



**GUNNISON COUNTY HOUSING AUTHORITY  
RESOLUTION NO. 2025- 005**

**A RESOLUTION EXPRESSING THE HOUSING AUTHORITY'S INTENT TO ACCEPT THE TRANSFER AND ASSUMPTION OF CERTAIN ASSETS, LIABILITIES AND FUNCTIONS OF THE GUNNISON VALLEY HOUSING AUTHORITY AND DELEGATING TO THE EXECUTIVE SECRETARY OF THE GUNNISON COUNTY HOUSING AUTHORITY THE AUTHORITY TO NEGOTIATE AND EXECUTE ALL CONTRACTS, AGREEMENTS, AND OTHER DOCUMENTS AND TO TAKE ALL NECESSARY AND PROPER ACTIONS RELATED TO THIS RESOLUTION AND RATIFYING ALL PREVIOUS ACTIONS THERETO**

**WHEREAS**, the Gunnison County Housing Authority ("GHA") 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 ("County") first authorized the creation of the GHA by Resolution Nos. 1979-33 and 1979-34;

**WHEREAS**, the current and operating GHA 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**, the GHA is authorized pursuant to C.R.S. § 29-4-505 to "make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the authority", to "to exercise any of the public powers granted to city housing authorities" and to "do all acts and things necessary or convenient to carry out the powers" of the GHA;

**WHEREAS**, the Gunnison Valley Regional Housing Authority ("GVRHA") is a Colorado multijurisdictional housing authority organized pursuant to C.R.S. § 29-1-204.5;

**WHEREAS**, Pursuant to the provisions of Section 18 of Article XIV of the Colorado Constitution and C.R.S. § 29-1-203, on July 10, 2012, the County, the City of Gunnison, the Town of Crested Butte, and the Town of Mt. Crested Butte entered into an Intergovernmental Agreement establishing the GVRHA;

**WHEREAS**, the foregoing governmental entities are signatories to the Fourth Amended and Restated Intergovernmental Agreement, which currently governs the affairs of the Authority;

**WHEREAS**, GVRHA desires to engage in an orderly transfer of assets, liabilities, contractual obligations, management responsibilities, including the provision of certain enumerated services heretofore provided by GVRHA, from GVRHA to the GHA;

**WHEREAS**, pursuant to its bylaws first adopted by Gunnison County Resolution No.



1979-34 and C.R.S. § 29-4-504(5), the GHA Board has appointed the County Manager to act as the Executive Secretary of GHA;

**WHEREAS**, pursuant to its bylaws and C.R.S. § 29-4-504(5), the GHA Board “may delegate to one or more of its agents or employees such powers or duties as it may deem proper[;]”

**WHEREAS**, pursuant but not limited to the foregoing authorities, the GHA Board is authorized and empowered by the laws of the State of Colorado to ratify and confirm past acts and decisions of the Executive Secretary and other agents, officers and employees of GHA;

**WHEREAS**, the GHA Board affirms its authority to retroactively approve and ratify actions taken by the Executive Secretary in the best interest of GHA as well as to further formalize all past delegations of authority to the Executive Secretary and other County officers and employees by the GHA Board;

**WHEREAS**, the Executive Secretary and the GHA Board anticipate that the Executive Secretary will be required to execute agreements and contracts with GVRHA and other persons or entities and take such additional and appropriate steps to facilitate the orderly transfer of assets, liabilities, contractual obligations, management responsibilities, including the provision of certain enumerated services heretofore provided by GVRHA, from GVRHA to the GHA;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of the Gunnison County Housing Authority (“Board”) that

1. The foregoing recitals are incorporated herein by reference and adopted as findings and determinations of the Board.
2. The Board hereby expresses its desire and intent to assume certain functions, including the obligation to provide certain services, previously performed by the GVRHA, and to accept the conveyance(s) and assignment(s) all of GVRHA’s assets and liabilities, subject to the terms of agreement(s) negotiated and executed between GVRHA and GHA and any necessary third parties.
3. The Board hereby delegates to the Executive Secretary, who is also the County Manager, or his or her designee, the authority to take all acts and negotiate and execute all contracts, agreements and other such documents necessary to effectuate the intent and purpose of this Resolution; including not limited to opening all necessary and appropriate deposit, operating, reserve and other financial accounts.
4. All actions heretofore taken and not expressly inconsistent with the provisions of this Resolution by the Board or the officials, officers, agents or employees of the County, including but not limited to the Executive Secretary, relating to the intent and purpose of this Resolution are hereby ratified, approved and confirmed *nunc pro tunc*.



5. The Executive Secretary, and other employees and officials of Gunnison County are hereby authorized and directed on behalf of GHA to execute and deliver for and on behalf of the County any and all additional certificates, documents and other papers, and to perform all other acts that they may deem necessary or appropriate in order to implement and carry out the transactions and other matters authorized by this Resolution. The approval hereby given to the various documents referred to above includes an approval of such additional details therein as may be necessary and appropriate for their completion, deletions therefrom and additions thereto as may be approved by the Executive Secretary prior to the execution of the documents, except that all such documents shall be provided to the County Attorney or his or her designee, or other counsel for the GHA, for review for legal sufficiency prior to execution. The execution of any instrument by the appropriate officers of GHA herein authorized shall be conclusive evidence of the approval by GHA of such instrument in accordance with the terms hereof.

6. Nothing in the resolution shall be construed to afford any person or entity any cause of action against GHA, Gunnison County, or any of their respective officials, officers, employees, agents or attorneys, nor create any intended or incident third-party beneficiaries.

7. All 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 GHA 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.

8. 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.

9. This Resolution shall be in full force and take effect immediately upon its passage and approval, and shall remain in effect unless and until repealed or amended by subsequent Resolution.

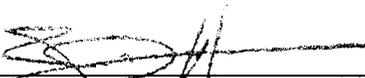
**INTRODUCED** by Commissioner Houck, seconded by Commissioner Smith, and adopted this day of 16<sup>th</sup> day of December, 2025.



**GUNNISON COUNTY HOUSING  
AUTHORITY**

By   
Laura Puckett Daniels, Chairperson

By   
Elizabeth Smith, Vice-Chairperson

By   
Jonathan Houck, Commissioner

Attest:

  
Deputy County Clerk

