

RESOLUTION NO. 2025-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, APPROVING THE CONSTRUCTION AND REIMBURSEMENT AGREEMENT ASSOCIATED WITH THE BROMLEY FARMS SUBDIVISION PLAN, RESCINDING RESOLUTION NUMBER 2025-51, AND AUTHORIZING THE MAYOR TO EXECUTE THE REIMBURSEMENT AGREEMENT ON BEHALF OF THE CITY

WHEREAS, Privateer / Bromley, LLC (the "Developer") is the prospective developer of an approximately 139.7934 acre property known as the Bromley Farms Subdivision located at the southeast corner of Bromley Lane and Chambers Road (the "Property"); and

WHEREAS, the City of Brighton (the "City") previously approved the Bromley Farms Subdivision Plan (the "Subdivision Plan") when City Council accepted the public lands and public improvements presented in the Subdivision Plan in Resolution No. 2024-16, and such Subdivision Plan discusses the possibility of, but not guarantee of, reimbursement for certain public improvements; and

WHEREAS, the Subdivision Plan was recorded at Reception No. 2024000024883; and

WHEREAS, the Subdivision Plan details that the Developer could, at a future date, request reimbursement for the design and construction of various off-site public improvements (the "Off-site Improvements"); and

WHEREAS, the City and Developer have negotiated an agreement that details the reimbursement for the construction of these Off-site Improvements (the "Agreement") and such agreement was approved by way of Resolution Number 2025-51 on August 19, 2025; and

WHEREAS, after approval by City Council, Developer conducted further review of the Agreement and did not execute the approved Agreement but instead requested further changes to the Agreement, which the parties further negotiated; and

WHEREAS, the City and Developer have negotiated an agreement that details the reimbursement for the construction of Off-site improvements in more detail (the "Agreement") and are ready for City Council review and approval; and

WHEREAS, City staff agree that the Off-Site Improvements as set forth in the Agreement are appropriate items for reimbursement from the applicable impact fee funds; and

WHEREAS, City Council hereby finds the Agreement to be reasonable and reflects a contribution to regional or off-site improvements that benefit the larger community.

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

Section 1. The Agreement as presented to City Council on today's date is hereby approved and Resolution Number 2025-51 is hereby rescinded in its entirety.

Section 2. The Mayor is hereby authorized to execute the Agreement on behalf of the City in substantially the form presented at this meeting and with any conditions, technical additions, modifications, or variations as the City Attorney may deem necessary or appropriate provided such are not inconsistent with this Resolution.

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

RESOLVED this 2nd day of December 2025.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

APPROVED AS TO FORM:

ALICIA CALDERÓN, City Attorney

EXHIBIT A
CONSTRUCTION AND REIMBURSEMENT AGREEMENT