must use in making its decision regarding the Code Amendments.

Mayor Mills asked if anyone in the audience wished to speak on behalf of or against the request.

Taralyn Romero spoke about the Ordinances giving City Council the power to hold developers accountable for what they say under oath.

Liz Rubinstein thanked Council for these changes to the Land Use & Development Code and would like to begin a conversation regarding the storm drainage at Palizzi Farm.

Janet Schroeder spoke about the Palizzi Farm and its impact on her family.

Scot Dutcher spoke about property rights, the rule of law and the importance of enforcement actions. Mr. Dutcher encouraged Council to vote yes on this proposal.

Diane Gregorius is involved with the market at Palizzi farm and asked Council to vote to hold developers accountable.

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

Mayor Mills asked if there were questions from City Council.

Councilmember Green asked about the discussion with staff regarding the enforcement for the removal of any notice and the ability to know who did it. Director Prather explained that this was left in because the discussion took place in a Study Session and was a general discussion and not a clear direction from City Council to remove it. Director Prather stated that "notice" is a general term and there are several types of notice. The applicant is responsible for providing the address labels for mailed notices, if those were not correct, staff could pursue that as a violation.

Councilmember Johnston stated that this is one step in a certain direction, this is for all development in the city.

Mayor Mills closed the public hearing at 6:51 p.m.

Motion by Councilmember Green, seconded by Mayor Pro Tem Padilla, to approve the Ordinance. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

7. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ADOPTING THE FISCAL YEAR 2025 BUDGET, AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS SPECIFIED BELOW IN THE AMOUNT OF $255,284,504 FOR THE CITY OF BRIGHTON, COLORADO, FOR THE FISCAL YEAR 2025 (PUBLIC HEARING)

Mayor Mills read the title of the Resolution into the record.

Mayor Mills opened the public hearing at 6:52 p.m. and City Clerk Natalie Hoel verified the required postings and publications (October 3, 2024 in the Brighton Standard Blade) for this public hearing were completed.

Mayor Mills asked City Council if there are any conflicts of interest or any ex parte communications that need to be disclosed, there were none.

Budget and Performance Manager Kathryn Mortensen presented the 2025 budget, mill levy, fees and donation resolutions. Manager Mortensen presented the budget process overview, the timeline and recommendations for 2025 and 2026 including the final market and benefit numbers, the Colorado Park dog park, grants, Cemetery Fund maintenance, bag fee revenue projects, AdCom contract and the Water Assistance program increase.

Management Analyst Pearce Miller explained that City Council must set the mill levy annually for property taxes to be collected. The mill levy is fixed at 6.65 mills and has been the same for the last two decades. The 2025 mill levy is projected to result in $6,122,219 in revenues for the 2025 budget.

The changes to the 2025 Fee Resolution include changes to reflect true cost of delivery for the Parks and Recreation Department and the City Clerk's Office. A Consolidation of fees for Utility rates, Impact Fees, and Marijuana Fees. The Resolution has been re-formatted for ADA compliance.

Finance Director Catrina Asher explained that City Council approved an Ordinance that moved Impact Fees and Utility Rates out of Code and into the Fee Resolution to make them easier to locate and easier to approve. Utility Rates is a new section in the Fee Resolution. A Fee Study was done for 2024 rates, projected 2025 rates and the methodology for determining the 2025 wastewater rates since the city is no longer processing its own wastewater and is using the services of other parties. The wastewater in the city is processed by either Metro Wastewater Recovery or the Town of Lochbuie. The Metro Board approved a 10% rate increase for 2025 and the city is charging a 3% catch up. The Lochbuie Sewer Board did not approve a rate increase so there is no significant increase to what the city will pay at this time. The City of Brighton is below average for the total water bill with surrounding municipalities. Director Asher presented what the changes will be to a typical water bill for a resident in the city.

Management Analyst Pearce Miller presented the Donations Resolution which establishes a public purpose of donations to the Brighton Legacy Foundation, the Boys and Girls Club, and Almost Home, Inc.

