

## RESOLUTION NO. 61-21

### AUTHORIZING ASSIGNMENT TO THE COLORADO HOUSING AND FINANCE AUTHORITY OF A PRIVATE ACTIVITY BOND ALLOCATION OF GRAND JUNCTION, COLORADO IN SUPPORT OF THE MONUMENT RIDGE TOWNHOMES REHABILITATION PROJECT

#### RECITALS:

The City of Grand Junction, Colorado ("City") is authorized and empowered under the laws of the State of Colorado ("State") to issue revenue bonds for the purpose of financing qualified residential rental projects for low and moderate income persons and families. The City is also authorized and empowered to issue revenue bonds for the purpose of providing single-family mortgage loans to low and moderate-income persons and families.

The Internal Revenue Code of 1986, as amended ("Code") restricts the amount of tax-exempt bonds ("Private Activity Bonds") which may be issued in the State to provide such mortgage loans and for certain other purposes and pursuant to the Code, the State adopted the Colorado Private Activity Bond Ceiling Allocation Act, C.R.S. 24-32-1701 *et. seq.* (the "Allocation Act") providing for the allocation of the ceiling among the Colorado Housing and Finance Authority ("Authority") and other governmental units in the State, and further providing for the assignment of such allocations from such other governmental units to the Authority.

Pursuant to an allocation under §24-32-1706 of the Allocation Act the City has an allocation of the 2021 Ceiling for the issuance of a specified principal amount of Private Activity Bonds (the "2021 Allocation.") The City has determined that, in order to increase the availability of adequate affordable housing for low and moderate income persons and families it is necessary or desirable to provide for the utilization of all or a portion of the 2021 Allocation for the use of the Treadstone Companies and Monfric Development for the purpose of financing the Monument Ridge Townhomes Rehabilitation Project in Grand Junction, Colorado ("Project.")

With the Resolution the City has determined that the 2021 Allocation can be utilized most efficiently by assigning it to the Authority to issue Private Activity Bonds for the purpose of financing the Project which will provide housing for low and moderate income persons and families.

In the event the Project is not developed the City assigns its Private Activity Bonds for the purpose of providing single-family mortgage loans to low and moderate-income persons and families ("Revenue Bonds") or for the issuance of mortgage credit certificates.

By, through and with this Resolution the City Council of the City of Grand Junction, Colorado has determined to assign \$3,598,862.00 of its 2021 Allocation to the Authority for the purposes of the Project, which assignment is to be evidenced by an Assignment of Allocation between the City and the Authority (the "Assignment of Allocation").

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The assignment to the Authority of \$3,598,862.00 of the City's 2021 Allocation is hereby approved for the Project or in the event the Project does not come to fruition for use in CHFA's single family homeownership program for homebuyers in Grand Junction, Colorado.

2. The form and substance of the Assignment of Allocation are hereby approved; provided, however, that the City Manager and City Attorney are authorized to make such technical variations, additions or deletions in or to such Assignment of Allocation as they shall deem necessary or appropriate and not inconsistent with the approval thereof by this resolution.

3. The City Manager is authorized to execute and deliver the final form of the Assignment of Allocation on behalf of the City and to take such other steps or actions as may be necessary, useful or convenient to effect the aforesaid assignment in accordance with the intent of this resolution.

4. If any section, paragraph, clause, or provision of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this resolution.

5. This resolution shall be in full force and effect upon its passage and approval.

PASSED, ADOPTED AND APPROVED this 4<sup>th</sup> day of August 2021.

CITY COUNCIL OF THE CITY OF GRAND JUNCTION

  
\_\_\_\_\_  
C.B. McDaniel  
President of the Council

ATTEST:  
  
\_\_\_\_\_  
Wanda Winkelmann  
City Clerk

