

RESOLUTION NO. 2024-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF BRIGHTON AND BRIGHTON CROSSING METROPOLITAN DISTRICT NO. 4, BRIGHTON CROSSING METROPOLITAN DISTRICT NO. 6, THE BRIGHTON CROSSINGS OPERATIONS BOARD, AND BROOKFIELD RESIDENTIAL (COLORADO), LLC, AUTHORIZING THE MAYOR TO EXECUTE SAID IGA ON BEHALF OF THE CITY, AND AUTHORIZING THE CITY MANAGER TO UNDERTAKE SUCH TASKS AND EXECUTE SUCH DOCUMENTS AS MAY BE REQUIRED TO IMPLEMENT SAID IGA ON BEHALF OF THE CITY

WHEREAS, the City of Brighton, Colorado ("City"), Brookfield Residential (Colorado), LLC ("Brookfield), and Brighton Crossing Metropolitan District No. 4 ("Brighton Crossing 4," together with Brighton Crossing Metropolitan District No. 6, the "Brighton Crossing Entities") are parties to a development agreement (the "Development Agreement") which contemplates the construction and maintenance of parks within the Brighton Crossing neighborhood, including the construction of Venture Park; and

WHEREAS, the parties wish to enter into an Intergovernmental Agreement ("IGA") to clarify and establish each Party's respective rights and obligations related to the construction of Venture Park, as contemplated by the Development Agreement; and

WHEREAS, City Council finds and determines that the terms of the IGA are reasonable, that this IGA exemplifies the spirit of cooperation between the City and Brighton Crossing Entities, and that it is in the best interests of the citizens of Brighton that the IGA be approved; and

WHEREAS, Sections 29-1-201, *et seq.*, and 29-20-105 of the Colorado Revised Statutes authorize and encourage local governmental entities to cooperate by contracting with one another for their mutual benefit.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. The IGA between the City and the Brighton Crossing Entities is hereby approved.

Section 2. The Mayor is hereby authorized to execute said IGA on behalf of the City.

Section 3. The City Manager is hereby authorized to undertake such tasks and execute such documents as may be required to implement said IGA on behalf of the City.

Section 4. This Resolution is effective as of the date of its adoption.

RESOLVED this 16<sup>th</sup> day of April 2024.

CITY OF BRIGHTON, COLORADO

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GREGORY MILLS, Mayor

ATTEST:

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NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

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YASMINA GIBBONS, Deputy City Attorney