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

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

Mayor Mills asked if there were questions from City Council.

Councilmember Johnston asked if City Council voted on the 3% catch up. Director Asher stated that Council did not vote on the catch up. Councilmember Johnston asked if Council is allowed to raise rates on citizens through the middle of the budget and attach it without its own hearing. City Attorney Alicia Calderón explained that there are four separate votes to take tonight, one vote is the budget, another for the mill levy, a separate vote for the public purpose, and a vote for the fee resolution. Councilmember Johnston asked if the Fee Resolution includes the 3% increase in rates and City Attorney Calderón stated that it does. Councilmember Johnston asked if he could vote on the other three Resolutions without raising rates and City Attorney Calderon stated that he could.

Councilmember Green asked if the three organizations listed are the only three that the city can donate to. Manager Mortensen explained that what is included in the Resolution are the organizations that Council provides donations to each year, but there is additional budget each year to provide donations to other organizations. Colorado Legal Services is also included in the Resolution.

Councilmember Snyder remembers discussing the 3% increase in a Study Session and asked what process is missing that Council would not be able to vote on the increase today. City Attorney Calderón does not believe anything is missing and the Resolution is before Council for a vote.

Mayor Mills closed the public hearing at 7:21 p.m.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Pawlowski, to approve Resolution 2024-80. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2025, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE CITY OF BRIGHTON, COLORADO, AND SETTING THE MILL LEVY AT 6.650 MILLS FOR THE 2025 BUDGET YEAR

Mayor Mills read the title of the Resolution into the record.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Green, to approve Resolution 2024-81. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE DISTRIBUTION OF FUNDS AUTHORIZED IN THE

2025 BUDGET AND FINDING A PUBLIC PURPOSE FOR THE USE OF THOSE FUNDS

Mayor Mills read the title of the Resolution into the record.

Motion by Councilmember Taddeo, seconded by Councilmember Pawlowski, to approve Resolution 2024-82. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING FORTH CERTAIN FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON, EFFECTIVE JANUARY 1, 2025

This Resolution was moved from Item 10A.

Mayor Mills read the title of the Resolution into the record.

Morgan Cullen with the Homebuilders Association of Metro Denver expressed concern regarding the significant increase in fees for developers and builders.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Taddeo, to approve Resolution 2024-83. Motion passed by the following vote:

Aye: 6 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

No: 2 - Councilmember Green, and Councilmember Johnston

Absent: 1 - Councilmember Fiedler

8. ORDINANCES FOR INITIAL CONSIDERATION

A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, GRANTING A PERPETUAL EXCLUSIVE EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO OVER A PORTION OF REAL PROPERTY GENERALLY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID EASEMENT ON BEHALF OF THE CITY

Mayor Mills read the title of the Ordinance into the record.

Assistant Director of Parks and Open Space Kyle Sylvester presented the Xcel Easement Agreements. The Homestead Open Space is located on the north side of Baseline Road between 48th Avenue and 50th Avenue. The city previously granted an easement to Xcel in October 2012 and again in September 2023 to comply with federal regulations. Xcel Energy is requesting two additional easements adjacent to this parcel. These include an Exclusive Easement Agreement of 374 sq. ft. at the northwest corner of the original granted easement.

This property does not conflict with other easements in the area. A Non-Exclusive Easement Agreement of 3,916 sq. ft. is being requested west of the original granted easement property. Staff negotiated the terms of the proposed easement and recommends approval.

Motion by Mayor Pro Tem Padilla, seconded by Councilmember Worth, to approve the Ordinance. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

No: 1 - Councilmember Johnston

Absent: 1 - Councilmember Fiedler

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, GRANTING A PERPETUAL NON-EXCLUSIVE EASEMENT TO PUBLIC SERVICE COMPANY OF COLORADO OVER A PORTION OF REAL PROPERTY GENERALLY LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 1 NORTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID EASEMENT ON BEHALF OF THE CITY

Mayor Mills read the title of the Ordinance into the record.

