

**CITY OF CASTLE PINES  
RESOLUTION NO. 23-43**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES,  
COLORADO AUTHORIZING THE CITY MANAGER TO FILE AN AFFORDABLE  
HOUSING COMMITMENT WITH THE COLORADO DEPARTMENT OF LOCAL  
AFFAIRS PURSUANT TO PROPOSITION 123 AND STATE LAW AND  
ACKNOWLEDGING THE CITY'S COMMITMENT TO A REGIONAL PARTNERSHIP  
WITH DOUGLAS COUNTY JURISDICTIONS TO MEET  
AFFORDABLE HOUSING GOALS**

**WHEREAS**, the City of Castle Pines, Colorado ("City") is a home rule municipality, organized and existing under Article XX, Section 6 of the Colorado Constitution; and

**WHEREAS**, the City Council desires to promote and facilitate affordable housing in the City; and

**WHEREAS**, at the Colorado general election in 2022, voters approved Proposition 123 through enactment of a new article 32 to title 29 of the Colorado Revised Statutes, which created new affordable housing programs and funding sources, such as grants and loans to local governments and nonprofit affordable housing developers through the creation of the State Affordable Housing Fund using 0.1% of state income tax revenue ("Prop 123"); and

**WHEREAS**, C.R.S. Section 29-32-105, C.R.S., requires a governing body of a local government that desires funding available under Prop 123 to make and file with the Colorado Department of Local Affairs, 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 ("Prop 123 Commitment"); and

**WHEREAS**, C.R.S. Section 29-32-105(3)(d)(II) 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 City Council has expressed its desire to collaborate with Douglas County jurisdictions through execution of an intergovernmental agreement ("IGA") that will memorialize the method of distributing affordable housing development credits above baseline levels; and

**WHEREAS**, the City Council further desires to authorize the City Manager or his designee to prepare and file a Prop 123 Commitment on behalf of the City and to take all steps necessary to become eligible for and access Prop 123 funding.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CASTLE PINES, COLORADO, THAT:**

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

Section 2. The City Council hereby authorizes the City Manager or his designee to: (a) prepare and file a Prop 123 Commitment on behalf of the City by November 1, 2023; (b) take all such steps that are consistent with the direction of City Council and necessary to become eligible for and access Prop 123 funding; and (3) work with Douglas County jurisdictions to establish parameters of an IGA 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, and to present such IGA to City Council for approval.

Section 3. This Resolution is effective upon adoption.

**INTRODUCED, READ, AND ADOPTED AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF CASTLE PINES BY A VOTE OF 7 IN FAVOR AND 0 AGAINST THIS 12<sup>th</sup> DAY OF SEPTEMBER, 2023.**

  
Tracy Engerman (Sep 20, 2023 14:46 MDT)

Tracy Engerman, Mayor



ATTEST:

APPROVED AS TO FORM:



Tobi Duffey, MMC, City Clerk



Linda C. Michow, City Attorney