

RESOLUTION NO. R-017 - 065

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

**RESOLUTION DECLARING THE INTENT OF DOUGLAS COUNTY, COLORADO,
TO AUTHORIZE THE ASSIGNMENT OF \$10,686,700 OF THE COUNTY'S 2017
PRIVATE ACTIVITY BOND CAP ALLOCATION TO THE DOUGLAS COUNTY
HOUSING PARTNERSHIP; PROVIDE OTHER DETAILS IN CONNECTION
THEREWITH; AND PROVIDE AN EFFECTIVE DATE.**

WHEREAS, the Colorado County and Municipality Development Revenue Bond Act, constituting Title 29, Article 3 of Colorado Revised Statutes, as amended (the "Revenue Bond Act") and the Supplemental Public Securities Act, Title 11, Article 57, Part 2, Colorado Revised Statutes (C.R.S.), as amended (the "Supplemental Public Securities Act"), authorize Douglas County, Colorado (the "County"), to finance one or more housing projects to the end that residential facilities for low- and middle-income persons or families may be provided which promote the public health, welfare, safety, convenience and prosperity; and

WHEREAS, the County has received its private activity bond cap allocation in the amount of \$10,686,700 (the "2017 Allocation") for the State of Colorado and its issuing authorities computed under Section 146(d) of the Internal Revenue Code of 1986, as amended (the "Code"), and under the Colorado Private Activity Bond Ceiling Allocation Act, Title 24, Article 32, Part 17, C.R.S., as amended (the "Allocation Act"), for use in the issuance of private activity bonds; and

WHEREAS, the Douglas County Housing Partnership ("DCHP") is authorized by Section 29-1-204.5, C.R.S., as amended, the Establishing Intergovernmental Agreement for the Douglas County Multijurisdictional Housing Authority, dated March 6, 2003, as amended, by and among the City of Lone Tree, the Town of Castle Rock, the Town of Parker and Douglas County, Colorado (the "DCHP Intergovernmental Agreement") and the Supplemental Public Securities Act, to finance one or more housing projects to the end that residential facilities for low- and middle-income persons or families may be provided which promote the public health, welfare, safety, convenience and prosperity; and

WHEREAS, the County desires to assign its 2017 Allocation in the amount of \$10,686,700 to DCHP pursuant to Section 24-32-1706 of the Allocation Act, to be used to issue bonds to finance the acquisition and rehabilitation or new construction of residential facilities for low- and middle-income families and persons pursuant to Section 29-1-204.5, C.R.S., as amended, the DCHP Intergovernmental Agreement and the Supplemental Public Securities Act; and

WHEREAS, the Board of County Commissioners (the "Board") desires to enter into the Assignment of Allocation (the "Assignment of Allocation") with DCHP to assign the 2017 Allocation to DCHP; and

WHEREAS, the proposed form of the Assignment of Allocation has been presented to the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, COLORADO, THAT:

Section 1. The County hereby authorizes the assignment of the 2017 Allocation to DCHP

(the "Assignment") and the execution and delivery of the Assignment of Allocation by and between the County and DCHP, attached hereto and incorporated herein, to be dated the date of this Resolution (the "Assignment of Allocation").

Section 2. The Board hereby finds, determines, recites and declares that the Assignment of the 2017 Allocation will promote the public purposes set forth in the Act, including, without limitation, assisting persons or families of low- and middle-income in obtaining decent, safe and sanitary housing.

Section 3. The Board hereby finds, determines, recites and declares the County's intent that this Resolution constitutes an official intention of the County to assign the 2017 Allocation to DCHP.

Section 4. All actions not inconsistent with the provisions of this Resolution heretofore taken by the Board or any officer or employee of the County in furtherance of the Assignment are hereby ratified, approved and confirmed.

Section 5. All prior acts, orders or resolution, or parts thereof, of the County in conflict with this Resolution are hereby repealed, except that this repealer shall not be construed to revive an act, order or resolution, or part thereof, heretofore repealed.

Section 6. If any section, paragraph, clause or provision of this Resolution shall be adjudged to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or revision shall not affect any of the remaining sections, paragraphs, clauses or provisions of this Resolution.

Section 7. All bylaws, orders or resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent only of such inconsistency, and, if so repealed, no other bylaw, order or resolution, or part thereof, shall be revived.

Section 8. This Resolution shall take effect immediately upon its adoption.

INTRODUCED AND ADOPTED at a regular meeting of the Board of County Commissioners on September 12, 2017.

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

BY:



ROGER A. PARTRIDGE, Chair

ATTEST:



EMILY WRENN, Deputy

