

**TOWN OF ERIE
RESOLUTION NO. 20-__**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
ERIE APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH
WELD COUNTY FOR THE CDBG ENTITLEMENT PROGRAM**

WHEREAS, in 1974 the U.S. Congress enacted the Housing and Community Development Act of 1974 (the "Act") thereby permitting and providing for the participation of the Federal government in a wide range of local housing and community development activities and programs, which activities and programs are administered by the U.S. Department of Housing and Urban Development ("HUD");

WHEREAS, the primary objective of Title I of the Act is the development of viable urban communities by providing decent housing and a suitable living environment and the expansion of economic opportunities, mainly for persons of low and moderate-income. This objective is to be accomplished by providing financial assistance in the form of block grant funds to state and local governments for the conduct and administration of housing and community development activities and programs as contemplated under the Act via the Community Development Block Grant ("CDBG") program;

WHEREAS, HUD rules and regulations governing the CDBG Program, as published in 24 C.F.R., Volume 3, Subtitle B, Chapter V, Part 570 (the "CDBG Regulations"), provide that a county must qualify as an "Urban County," as defined therein, and submit to HUD an annual request for funding in the form of a 3 year Consolidated Plan (the "Consolidated Plan") and an Annual Action Plan ("AAP") or a 3 year Consolidated Plan with an Annual Action Plan component ("CPAAP");

WHEREAS, the municipalities and other units of local government within an Urban County may be included in the Urban County by intergovernmental or cooperative agreement and may thereby be included in the Urban County's CDBG Program;

WHEREAS, Weld County wishes to obtain Urban County classification for the next three successive fiscal years 2021 -2023 and future years;

WHEREAS, rules and regulation to qualify or re-qualify as an Urban County are published annually and the notice for the Federal fiscal years 2020-2022 are published in HUD Notice CPD-19-04, "Instructions for Urban County Qualification for Participation in the Community Development Block Grant (CDBG) Program for Fiscal Years (FYs) 2020-2022"; and

WHEREAS, Weld County does not have independent legal authority to conduct some kinds of community development and housing assistance activities within the boundaries of Erie and, therefore, its ability to conduct the CDBG Program in Erie is limited, so for Erie to be considered a part of the Urban County and be included in Weld County's annual requests to HUD for CDBG Program funds, CDBG regulations require Erie and Weld County enter into a cooperation agreement wherein Erie authorizes and agrees to cooperate with Weld County to undertake or to assist in the undertaking of essential community development and housing

assistance activities within the boundaries of Erie, as may be approved by Erie and approved and authorized in Weld County's annual grant agreements with HUD;

WHEREAS, pursuant to Colo. Const. Art. XIV, § 18 and C.R.S. § 29-1-203, as amended, Weld County and Erie are expressly authorized to cooperate and contract with each other for any function, service, or facility lawfully authorized to each; and

WHEREAS, Erie and Weld County have determined it would be mutually beneficial and in the public interest to enter into an Intergovernmental Agreement through which Erie will be considered a "Participating Jurisdiction" and shall be eligible to participate in the County's CDBG programs for the County's qualification period.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:

Section 1. Approval. The Board of Trustees hereby approves the proposed Intergovernmental Agreement with Weld County.

ADOPTED this 12th day of May, 2020.

Jennifer Carroll, Mayor

ATTEST:

Heidi Leatherwood, Town Clerk