

RESOLUTION NO. 2025-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, CONCERNING THE ASSIGNMENT OF THE STATUTORY RIGHT OF FIRST REFUSAL AND RIGHT OF FIRST OFFER THROUGH AN INTERGOVERNMENTAL AGREEMENT WITH THE BRIGHTON HOUSING AUTHORITY

WHEREAS, C.R.S. § 29-4-1201, et. seq. provides the City of Brighton (the "City") with a right of first refusal and a right of first offer with respect to certain multifamily residential properties and mixed-use rental properties; and

WHEREAS, pursuant to C.R.S. § 29-4-1202(2)(f) and C.R.S. § 29-4-1203(2)(d), the City has the right to assign the right of first refusal and the right of first offer to a specific qualifying property or all qualifying properties within the municipality to a local or regional housing authority in or serving the City; and

WHEREAS, the Brighton Housing Authority (the "BHA") is the local housing authority for the City of Brighton; and

WHEREAS, the City desires to assign the responsibilities and authority to the BHA for the implementation of the right of first refusal and right of first offer; and

WHEREAS, Section 18(2)(a) of Article XIV of the Colorado Constitution and Section 29-1-201 of the Colorado Revised Statutes authorize and encourage local governmental entities to cooperate by contracting with one another for their mutual benefit; and

WHEREAS, the City and the BHA desire to enter into an Intergovernmental Agreement (the "IGA") relating to the assignment of the City's right of first refusal and right of first offer; and

WHEREAS, the City Council hereby finds that the assignment of the right of first refusal and the right of first offer to the BHA furthers the City's interest in providing long-term affordable housing.

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

Section 1. The IGA is hereby approved.

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

Section 3. The City Manager, upon consultation and approval of the City Attorney, is 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 DECEMBER 2025.

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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JAMES GALLAGHER, Assistant City Attorney