

RESOLUTION 2018-044
OF THE COUNCIL OF THE CITY OF FORT COLLINS
CONFIRMING AND APPROVING THE APPOINTMENT OF ANDY SMITH TO THE
BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL
AUTHORITY AS PROVIDED IN COLORADO'S URBAN RENEWAL LAW

WHEREAS, on January 5, 1982, City Council adopted Resolution 1982-010 establishing within the City of Fort Collins, Colorado (the "City") the Fort Collins Urban Renewal Authority (the "Authority") and designating the Council to serve as the Authority's Board of Commissioners (the "URA Board"); and

WHEREAS, the laws governing the creation, powers and governance of urban renewal authorities are in Colorado's "Urban Renewal Law" in Part 1 of Article 25 of Title 31 of the Colorado Revised Statutes (the "Act"); and

WHEREAS, Sections 31-25-104 and 31-25-107 of the Act were amended in 2015 and 2017, respectively, by the Colorado General Assembly to provide that when the adoption of a new urban renewal plan is being considered on or after January 1, 2016, the membership on the board of commissioners of the affected urban renewal authority is to be increased to include at least three, and potentially four, additional commissioners; and

WHEREAS, one commissioner is to be appointed by the board of county commissioners of the county in which the territorial boundaries of the urban renewal authority area are located, the second commissioner is to be a board member of a special district selected by agreement of the special districts levying a mill levy within the boundaries of the urban renewal authority area and the third commissioner is to be an elected member of a board of education of a school district levying a mill levy within the boundaries of the urban renewal authority area; and

WHEREAS, if these three new appointments cause the authority's board to have an even number of commissioners, the mayor of the municipality that has created the urban renewal authority is to appoint a fourth commissioner to restore an odd number of commissioners to the authority's board; and

WHEREAS, a new urban renewal plan is being proposed for properties located at and near the College Avenue and Drake Road intersection, the approval of which will require, among other things, that the URA Board first commission a blight study of the proposed plan area and that the City Council conduct a public hearing to make the blight determination required by the Act before the new plan can be approved by Council (the "New URA Plan"); and

WHEREAS, before either of these actions can be taken, the Act requires that the membership on the URA Board be expanded to include an appointment by the Larimer County Board of Commissioners (the "County Appointment"), a joint appointment by the Poudre School District and the Thompson School District (the "School District Appointment") and an agreed appointment by all of the special districts levying property taxes within the Authority's boundaries (the "Special District Appointment"); and

WHEREAS, since these three new appointments will increase URA Board membership to ten, an even number, the Act requires the City's Mayor to appoint another new commissioner to the URA Board to restore the Board's membership to an odd number; and

WHEREAS, the City Council has previously adopted Resolution 2015-105 setting out a process to follow for the Mayor's appointment to the URA Board under which the Mayor and one other councilmember are to interview candidates and make an appointment recommendation to Council for its approval by resolution; and

WHEREAS, the candidate interviews under this process have been completed by Mayor Wade Troxell and Councilmember Kristin Stephens and they recommend that Andy Smith be appointed to the URA Board; and

WHEREAS, Mayor Troxell also intends that this recommendation is his appointment of Andy Smith to the serve on the URA Board as provided in the Act; and

WHEREAS, the City Code provisions governing the Authority are in Division 4 in Article IV of City Code Chapter 2 (the "URA Code"); and

WHEREAS, contemporaneous with City Council's consideration of this Resolution, Council is considering on first reading Ordinance No. 061, 2018, to repeal and reenact the URA Code to provide, among other things, for the new membership on the URA Board now required by the Act, including the Mayor's appointment to restore the membership of the URA Board to an odd number and that such appointment shall be for a four-year term (the "URA Ordinance").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:


Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That Mayor Troxell's appointment of Andy Smith to serve as a commissioner on the URA Board, as also recommended by Councilmember Stephens, is hereby confirmed and approved by the City Council. Mr. Smith's appointment shall be effective on and his term of office shall run from the effective date of the URA Ordinance.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 1st day of May, A.D. 2018.


Mayor

ATTEST:


City Clerk