Motion by Councilmember Worth, seconded by Councilmember Pawlowski, to approve the Ordinance. Motion passed by the following vote:

Aye: 7 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

No: 1 - Councilmember Johnston

Absent: 1 - Councilmember Fiedler

Mayor Mills called for a break at 7:36 p.m.

Mayor Mills reconvened the meeting at 7:50 p.m.

9. ORDINANCES FOR FINAL CONSIDERATION

10. RESOLUTIONS

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING FORTH CERTAIN FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON, EFFECTIVE JANUARY 1, 2025

This Resolution was moved to become Item 7D.

B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING THE DEVELOPMENT AGREEMENT FOR THE BRIGHTON CROSSING FILING NO. 6 SUBDIVISION, CONSISTING OF APPROXIMATELY 63.821 ACRES OF LAND, GENERALLY LOCATED AT THE

NORTHEAST CORNER OF THE INTERSECTION OF SOUTH 40TH AVENUE AND SOUTHERN STREET, SOUTH OF FIRE STATION 52, AND WEST OF MT. ELBERT STREET, MORE PARTICULARLY LOCATED IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO; AUTHORIZING THE MAYOR TO EXECUTE THE DEVELOPMENT AGREEMENT AMENDMENT ON BEHALF OF THE CITY; AND SETTING FORTH OTHER DETAILS RELATED THERETO

Mayor Mills read the title of the Resolution into the record.

Senior Planner Nick Di Mario presented the First Amendment to the Brighton Crossing Filing No. 6 Development Agreement. The property is located at the northeast corner of South 40th Avenue and Southern Street, south of Fire Station 52 and west of Mt. Elbert Street. The original agreement was approved by City Council in August 2023, any desired amendments must be reviewed and approved by City Council. This Development Agreement included the obligation to design and construct an interim condition northbound right turn lane at the intersection of South 40th Avenue and East Bridge Street. The Bridge Street Widening project included the construction of the remainder of 40th Avenue to its full condition. If the applicant were to move forward with the interim condition turn lane as required in the Development Agreement, the city would close the road and remove the turn lane to construct the intersection per the Bridge Street Widening construction plan. It was determined that the most efficient route forward is to amend the Development Agreement to remove this obligation from the Development Agreement with the stipulation that the applicant provide a cash-in-lieu to the city for $142,652.70 for the turn lane improvements. All other provisions of the original Brighton Crossing Filing No. 6 Development Agreement not specifically amended in the First Amendment shall remain in full force and effect. The Development Review Committee has reviewed the proposal and recommends approval. Staff recommends approval of the amendment.

Motion by Councilmember Green, seconded by Councilmember Taddeo, to approve Resolution 2024-84. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

C. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF COMMUNICATION CONSTRUCTION AND ENGINEERING INC. AND APPROVING THE PROCUREMENT OF THE FIBER OPTIC CABLE INSTALLATION PROJECT FOR THE CONTRACT AMOUNT OF SIX HUNDRED THIRTY-THREE THOUSAND FIFTY-EIGHT DOLLARS ($633,058), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

Mayor Mills read the title of the Resolution into the record.

Director of Information Technology and Innovation Chris Neves presented the Fiber Optic Cable Installation project. The IT Department has multiple projects that require underground conduit and fiberoptic cable construction to connect city infrastructure for the city's traffic, data, and telecommunications network. A formal solicitation was done for eleven fiber construction projects. Six submissions were received and two of those were deemed

responsive. Staff intends to move forward with six of the eleven projects with existing appropriated capital budget for 2024. Staff recommends accepting the bid from Communication Construction Engineering, Inc. as the most responsive and responsible bid for $633,058.

Motion by Councilmember Pawlowski, seconded by Councilmember Worth, to approve Resolution 2024-85. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

11. UTILITIES BUSINESS ITEMS

Resolutions

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF HPM, INC. AND APPROVING THE PROCUREMENT OF LUTZ RESERVOIR PUMP STATION CONSTRUCTION, PROJECT #24-008628, FOR THE CONTRACT AMOUNT OF ELEVEN MILLION THIRTY-FOUR THOUSAND FORTY-THREE DOLLARS ($11,034,043), AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT ON BEHALF OF THE CITY

Mayor Mills read the title of the Resolution into the record.

