



# 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, TOM GREEN,**  
**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, December 6, 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-379-22](#) Approval of the November 1, 2022 City Council Minutes
- B. [ID-407-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING LEASE AGREEMENTS WITH ALMOST HOME, AMERICAN HIGHLAND CATTLE ASSOCIATION, ROCKY MOUNTAIN QUARTER HORSE ASSOCIATION, COLORADO HORSE COUNCIL, AND COLORADO THOROUGHBRED BREEDERS FOR CITY-OWNED REAL PROPERTY LOCATED AT 22 SOUTH 4TH AVENUE (THE "HISTORIC CITY HALL"), AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE AGREEMENTS ON BEHALF OF THE CITY

**Attachments:** [2023 HCH Lease Resolution](#)  
[Brighton Housing Authority Lease 2023](#)  
[Colorado Horse Council Lease 2023](#)  
[Colorado Thoroughbred Breeders Association Lease 2023](#)  
[Rocky Mountain Qtr Horse Association Lease 2023](#)  
[Almost Home Lease 2023](#)  
[American Highland Cattle Lease 2023](#)

- C. [ID-411-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING THE 2023 CITY OF BRIGHTON HOLIDAY SCHEDULE

**Attachments:** [2023 Holidays Resolution](#)

- D. [ID-413-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACKNOWLEDGING THE CERTIFIED ABSTRACT OF VOTES CAST FOR THE NOVEMBER 8, 2022 COORDINATED ELECTION

**Attachments:** [Reso - Certified Abstract of Votes 2022](#)

**4. CEREMONIES**

- A. [ID-414-22](#) Swearing In Ceremony by Judge Michelle Kline
- B. [ID-415-22](#) "Name that Snowplow" Contest Winners

**5. PUBLIC INVITED TO BE HEARD ON MATTERS NOT ON THE AGENDA (Speakers limited to five minutes)****6. CONSOLIDATED ITEMS FOR SEQUENTIAL REVIEW**

- A. [ID-419-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ADOPTING THE FISCAL YEAR 2023 BUDGET AND APPROPRIATING SUMS OF MONEY TO THE VARIOUS FUNDS AND SPENDING AGENCIES IN THE AMOUNTS SPECIFIED BELOW IN THE AMOUNT OF \$254,765,841 FOR THE CITY OF BRIGHTON, COLORADO, FOR THE FISCAL YEAR 2023 (PUBLIC HEARING)

**Attachments:** [2023 Budget Resolution](#)  
[2023 December Budget Presentation Final](#)  
[419 PPT](#)

- B. [ID-410-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, LEVYING GENERAL PROPERTY TAXES FOR THE YEAR 2023, TO HELP DEFRAY THE COSTS OF GOVERNMENT FOR THE CITY OF BRIGHTON, COLORADO, AND SETTING THE MILL LEVY AT 6.650 MILLS FOR THE 2023 BUDGET YEAR

**Attachments:** [City Mill Levy - Resolution](#)

## **7. PUBLIC HEARINGS**

- A. [ID-409-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CERTAIN ACCOUNTS IN THE GENERAL FUND, AND CEMETERY FUND; AND APPROPRIATING MONEY FOR EXPENDITURES IN THE AMOUNT OF \$270,000 FOR THE INCREASED WATER AND ELECTRICITY COSTS

**Attachments:** [Resolution 4th Budget Amendment](#)  
[2022 Budget 4th Amendment](#)  
[409 PPT](#)

- B. [ID-421-22](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE 402 SOUTH 2ND AVENUE HISTORIC LANDMARK DESIGNATION FOR AN APPROXIMATELY 0.17 ACRE PROPERTY, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF MATHER STREET AND SOUTH 2ND AVENUE, LOTS 1 AND 2 OF BLOCK 11 OF THE WALNUT GROVE ADDITION, IN A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 1 SOUTH, RANGE 66 WEST, OF THE 6TH PRINCIPAL MERIDIAN, CITY OF BRIGHTON, COUNTY OF ADAMS, STATE OF COLORADO (FIRST READING)

**Attachments:** [Draft City Council Ordinance](#)  
[Aerial Map](#)  
[Nomination Application](#)  
[Nomination Questionnaire](#)  
[Addendum to Questionnaire \(Written History\)](#)  
[Photo Log](#)  
[Signed Reso #22-02-HP](#)  
[Property Owner Notification](#)  
[Affidavit of Sign Posting](#)  
[Website Notice](#)  
[Website Notice Proof](#)  
[City Staff Draft Presentation](#)  
[421 PPT](#)

- C. [ID-408-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, DECLARING THE INTENT OF THE CITY OF BRIGHTON TO OPT OUT OF THE COLORADO PAID FAMILY AND MEDICAL LEAVE INSURANCE PROGRAM (FAMLI) PURSUANT TO COLORADO REVISED STATUTES SECTION 8-13.3-522

**Attachments:** [Resolution opting out of FAMLI \(2\)](#)  
[Colorado Municipal League Publication re FAMLI](#)  
[City letterhead - Employee Notice of City Council Vote on FAMLI](#)

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

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

- A. [ID-385-22](#) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AMENDING CHAPTER 28 OF ARTICLE 3 OF THE BRIGHTON MUNICIPAL CODE TO ESTABLISH AN EXEMPTION FROM THE CITY'S SALES AND USE TAX FOR CERTAIN RETAIL DELIVERY FEES AND CARRYOUT BAG FEES ENACTED BY THE STATE OF COLORADO; AND SETTING FORTH OTHER MINOR AMENDMENTS

**Attachments:** [Updated Ordinance - Tax & Licensing Code](#)  
[Updated Redline - Tax & Licensing Code](#)  
[Tax & Licensing Code Updates Nov 1 2022](#)  
[385 PPT](#)

## **10. RESOLUTIONS**

- A. [ID-412-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING COMPENSATION FOR CITY MANAGER MICHAEL MARTINEZ

**Attachments:** [CM Compensation RESO.docx](#)

- B. [ID-422-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, SETTING FORTH CERTAIN FEES AND CHARGES ASSESSED BY THE CITY OF BRIGHTON RELATED TO THE COMMUNITY DEVELOPMENT DEPARTMENT, EFFECTIVE JANUARY 1, 2023

**Attachments:** [Draft Resolution for Approval](#)  
[Redlined Fee Sheets](#)  
[Draft Staff Presentation](#)  
[422 PPT](#)

## **11. UTILITIES BUSINESS ITEMS**

### **Resolutions**

- A. [ID-423-22](#) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, ACCEPTING THE PROPOSAL OF TERRACON CONSULTANTS, INC. FOR MATERIALS TESTING AND SPECIAL INSPECTION SERVICES FOR THE WATER TREATMENT PLANT UPGRADE PROJECT IN THE AMOUNT OF ONE MILLION DOLLARS (\$1,000,000.00) AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE TASK ORDER ON BEHALF OF THE CITY

**Attachments:** [Resolution - Terracon](#)  
[WTP Q4 2022 V1](#)  
[423 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**