FURA **FIRESTONE URBAN RENEWAL AUTHORITY**

REGULAR MEETING AGENDA
May 15, 2019
6:30 PM
151 Grant Avenue
Firestone, CO 80520

1. **Call to Order & Roll Call**

2. **Approval of Agenda**

3. **Public Comment** * (maximum time permitted for all Public Comment is 30 minutes)

4. **Consent Agenda**

   4.a. Approval of April 24, 2019 FURA Meeting Minutes

5. **Discussion/Action**

   5.a. **Resolution 19-03**: A RESOLUTION OF APPOINTMENT OF COUNTY COMMISSIONER, SPECIAL DISTRICT REPRESENTATIVE AND SCHOOL BOARD REPRESENTATIVE TO FURA BOARD

   5.b. **Resolution 19-04**:A RESOLUTION OF THE FIRESTONE URBAN RENEWAL AUTHORITY APPROVING AN AMENDMENT TO ITS BYLAWS

   5.c. Change regular scheduled FURA Meeting to June 12, 2019 before Board of Trustees Meeting

6. **Presentation**

   a. Urban Renewal Overview

   b. Firestone Urban Renewal Areas Overview

7. **Adjournment**

* Individuals that desire to address the Firestone Urban Renewal Authority are requested to sign up at the table at the entrance to the meeting room. Each individual will be provided an opportunity to speak (limited to two minutes) during Public Comment. Maximum time permitted for all Public Comment is 30 minutes for each Public Comment noted on Agenda.

If you need special assistance in order to participate in a Firestone Urban Renewal Authority meeting, please contact the Town Clerk's Office at 303-833-3291 in advance of the meeting to make arrangements. A forty-eight-hour notice is requested.

TOWN OF FIRESTONE, COLORADO
Firestone Urban Renewal Authority
April 24, 2019

1. **CALL TO ORDER & ROLL CALL**

The Firestone Urban Renewal Authority met in regular session on April 24, 2019, at the Town Hall, 151 Grant Avenue, Firestone, Colorado. Chairperson Meiring called the meeting to order at 7:09 p.m.

The following were present upon the call of the roll:

Chairperson:	Samantha Meiring
Vice Chairperson:	George Heath
Commissioners:	Don Conyac
	Drew Peterson
	Doug Sharp
	Bobbi Sindelar
	Frank A. Jimenez

Staff: AJ Krieger, Interim Town Manager; Paula Mehle, Director of Economic Development and FURA; & Leah Vanarsdall, Town Clerk

Pledge of Allegiance was led by Chair Smanatha Meiring

2. **APPROVAL OF AGENDA**
Motion by Commisioner Sindelar, **second** by Commissioner Peterson, to approve the Agenda. **Motion carried**, All in favor.

3. **PUBLIC COMMENT**
Joseph Apadaca – 731 1st St, Firestone – No Colo Water Conservancy Dist Ditch

4. **CONSENT AGENDA**
   a. **Approval of January 9, 2019 FURA Meeting Minutes**
   Motion by Commissioner Peterson, **second** by Commissioner Conyac, to approve the Consent Agenda. **Motion carried**, All in favor.

5. **DISCUSSION/ACTION**
   a. **FURA Resolution 19-02**: A RESOLUTION AMENDING THE BUDGET FOR THE FIRESTONE URBAN RENEWAL AUTHORITY FOR FISCAL YEAR 2018

Motion by Commissioner Peterson, **second** by Commissioner Conyac, to approve **Resolution 19-02**: A RESOLUTION AMENDING THE BUDGET FOR THE FIRESTONE URBAN RENEWAL AUTHORITY FOR FISCAL YEAR 2018

. **Roll Call Vote**: Vice Chair Heath – yes, Commissioner Sharp – yes, Commissioner Conyac – yes, Commissioner Sindelar - yes, Commissioner Peterson – yes, Commissioner Jimenez – yes, Chair Meiring – yes. All in Favor, **Motion Carried**.

6. **ADJOURNMENT**
Motion by Commissioner Sindelar, **second** by Commissioner Sharp, to adjourn the meeting. **Motion carried**, All in favor. The meeting was adjourned at 7:07 p.m.

Introduced and Approved this *** day of _______2019.

