

RESOLUTION NO. 2015-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AUTHORIZING THE SUBMITTAL OF AN OPEN SPACE PASSIVE GRANT APPLICATION TO ADAMS COUNTY OPEN SPACE IN THE AMOUNT NOT TO EXCEED TWO HUNDRED FORTY-SIX THOUSAND TWO HUNDRED FIFTY DOLLARS (\$246,250.00), FOR THE KEN MITCHELL OPEN SPACE ENTRANCE PROPERTY ACQUISITION; AND AUTHORIZING THE CITY MANAGER TO SIGN THE GRANT APPLICATION.

WHEREAS, the City Council of the City of Brighton determines that it is appropriate for the City to apply for an Adams County Open Space Grant, for the purchase of the land known as Ken Mitchell Open Space Entrance Property, and this purchase project is entitled “Ken Mitchell Open Space Entrance Property Acquisition” (the “Project”); and

WHEREAS, the City Council believes that the acquisition of the Project is essential to the health, safety and welfare of the citizens of Brighton, and that this type of land preservation Project is a needed amenity for Brighton; and

WHEREAS, the City Council finds that the existing Ken Mitchell Open Space Entrance Property is for sale; and

WHEREAS, the citizens of Brighton have expressed support for open space in this area. Additionally, the City’s Open Space Master Plan and Adams County Open Space documents state that this property is important for open space preservation; and

WHEREAS, toward that end, the City of Brighton City Council finds and determines that it is proper to apply for a Grant not to exceed \$246,250.00 from Adams County Open Space, to partially fund the Project; and

WHEREAS, the City of Brighton estimates that the total cost of the Project , as set forth in the attached Adams County Open Space Passive Grant Application, will be \$,522,500.00, of which amount the Rocky Mountain Arsenal Natural Resource Damages (NRD) Funding will pay for \$226,250.00 and the City will fund \$50,000.00; and

WHEREAS, the City of Brighton City Council believes that it is reasonable and proper for the City to enter into a written agreement with Adams County Open Space, provided that Adams County Open Space issues the Adams County Open Space Passive Grant, for the budgeting, allocation and contribution of funds to the Project in the amounts contemplated herein; and

WHEREAS, the City Council upon receiving a Grant Agreement from Adams County Open Space, will have an opportunity to review the language of the Agreement before authorizing the signing of the Agreement; and

WHEREAS, the City Council finds and determines that said Grant Agreement would be necessary and proper in order to proceed with the Project, and that it is in the best

interests of the City to approve entering into such an Agreement should the Adams County Open Space grant be awarded.

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

1. The City Staff is hereby authorized to submit to Adams County Open Space the an Application for an Adams County Open Space – Passive Grant, for the Ken Mitchell Open Space Entrance Property Acquisition, and the City Manager is authorized to sign the Grant application on behalf of the City.

2. Upon the City’s receipt of a written acknowledgement from Adams County, that Adams County Open Space shall fund the Application in the amount not to exceed \$246,250.00, the City Manager or his designee is directed to commence good faith negotiations for a reasonable “*Grant Agreement*” between the City and Adams County Open Space, for consideration by the City Council.

RESOLVED, this 21st day of July 2015.

CITY OF BRIGHTON, COLORADO

ATTEST:

By: _____
Richard N. McLean, Mayor

Natalie Hoel, City Clerk

APPROVED AS TO FORM:

Margaret R. Brubaker, Esq.
City Attorney