

**A RESOLUTION AUTHORIZING AND APPROVING PARTICIPATION BY
THE CITY OF COMMERCE CITY IN THE METRO MORTGAGE
ASSISTANCE PLUS PROGRAM AND AUTHORIZING THE EXECUTION
OF THE DELEGATION AND PARTICIPATION AGREEMENT AND
OTHER RELATED DOCUMENTS**

RESOLUTION NO. 2019-25

WHEREAS, the State of Colorado (“State”) Constitution Article XIV, Section 18(2)(a) provides that nothing in the Constitution shall prohibit any of the State’s political subdivisions from cooperating with one another to provide any service lawfully authorized to each of the cooperating units;

WHEREAS, the City and County of Denver, Colorado (“Denver”) is authorized pursuant to its Home Rule Charter to promote the financing of mortgage loans for low- and moderate-income persons or families intended for use as the sole place of residence by the owners or intended occupants thereof;

WHEREAS, Denver sponsors the Metro Mortgage Assistance Plus Program to provide competitive mortgage loans that will be coupled with down payment and closing cost assistance in connection with financing mortgage loans for low- and moderate- income persons or families intended for use as the sole place of residence by the owners or intended occupants thereof (“Program”);

WHEREAS, Denver has invited the City of Commerce City, Colorado (“City”) to participate in the Program;

WHEREAS, the City has the full legal authority to participate in the Program pursuant to its Home Rule Charter and the general powers granted to it in Title 29, Article 1, Section 203 of the Colorado Revised Statutes, as amended; and Title 31, Article 15, Section 101 *et seq.*, Colorado Revised Statutes, as amended (collectively, “Act”); and

WHEREAS, the City desires to authorize Denver to offer the Program within the City’s boundaries;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY AS FOLLOWS:**

Section 1. In order to benefit the residents of the City, the City Council authorizes and approves its participation in the Program in connection with the financing of mortgage loans for low- and moderate-income families or persons intended for use as the sole place of residence by the owners or intended occupants thereof, and the City authorizes Denver to offer the Program, as set forth in the Delegation and Participation Agreement attached hereto as Exhibit A.

Section 2. The Mayor is hereby authorized and directed to execute and deliver and the City Clerk is hereby authorized and directed to attest and deliver the Delegation and Participation Agreement attached hereto as Exhibit A and such other agreements and certificates and to take such other actions as may be necessary or convenient to carry out and give effect to the City's participation in the Program.

Section 3. Nothing contained in this Resolution or the Assignment shall constitute a debt, indebtedness or multiple-fiscal year direct or indirect debt or other financial obligation of the City within the meaning of the Constitution or statutes of the State of Colorado or the home rule charter of any political subdivision thereof, nor give rise to a pecuniary liability of the City or a charge against its general credit or taxing powers.

Section 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 any such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

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

PASSED AND RESOLVED THIS 4TH DAY OF MARCH 2019.

CITY OF COMMERCE CITY, COLORADO

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, MMC, City Clerk