TOWN OF FIRESTONE, COLORADO

____
Samantha Meiring, Chairperson

ATTEST

____

Leah Vanarsdall, Recording Secretary

AGENDA INFORMATION MEMORANDUM FURA	**AIM#:** 5.a. **Discussion/Action** **Meeting Date:** May 15, 2019 **Initiated By:** **Dept:** FURA

AGENDA TITLE

Resolution 19-03: A RESOLUTION OF APPOINTMENT OF COUNTY COMMISSIONER, SPECIAL DISTRICT REPRESENTATIVE AND SCHOOL BOARD REPRESENTATIVE TO FURA BOARD

SUMMARY

As the Firestone Urban Renewal Authority Board considers possible modifications to existing urban renewal plans and additional urban renewal area plans the Board shall add seats to its Board in accordance with H.B.15-1348. FURA Resolution 19-03 proposes to accept the appointments of Commissioners representing the Board of County Commissioners of Weld County, an elected member of a board of education of a school district and a board member of a special district within the boundaries of the urban renewal authority. Resolution 19-03 proposes to accept and recognize the appointment of Edward Weimer, John Ahrens, and Sean Conway to the Firestone Urban Renewal Authority.

HISTORY AND PREVIOUS BOARD ACTION

H.B. 15-1438 amended the State Urban Renewal Law triggering an obligation to increase the size of the Urban Renewal Boards. At its August 8, 2018 meeting the Firestone Urban Renewal Authority created a seat for the appointment of one Board of County Commissioners of Weld County by approving FURA Resolution 18-06, a seat for a school district appointee by approving FURA Resolution 18-07, and a seat for the appointment of one special district board member by approving FURA Resolution 18-05 in accordance to H.B. 15-1348 and S.B. 16-177.

Notifications were sent to the applicable boards. The Board of Weld County Commissioners appointed Commissioner Sean Conway. Weld County School District RE-1 granted the opportunity to appoint a school board member to St. Vrain Valley School District RE-1J who then appointed Board Member John Ahrens. Of the 24 other special districts serving the Firestone Urban Renewal Areas only Frederick Firestone Fire Protection District (FFFPD) expressed interest in serving on the FURA Board and no other Districts expressed opposition. The FFFPD appointed Board of Director Edward Weimer.

RECOMMENDATION

It is recommended that the Firestone Urban Renewal Authority Commissioners approve FURA Resolution 19-03.

ALTERNATIVES

Not approve FURA Resolution 1-03 and provide staff with direction.

ATTACHMENTS

1. FURA Resolution 19-03 Accepting Appt of Commissioners

FINANCIAL CONSIDERATIONS

N/A

FIRESTONE URBAN RENEWAL AUTHORITY

RESOLUTION NO. 19 - 03

A RESOLUTION OF THE FIRESTONE URBAN RENEWAL AUTHORITY ACCEPTING APPOINTMENTS OF COMMISSIONERS TO THE AUTHORITY

WHEREAS, H.B. 15-1348 affected changes to Urban Renewal Law, C.R.S. § 31-25- 101, *et. seq.,* including the provisions establishing membership of the boards of urban renewal authorities;

WHEREAS, the Firestone Urban Renewal Authority (the "Authority") is a duly constituted urban renewal authority, established and operating pursuant to the laws of the State of Colorado, and in particular the provisions of C.R.S. § 31-25-104;

WHEREAS, C.R.S. § 31-25-104(2.5) provides, in part: "[I]n order to represent the collective interests of the county and all trucing bodies levying a mill levy within the boundaries of the urban renewal authority area other than the municipality, one additional commissioner on the authority must be appointed by the board of county commissioners of the county in which the territorial boundaries of the urban renewal authority area are located, one additional commissioner must also 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 one additional commissioner must also 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. If the number of members of the governing body causes the authority to have an even number of commissioners, the mayor shall appoint an additional commissioner to restore an odd number of commissioners to the authority. As applicable, the appointment of the county, special district, and school district representatives on the authority pursuant to this subsection (2.5) must be made in accordance with the procedures specified in subsection (2) of this section.";

