

ORDINANCE NO. 4381

ENTITLED: "AN ORDINANCE CREATING A NEW CHAPTER 2.80, URBAN RENEWAL AUTHORITY, OF TITLE 2, ADMINISTRATION AND PERSONNEL, OF THE CODE OF THE CITY OF CHEYENNE, WYOMING."

BE IT HEREBY ORDAINED BY THE GOVERNING BODY OF THE CITY OF CHEYENNE WYOMING:

Section 1. That a new Chapter 2.80, Urban Renewal Authority, of Title 2, Administration and Personnel, of the Code of the City of Cheyenne, Wyoming, is created as set out in this ordinance.

Chapter 2.80

URBAN RENEWAL AUTHORITY

2.80.010 Creation.

There is hereby created pursuant to Wyo. Stat. Section 15-9-134 the urban renewal authority.

2.80.020 Members–Term–Vacancies.

A. Pursuant to Wyo. Stat. Section 15-9-134, the mayor, by and with the consent and advice of the local governing body, shall appoint a board of five (5) commissioners of the urban renewal agency selected on the basis of their interest in and knowledge of community planning, urban renewal, and business management. An application process shall be adopted by the mayor and shall be made available in the office of the city clerk. The application shall further specify additional required qualifications, as deemed necessary by the mayor.

B. Any person may be appointed as commissioner if he or she resides within the area of operation of the agency (which shall have the same bounds or limits as the area of operation of the municipality) and is otherwise eligible for appointment under this chapter. The original appointment of commissioners shall be as follows: one (1) for a term of one (1) year; one (1) for a term of two (2) years; one (1) for a term of three (3) years; one (1) for a term of four (4) years; and one (1) for a term of five (5) years. Thereafter each appointment shall be for a term of five (5) years.

C. Each commissioner shall hold office until his or her successor is appointed and qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the municipality and the certificate is conclusive evidence of the commissioner's due and proper appointment.

D. A commissioner shall receive no compensation for his or her services but is entitled to necessary expenses incurred in the discharge of his or her duties. No commissioner or other officer of any urban renewal agency, board, or commission exercising powers pursuant to this chapter shall hold any other public municipal office for which compensation is received.

E. The powers of an urban renewal agency shall be exercised by the commissioners thereof. A majority of the commissioners constitute a quorum for all purposes. Action may be taken by the agency upon a vote of a majority of the commissioners present, unless in any case the bylaws require a larger number. Annually, at the first meeting, the board of commissioners shall elect its officers. Each officer shall hold office for a term of one (1) year and until his successor is elected and qualified.

F. A commissioner may be removed from office for inefficiency, neglect of duty, or misconduct in office only after:

1. A hearing;
 - a. All hearings shall be conducted in accordance with the city's administrative hearing processes as outlined in Chapter 2.92 of this code.
2. He or she has been given a copy of the charges at least ten (10) days prior to the hearing; and
3. He or she has had an opportunity to be heard in person or by counsel.

2.80.030 Meetings.

The authority shall hold regular or special meetings in the manner provided in the rules of the agency. All meetings of the authority shall be open to the public in accordance with the Wyoming Public Meetings Act, Wyo. Stat. Section 16-4-401, *et seq.*

2.80.040 Powers and duties.

A. The agency shall have the following authority in conjunction with the municipality:

1. To undertake and carry out urban renewal projects and related activities within its area of operation, and to:
 - a. Make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this act;
 - b. Disseminate slum clearance and urban renewal information;
2. To provide or to arrange or contract for the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities, or other facilities for or in connection with an urban renewal project;
3. To install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements;
4. To agree to any conditions that it deems reasonable and appropriate attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of an urban renewal project and related activities and to include in any contract let in connection with such a project and related activities, provisions to fulfill those conditions as it deems reasonable and appropriate;
5. Within its area of operation, to enter into any building or property in any urban renewal area in order to make inspections, surveys, appraisals, soundings, or test borings, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted as provided by law;
6. To acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain, or otherwise, any real property (or personal property for its administrative purposes) together with any improvements thereon and to hold, improve, clear, or prepare for redevelopment any such property;
7. To mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property;
8. To insure or provide for the insurance of any real or personal property;
9. To enter into any contracts necessary to effectuate the purposes of this act;

10. To invest any urban renewal project funds held in reserves or sinking funds or any such funds not required for immediate disbursement in property or securities in which savings banks may legally invest funds subject to their control, or to deposit in savings accounts in national or state banks and to redeem any bonds issued pursuant to Wyo. Stat. Section 15-9-119 at the redemption price established therein or to purchase those bonds at less than redemption price, all such bonds so redeemed or purchased to be cancelled;

