

**CITY MANAGER'S OFFICE MEMORANDUM
#36-2022**

DATE: June 13, 2022

TO: Honorable Mayor Meredith Leighty and City Council Members

THROUGH: Heather Geyer, City Manager *hmg*

FROM: Brook Svoboda, Director of Planning & Development
Debbie Tuttle, Director of Economic Development *DT*

SUBJECT: CR-111 – Termination of Memorandum of Understanding Between the City and Continuum Partners, LLC

PURPOSE

To consider CR-111, a resolution to terminate the Memorandum of Understanding (MOU) between the City and Continuum Partners, LLC (Continuum).

BACKGROUND

The City Council approved an MOU with Continuum on Sept. 14, 2020, to evaluate a public-private partnership to complete the vision of the Civic Center Master Plan for property totaling approximately 11.395 acres (Site). The MOU contained an Exclusive Negotiation Period that originally was set to expire on Feb. 26, 2021. Since that time the MOU has been amended four times to extend the Exclusive Negotiation Period.

The City and Continuum were unable to achieve the progress necessary to proceed forward with the proposed development of the Site. Therefore, termination of the MOU is recommended.

BUDGET/TIME IMPLICATIONS

The MOU will be terminated upon approval of the resolution and the City Manager will issue a notice of termination to Continuum. The financial impacts to the City will not exceed \$20,000 for shared engineering costs as provided in the Fourth Amendment to the MOU.

STAFF RECOMMENDATION

Staff recommends approval of CR-111.

STAFF REFERENCE

If Council members have any questions, please contact:

- Brook Svoboda, Director of Planning & Development, at bsvoboda@northglenn.org or 303.450.8937
- Debbie Tuttle, Director of Economic Development, at dtuttle@northglenn.org or 303.450.8743

CR-111 – Termination of Memorandum of Understanding Between the City and Continuum Partners, LLC

SPONSORED BY: MAYOR LEIGHTY

COUNCIL MEMBER'S RESOLUTION

RESOLUTION NO.

No. CR-111
Series of 2022

Series of 2022

A RESOLUTION TERMINATING THE MEMORANDUM OF UNDERSTANDING WITH CONTINUUM PARTNERS, LLC

WHEREAS, on September 14, 2020, the City and Continuum Partners, LLC ("**Continuum**") entered into a Memorandum of Understanding (the "**MOU**") to evaluate a public-private partnership to complete the vision of the Civic Center Master Plan ("**CCMP**") for property totaling approximately 11.395 acres (the "**Site**");

WHEREAS, the MOU contained an Exclusive Negotiation Period that originally was set to expire on February 26, 2021, and was subsequently amended through and including a Fourth Amendment to the MOU that extended the Exclusive Negotiation Period through and including July 11, 2022; and

WHEREAS, the City Council has determined that the City and Continuum were unable to achieve the progress necessary to proceed forward with the proposed development of the Site with Continuum, and the City therefore desires to terminate the MOU.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City Council hereby terminates the Memorandum of Understanding as amended through and including the Fourth Amendment thereto, and directs the City Manager to issue a Notice of Termination of the Memorandum of Understanding to Continuum.

DATED, at Northglenn, Colorado, this _____ day of _____, 2022.

MEREDITH LEIGHTY
Mayor

ATTEST:

APPROVED AS TO FORM:

JOHANNA SMALL, CMC
City Clerk

COREY Y. HOFFMANN
City Attorney