

AGENDA ITEM SUMMARY
FORT COLLINS CITY COUNCIL

ITEM NUMBER: 13

DATE: March 21, 2006

STAFF: Ken Waido

SUBJECT

First Reading of Ordinance No. 048, 2006, Amending Chapter 2, Article IV of the City Code by the Addition of a New Division 4 Regarding the Urban Renewal Authority.

RECOMMENDATION

Staff recommends adoption of the Ordinance on First Reading.

EXECUTIVE SUMMARY

Chapter 2, Article IV of the City Code currently lists the "Authorities of the City" as differentiated from the listing of City "Boards and Commissions" contained in Chapter 2, Article III of the Code. Authorities of the City have different legal status, roles, responsibilities, and powers that go beyond those of the City Boards and Commissions. On February 20, 2001, the Council adopted Ordinance No. 026, 2001, creating a new Article IV of the City Code pertaining to Authorities of the City and included the Downtown Development Authority (DDA) and the Fort Collins Housing Authority (FCHA) in the listing of Authorities. The DDA, created by an ordinance of the Council, is a separate corporate entity from the City. The FCHA, established by the Council in the manner provided by state statute, is a body both corporate and politic and is a separate legal entity from the City. Likewise, the Urban Renewal Authority (URA), established by the Council in the manner provided by state statute is also a separate "body politic." Therefore, staff believes the URA should be added to the listing of Authorities contained in Chapter 2, Article IV of the City Code.

ORDINANCE NO. 048, 2006
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 2, ARTICLE IV BY THE ADDITION
OF A NEW DIVISION 4 REGARDING THE URBAN RENEWAL AUTHORITY

WHEREAS, Chapter 2, Article IV of the Code of the City sets forth a listing and certain regulations regarding the authorities of the City; and

WHEREAS, the Urban Renewal Authority, having been a long-established authority of the City, should be included in the list of authorities as contained in Chapter 2, Article IV.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS that Chapter 2, Article IV of the Code of the City of Fort Collins is hereby amended by the addition of a new Division 4, to read as follows:

DIVISION 4. URBAN RENEWAL AUTHORITY

Sec. 2-480. Creation.

There has been created and established pursuant to Title 31, Article 25, Part 1, C.R.S. an Urban Renewal Authority, hereafter referred to in this Division as the "Authority."

Sec. 2-481 Membership; term.

(a) Members of the board of commissioners of the Authority shall be appointed by the Mayor in accordance with the provisions contained in Title 31, Article 25, Part 1, C.R.S.

(b) Terms of office, appointments, removals and the filling of vacancies of Authority board members shall be established and governed as set forth in Title 31, Article 25, Part 1, C.R.S.

Sec. 2-482 Jurisdiction.

The Authority shall exercise its powers within the boundaries of the Urban Renewal Authority, which boundaries shall be the same as the boundaries of the City of Fort Collins, and shall also exercise its powers within any of the urban renewal plan areas that are located within the boundaries of the authority.

Sec. 2-483 Conflicts of interest.

The officers and employees of the Authority shall be governed by the applicable state statutory rules of ethical conduct and said persons shall be expressly exempted from the provisions of Article IV, Section 9 of the Charter.

Sec. 2-484 Functions.

The Authority shall be a body corporate with all the purposes and powers authorized by Title 31, Article 25, Part 1, C.R.S., and all additional and supplemental powers necessary or convenient to carry out and effectuate the purposes and provisions of said statutes.

Sec. 2-485 Minutes

The Authority shall take and file minutes in accordance with the requirements of § 2-73 of this Code.

Introduced, considered favorably on first reading, and ordered published this 21st day of March, A.D. 2006, and to be presented for final passage on the 4th day of April, A.D. 2006.

Mayor

ATTEST:

City Clerk

Passed and adopted on final reading on the 4th day of April, A.D. 2006.

Mayor

ATTEST:

City Clerk