Director of Utilities Scott Olsen presented the Lutz Reservoir Construction Services award. Director Olsen presented the background of the Lutz service area making up just over 2,000 acres and ¼ of that will consist of irrigated area. Within the service area the average irrigation demand is about 2 million gallons per day. In 2022 JR Engineering was awarded the design contract for this area. Staff worked with JR Engineering to determine the appropriate service area that Lutz would serve. The service area was broken into several phases based on development timing assumptions. Staff made sure that the pump station would have adequate capacity to serve the area. Lutz Reservoir will have a significant impact on reducing the peak demand for treated water in the summer as much of this peak demand is due to irrigation usage. The construction services award was broken down into three bid schedules. The first was the pump station, second was the non-potable transmission main to carry water to the service area, and third was the parking lot and onsite trail connections for the open space area. This will be paid for from the Parks and Recreation budget. The formal solicitation process resulted in seven submissions, six of which were deemed responsive. Staff recommends accepting the bid of HPM, Inc. as the lowest, most responsive and responsible bid for $11,034,043.

Motion by Councilmember Green, seconded by Councilmember Taddeo, to approve Resolution 2024-86. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

12. GENERAL BUSINESS

A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, IN SUPPORT OF BALLOT MEASURE 1A, THE ADAMS COUNTY AFFORDABLE HOUSING TEMPORARY TAX INCREASE OF .15%

Mayor Mills read the title of the Resolution into the record.

Mayor Pro Tem Padilla asked that this Resolution be canceled and that the item be brought back to City Council at the Study Session next week for discussion.

B. Highway 7 Construction Discussion

Mayor Mills asked City Manager Martinez to draft a letter of concern to CDOT regarding the failure in fulfilling their commitment to the public by pausing the roadway improvements on Highway 7.

Motion by Councilmember Johnston, seconded by Mayor Pro Tem Padilla, to direct staff to draft a letter of concern to CDOT. Motion passed by the following vote:

Aye: 8 - Mayor Mills, Mayor Pro Tem Padilla, Councilmember Green, Councilmember Johnston, Councilmember Pawlowski, Councilmember Snyder, Councilmember Taddeo, and Councilmember Worth

Absent: 1 - Councilmember Fiedler

13. REPORTS

A. By the Mayor

Mayor Mills attended the CML Policy Committee meeting, the BizWest CEO roundtable, the Metro Mayors Caucus meeting, the DRCOG meeting, the Civic Academy, the Republic Services Electric Vehicle open house, the Ballot Briefing from the AC-REP, the ADCOG meeting, the Adams County SCFD Awards celebration, the Metro Denver Site Selection celebration, the Northglenn City Hall tour, and the funeral services for Former Mayor Richard McLean. Brighton is a digital stop for the National League of Cities 100-year celebration.

B. By Department Directors

C. By the City Attorney

D. By the City Manager

City Manager Michael Martinez announced that Big Lots is closing and Raising Cane's is opening ahead of schedule.

E. By City Council

Councilmember Snyder attended the Youth Commission retreat and the Civic Academy.

Mayor Pro Tem Padilla attended the Japanese Cultural Festival and the Brighton Housing Authority meeting.

Councilmember Green attended the Northglenn City Hall gala and the Adams County Fair Lady in Waiting selection.

Councilmember Pawlowski attended the E-470 meeting.

Councilmember Worth attended the Chamber luncheon and the Youth Commission retreat.

14. EXECUTIVE SESSION

15. ADJOURNMENT

Mayor Mills adjourned the meeting at 8:40 p.m.

CITY OF BRIGHTON, COLORADO

_____
Gregory Mills, Mayor

ATTEST:

_____
Natalie Hoel, City Clerk

_____
Approval Date