

RESOLUTION NO. 08, SERIES 2017

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF LEADVILLE, COLORADO
FINDING AND DECLARING THERE IS A NEED FOR AN URBAN RENEWAL
AUTHORITY**

WHEREAS, a petition with the signatures of at least twenty-five (25) registered electors within the City of Leadville (“City”) was filed with the City Clerk setting forth that there is a need for an urban renewal authority to function in the City; and

WHEREAS, Part 1 of Article 25 of Title 31, Colorado Revised Statutes (the “Urban Renewal Law”) provides for the creation and operation of an urban renewal authority to function in the City; and

WHEREAS, on April 18, 2017, a full opportunity to be heard was granted to all residents and taxpayers of the City and to all other interested persons at a public hearing held before the City Council on the issue of whether the City Council should find that one or more slum or blighted areas exist in the City, and that the acquisition, clearance, rehabilitation, conservation, development, or redevelopment, or a combination thereof of such area is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City, and whether the City Council should declare it to be in the public interest that an urban renewal authority for the City be created; and

WHEREAS, pursuant to Section 31-25-104(1)(a), C.R.S., notice of a hearing to consider the need for an urban renewal authority in the City was duly published in *The Herald Democrat*, a newspaper having a general circulation in the City, which publication occurred at least ten days preceding the date of the hearing; and

WHEREAS, the City Council finds that one or more blighted areas exist within the City, and that the acquisition, clearance, rehabilitation, conservation, development, or redevelopment, or a combination thereof, is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City; and

WHEREAS, in accordance with the Urban Renewal Law, the City Council is desirous of creating an urban renewal authority to be designated within ninety (90) days of the adoption of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEADVILLE, COLORADO:

Section 1. The foregoing recitals are incorporated herein by reference.

Section 2. Pursuant to Sections 31-25-104(1)(b), C.R.S., and based upon evidence presented at the public hearing of April 18, 2017, the City Council hereby declares it to be in the

public interest that an urban renewal authority for the City be created to exercise the powers provided in the Urban Renewal Law.

Section 3. In particular, the City Council finds and declares that there are one or more blighted areas existing within the boundaries of the City (collectively, the “Blighted Area”):

- a. In its present condition and use, the Blighted Area:
 1. Substantially impairs or arrests the sound growth of the City, retards the provision of housing accommodations, or constitutes an economic or social liability; and
 2. Is a menace to the public health, safety, morals or welfare of the residents of the City; and
- b. At least four (4) of the following factors exist within the Blighted Area:
 1. Slum, deteriorated, or deteriorating structures;
 2. Predominance of defective or inadequate street layout;
 3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
 4. Unsanitary or unsafe conditions;
 5. Deterioration of site or other improvements;
 6. Unusual topography or inadequate public improvements or utilities;
 7. Defective or unusual conditions of title rendering the title nonmarketable;
 8. The existence of conditions that endanger life or property by fire or other causes;
 9. Buildings that are unsafe or unhealthy for persons to live or work in because of building code violations, dilapidation, deterioration, defective design, physical construction, or faulty or inadequate facilities;
 10. Environmental contamination of buildings or property; or
 11. The existence of health, safety, or welfare factors requiring high levels of municipal services or substantial physical underutilization or vacancy of site, buildings, or other improvements.

Section 4. The City Council finds that the acquisition, clearance, rehabilitation, conservation, development, or redevelopment, or a combination thereof, of the Blighted Area is necessary to protect the public health, safety, morals, or welfare of the residents of the City.

Section 5. The urban renewal authority for the City shall be duly established in accordance with C.R.S. Section 31-25-104 within ninety (90) days of the date of this Resolution pursuant to a resolution of the City Council (the “Authority”) and shall have all the powers necessary and convenient to carry out and effectuate the provisions of the Urban Renewal Law.

Section 6. In accordance with Section 31-25-104(1)(b), C.R.S., the boundaries of the Authority shall be coterminous with those of the City.

Section 7. Notice is hereby given to the Mayor of the enactment of this Resolution, and by signing a copy of this Resolution the Mayor acknowledges that he has received the requisite notice of the creation of the Authority in compliance with Section 31-25-104(1)(b), C.R.S.

Section 8. A certified copy of this Resolution shall be filed in the records of the City. A copy of this Resolution along with a certificate signed by the appointed commissioners of the Authority upon such appointment shall be filed with the Colorado Division of Local Government in the Department of Local Affairs pursuant to Section 31-25-104(1)(b), C.R.S. Upon the filing of such certificate, the Commissioners and their successors are constituted as the Authority, which shall be an urban renewal authority pursuant to the Urban Renewal Law and a body corporate and politic.

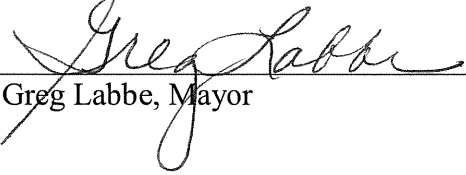
Section 9. The officers, employees and agents of the City are hereby directed to perform, or cause to be performed, such other actions as required or contemplated by the Urban Renewal Law, including presentation of urban renewal plan(s) to City Council pursuant to Section 31-25-107, C.R.S., for the Authority to consider undertaking future urban renewal projects.

Section 10. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.


Section 11. All actions taken by the City’s officers, employees and agents in furtherance of the creation of the Authority are hereby ratified and confirmed.

Section 12. This Resolution shall take effect and be enforced immediately upon its approval by the City Council.

CITY OF LEADVILLE, COLORADO

By: 
Greg Labbe, Mayor

ATTEST:


Deputy City Clerk