



**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY
RESOLUTION NO. 2024- 44**

**A RESOLUTION DIRECTING WORKFORCE HOUSING LINKAGE FEE REVENUES TO
THE GUNNISON COUNTY HOUSING AUTHORITY**

WHEREAS, Gunnison County, Colorado (“County”), is a duly organized and existing county, created and established by Article XIV, Section 1 of the Colorado Constitution and C.R.S. § 30-5-129, and empowered to hold and transfer title to real property pursuant to C.R.S. §§ 30-11-101(b) and (c), 30-11-102 and other applicable law.

WHEREAS, the Gunnison County Housing Authority (“CHA”) is a county housing authority created and operating under the Constitution and laws of the State of Colorado, particularly C.R.S. § 29-4-501 *et seq.*;

WHEREAS, the Gunnison County Board of County Commissioners (“Board”) first authorized the creation of the CHA by Resolution Nos. 1979-33 and 1979-34;

WHEREAS, the current and operating CHA was formed on August 17, 1982, pursuant to the Certificate of Formation of the Gunnison County Housing Authority, said Certificate being accepted by the Colorado Division of Housing on August 18, 1982;

WHEREAS, pursuant to C.R.S. § 29-4-503 and the foregoing resolutions and Certificate, CHA was duly created upon a finding by the Board that there is a shortage of decent, safe, and sanitary housing in the County, and the foregoing Certificate evidenced this finding by the Board;

WHEREAS, by Resolution No. 2006-44, as amended, the Board enacted a workforce housing linkage fee due to the shortage of housing within the County, and further provided for its collection and accounting;

WHEREAS, by Resolution No. 2006-44, the Board directed that the workforce housing linkage fee revenues be used exclusively for essential housing, including but not limited to the costs of administering programs related to essential or affordable housing;

WHEREAS, the Board finds that the mission of CHA is consistent with the purposes of the workforce housing linkage fee, such that it is both necessary and proper to direct workforce housing linkage fee revenues to CHA in order to promote and fulfill CHA’s purpose;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado that:

1. The foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board.



2. The revenues collected and accounted for from the Workforce Housing Impact Fee or workforce housing linkage fee, and all interest earned on such revenues as contained in and collected in the Workforce Housing Impact Fee account, shall be directed to the CHA, for at least as long as any and all indebtedness of CHA related to any pending or future workforce or affordable housing project or expense is paid in full, including but not limited to any bonds, notes or other financial guarantees, further including but not limited to CHA's General Revenue Bonds (Whetstone Housing Project), Series 2024.

3. Nothing in this Resolution shall be construed to afford any person or entity any cause of action against the County or any of its officials, officers, employees, agents or attorneys, nor create any intended or incident third-party beneficiaries.

4. All other orders, instructions, motions and resolutions, or parts thereof, inconsistent with this Resolution are hereby repealed to the extent only of such inconsistency. This paragraph shall not be construed to revive or revise any ordinance, motion, order, or resolution, or part thereof, heretofore repealed. To the extent any ambiguity exists between any ordinance, resolution, motion, order, statement or instruction by the Board, whether existing before or after passage of this Resolution, this Resolution shall control. No statement or writing by any Board member, whether in a meeting of the Board or not, shall purport to amend, alter, supplement or override the express terms of this Resolution, and no such statement or writing may be relied upon by any person in relation to this Resolution.

5. If any section, subsection, paragraph, clause or other provision of this Resolution for any reason is held to be invalid or unenforceable, the invalidity or unenforceability of such section, subsection, paragraph, clause or other provision shall not affect any of the remaining provisions of this Resolution, the intent being that the same are severable.

6. This Resolution shall be in full force and take effect immediately upon its passage and approval, and if approved shall, to the fullest extent permitted by law, apply retroactively and *nunc pro tunc*, and shall remain in effect unless and until repealed or amended by subsequent Resolution; provided, however that this Resolution cannot be repealed until all indebtedness of CHA paid from amounts described in paragraph 2 hereof are paid in full.

INTRODUCED by Commissioner Puckett Daniels, seconded by Commissioner Smith, and adopted this 19th day of November 2024.

**BOARD OF COUNTY COMMISSIONERS
OF GUNNISON COUNTY, COLORADO**

By


Jonathan Houck, Chairperson

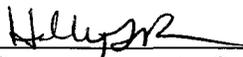
By


Elizabeth Smith, Vice-Chairperson

By


Laura Puckett Daniels, Commissioner

Attest:


Deputy County Clerk