11. To borrow money and to apply for and accept any form of financial assistance from any source for the purposes of this chapter, to give such security as may be required, to enter into and carry out contracts or agreements in connection therewith and to include in any contract for financial assistance with the federal government for or with respect to any urban renewal project and related activities such conditions imposed pursuant to federal laws as the municipality deems reasonable and appropriate and which are not inconsistent with the purposes of this chapter;

12. Within its area of operation, to make or have made all surveys and plans necessary to the carrying out of the purposes of this chapter and to contract with any person, public or private, in making and carrying out those plans and to adopt or approve, modify, and amend those plans, which plans may include but are not limited to:

- a. A general plan for the locality as a whole;
- b. Urban renewal plans;
- c. Plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements;
- d. Plans for the enforcement of state and local laws, codes, ordinances, and regulations relating to the use of land, the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements; and
- e. Perform or contract the performance of appraisals, title searches, surveys, studies, and other plans and work necessary to prepare for the undertaking of urban renewal projects and related activities, to develop, test, and report methods and techniques, and carry out demonstrations and other activities for the prevention and the elimination of slums and urban blight;

13. To prepare plans for and assist in the relocation of any persons displaced by an urban renewal project, and to make relocation payments to or with respect to those persons for moving expenses and losses of property for which reimbursement or compensation is not otherwise made, including the making of such payments financed by the federal government;

14. To appropriate funds, make expenditures and levy taxes and assessments as may be necessary to carry out the purposes of this act;

15. To zone or rezone any part of the municipality or make exceptions from building regulations;

16. To enter into agreements with an urban renewal agency vested with urban renewal project power under Wyo. Stat. Section 15-9-133, which agreements may extend over any period, notwithstanding any provision or rule of law to the contrary, respecting action to be taken by a municipality pursuant to any of the powers granted by this chapter;

17. To close, vacate, plan, or replan streets, roads, sidewalks, ways, or other places;

18. To plan or replan any part of the urban renewal area;

19. Within its area of operation, to organize, coordinate, and direct the administration of the provisions of this act as they apply to the municipality in order that the objective of remedying slum and blighted areas and preventing the causes thereof within the municipality may be most effectively promoted and achieved and to establish new offices of the municipality or to reorganize existing offices in order to carry out the purpose most effectively;

20. To exercise all or any part or combination of powers granted by this section; and

21. To plan and undertake neighborhood development programs consisting of urban renewal project undertakings and activities in one (1) or more urban renewal areas which are planned and carried out on the basis of annual increments in accordance with the provisions of this chapter for planning and carrying out urban renewal projects.

2.80.050 Annual reports.

The agency authorized to transact business and exercise powers under this section shall file with the local governing body on or before May 31 of each year a report of its activities for the preceding calendar year. The report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expenses as of the end of that calendar year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that the report has been filed with the municipality and is available for inspection during business hours in the office of the clerk of the municipality and in the office of the agency.

2.80.060 Voluntary conflicts of interest prohibited; disclosure of involuntary conflicts; violation.

A. No public official or employee of a municipality, or board or commission thereof, and no commissioner or employee of the agency created by this section shall voluntarily acquire any personal interest, direct or indirect, in any urban renewal project, or in any property included or planned to be included in any urban renewal project of that municipality or in any contract or proposed contract in connection with that urban renewal project.

B. If the acquisition is not voluntary, the interest acquired shall be immediately disclosed in writing to the local governing body, and the disclosure shall be entered upon the minutes thereof. If any official, commissioner, or employee presently owns or controls, or owned or controlled within the preceding two (2) years, any interest, directly or indirectly, in any property which he knows is included or planned to be included in any urban renewal project, he or she shall immediately disclose this fact in writing to the local governing body.

C. The disclosure shall be entered upon the minutes of the governing body, and no such official, commissioner, or employee shall participate in any action by the municipality, or board or commission thereof, or urban renewal agency, affecting the property. Any disclosure required to be made by this section to the local governing body shall concurrently be made to an urban renewal agency which has been vested with urban renewal project powers by the municipality pursuant to this chapter.

D. Any violation of the provisions of this section constitutes misconduct in office as defined in Wyoming Statutes.

2.80.070 Dissolution and termination.

The authority shall continue in existence until dissolved by ordinance of the governing body; provided, however, that the authority and applicable sections of the city code pertaining to the authority and its board shall only be dissolved or terminated if there is no outstanding indebtedness of the authority or if adequate provision for the payment of such indebtedness is provided.

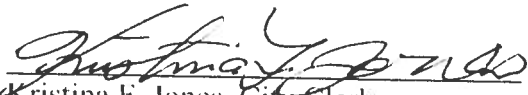
Section 2. That this ordinance shall be in full force and effect upon its approval and publication.

FIRST READING:	<u>May 24, 2021</u>
SECOND READING:	<u>June 14, 2021</u>
THIRD AND FINAL READING:	<u>June 28, 2021</u>



Patrick Collins, Mayor

(SEAL)
ATTEST:



Kristina F. Jones, City Clerk

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