

RESOLUTION NO. 2023-109

A RESOLUTION AUTHORIZING THE TOWN MANAGER TO FILE AN AFFORDABLE HOUSING COMMITMENT WITH THE COLORADO DEPARTMENT OF LOCAL AFFAIRS PURSUANT TO PROPOSITION 123 AND ACKNOWLEDGING THE TOWN'S COMMITMENT TO WORK COLLABORATIVELY WITH OTHER DOUGLAS COUNTY LOCAL GOVERNMENTS TO MEET AFFORDABLE HOUSING GOALS

WHEREAS, the Town of Castle Rock (the "Town") is a home rule municipal corporation, organized and existing under Article XX, Section 6 of the Colorado Constitution; and

WHEREAS, at the statewide general election in 2022, Colorado voters approved the enactment of Title 29, Article 32, C.R.S., which creates new affordable housing programs and funding sources, such as grants and loans, for local governments and nonprofit affordable housing developers to access through the State Affordable Housing Fund ("Proposition 123"); and

WHEREAS, Section 29-32-105, C.R.S., requires the governing body of a local government that desires funding available under Proposition 123 to make and file with the Colorado Department of Local Affairs, by no later than November 1, 2023, a commitment specifying how the combined number of newly-constructed affordable housing units and existing units converted to affordable housing within its boundaries will be increased by three percent each year over the baseline number of affordable housing units within its boundaries by December 31, 2026 ("Proposition 123 Commitment"); and

WHEREAS, Section 29-32-105(3)(d)(II), C.R.S., encourages regional partnerships among local governments by enabling local governments to enter into written agreements that allow them to work collaboratively to meet their affordable housing development goals and commitments; and

WHEREAS, the Town Council has expressed its desire to collaborate with other Douglas County local governments, including the City of Lone Tree, the Town of Parker, the City of Castle Pines, and Douglas County, through execution of an intergovernmental agreement that will memorialize the method of distributing affordable housing development credits above baseline levels; and

WHEREAS, the Town Council further desires to authorize the Town Manager or the Manager's designee to prepare and file a Proposition 123 Commitment on behalf of the Town and to take any necessary steps in furtherance of the Commitment; provided, however, that no such action undertaken by the Town Manager or the Manager's designee shall limit the authority vested in the Town Council with respect to land use matters under the Castle Rock Home Rule Charter and Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CASTLE ROCK, COLORADO:

Section 1. Legislative Declaration. The foregoing recitals are incorporated herein by reference as findings and determinations of the Town Council.

Section 2. Authorization. The Town Council hereby authorizes the Town Manager or the Manager's designee to:

- (i) Prepare and file a Proposition 123 Commitment on behalf of the Town by November 1, 2023;
- (ii) Take all such steps that are consistent with the direction of Town Council and necessary to become eligible for and access Proposition 123 funding; and
- (iii) Work with other Douglas County local governments to establish parameters of an intergovernmental agreement to memorialize their commitment to increase affordable housing units and to establish a method of distributing affordable housing credits in excess of their respective baseline commitments;

provided, however, that no such action undertaken by the Town Manager or the Manager's designee shall limit the authority vested in the Town Council with respect to land use matters under the Castle Rock Home Rule Charter and Municipal Code.

PASSED, APPROVED, AND ADOPTED on first and final reading this ____ day of _____, 2023, by the Town Council of the Town of Castle Rock by a vote of ____ for and ____ against.

ATTEST:

TOWN OF CASTLE ROCK

Lisa Anderson, Town Clerk

Jason Gray, Mayor

Approved as to form:

Approved as to content:

Michael J. Hyman, Town Attorney

Tara Vargish, Director of Development Services