

RESOLUTION NO. 2023-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS AND THE CITY OF BRIGHTON FOR THE ADAMS COUNTY HEAD START PROGRAM, AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID SECOND AMENDMENT ON BEHALF OF THE CITY

WHEREAS, the City owns Benedict Park; and

WHEREAS, the Adams County Head Start program is leasing space in the Brighton Learning Resource Center, and this location does not have any specific space for an outdoor playground, which is a requirement of the program; and

WHEREAS, the City and Adams County entered into a memorandum of understanding in July 2008 (the “MOU”), by which the City leased an area in the northwest corner of Benedict Park to Adams County to construct a small playground and a concrete area for children to ride tricycles (the “Playground”); and

WHEREAS, the parties executed a first amendment to the MOU in July of 2018, extending the MOU for an additional 5-year period; and

WHEREAS, the parties desire to extend the MOU for an additional 5-year period (the “Second Amendment”); and

WHEREAS, the City Council finds and determines that the terms of said Second Amendment are reasonable, that it is in the best interests of the City to enter into said Second Amendment, and that Adams County’s use of the Playground serves the public purpose of promoting childhood education within the City.

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

Section 1. The Second Amendment is hereby approved.

Section 2. The City Manager is hereby authorized to execute such Second Amendment on behalf of the City in substantially the form presented at this meeting, with such technical additions, deletions, or variations as the City Attorney may deem necessary or appropriate and not inconsistent with this Resolution, and to undertake such actions as may be necessary to finalize and enforce said Second Amendment, and up to four extensions or any amendments thereof and/or of the MOU, on behalf of the City.

Section 3. This Resolution is effective as of the date of its adoption.

RESOLVED this 18th day of July 2023.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

YASMINA GIBBONS, Deputy City Attorney