WHEREAS, the Authority provided written notice to Weld County, Weld County School District RE-1, St. Vrain Valley School District RE-1J, Northern Colorado Water Conservancy District, Greens Metropolitan District, Frederick-Firestone Fire Protection District, Central Colorado Water Conservancy District, Cottonwood Hollow Commercial Metropolitan District, Mountain View Fire Protection District, St. Vrain & Heft Hand Water Conservancy District, Cottonwood Hollow Residential Metropolitan District, St. Vrain Sanitation District, Central Weld County Water District, Neighbors Point Metropolitan District, Aims Community College, Little Thomson Water District, Springs Metropolitan District, Carbon Valley Park and Recreation District, Central Colorado Water Conservancy – Groundwater Management Subdistrict, Springs South Metropolitan District, High Plains Library District, Left Hand Water District, St. Vrain Lakes Metropolitan District Nos. 1-4, NP125 Metropolitan District, Longs Peak Water District, Highway 119 Metropolitan District Nos. 1-6, and Highway 119 Metropolitan District Nos. 7-10, which each levy a mill levy within the boundaries of the Authority, requesting an appointee to serve on the Authority;

WHEREAS, the Commissioners of the Authority have received written notification from the Frederick-Firestone Fire Protection District ("Fire District") of the appointment of Edward Weimer, board member of the Fire District, to serve on the Authority until the end of his service as a board member of the Fire District. The other special districts levying a mill levy within the boundaries of the Authority identified above did not respond or object in writing to the Authority to the Fire District appointment;

WHEREAS, the Commissioners of the Authority have received written notification from Weld County School District RE-1 that it approves the appointment of the St. Vrain Valley School District RE-1J ("School District") board member, and have received written notification from the School District of the appointment of John Ahrens, board member of the School District, to serve as a Commissioner on the Authority until such time as a new board member to the School District is elected in November 2019 to represent the Tri-Town area; and

WHEREAS, the Commissioners of the Authority have received written notification from Weld County levying of the appointment of Commissioner Sean Conway to serve on the Authority until Weld County appoints a new appointee.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE FIRESTONE URBAN RENEWAL AUTHORITY:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. Pursuant to C.R.S. § 31-25-104(2.5), the Authority accepts and recognizes the appointments of Edward Weimer, John Ahrens, and Sean Conway to this Authority.

Section 3. A copy of this Resolution on file with the Authority Clerk shall serve as a certificate of such appointment pursuant to C.R.S. § 31-25-104(2)(b).

Section 4. This Resolution shall be effective upon approval of the Authority.

INTRODUCED, READ and ADOPTED this 15th day of May, 2019.

FIRESTONE URBAN RENEWAL AUTHORITY

BY: ________________________________
Samantha Meiring, Chair

ATTEST:

____
Leah Vanarsdall, FURA Clerk

BY: _

AGENDA INFORMATION MEMORANDUM FURA	**AIM#:** 5.b. **Discussion/Action** **Meeting Date:** May 15, 2019 **Initiated By:** Paula Mehle **Dept:** FURA

AGENDA TITLE

Resolution 19-04:A RESOLUTION OF THE FIRESTONE URBAN RENEWAL AUTHORITY APPROVING AN AMENDMENT TO ITS BYLAWS

SUMMARY

It is recommended that the bylaws of the Firestone Urban Renewal Authority be amended to address the requirement to add members to the Commission per the State Urban Renewal Laws that were amended by the approval of H.B.15-1348. Additional modifications are proposed that include updating the duties of the Recording Secretary and Executive Director, as well as meeting operations.

HISTORY AND PREVIOUS BOARD ACTION

The Firestone Urban Renewal Authority initially adopted bylaws on September 10, 2009. Since the original bylaws adoption the Urban Renewal Law was changed by H.B. 15-1348 that included provisions requiring the Authority to add a County Commissioner, a board member from a school district and a board member of any other taxing entity within any urban renewal area of the Authority.

RECOMMENDATION

Staff recommends approval of FURA Resolution 19-04.

"I move to approve FURA Resolution 19-04, a resolution of the Firestone Urban Renewal Authority approving an amendment to its bylaws."

ALTERNATIVES

The Firestone Urban Renewal Authority may provide Staff with further direction.

ATTACHMENTS

1. FURA Resolution 19-04 Amended Bylaws
2. REDLINE_Amended FURA Bylaws

FINANCIAL CONSIDERATIONS

None

FIRESTONE URBAN RENEWAL AUTHORITY

RESOLUTION NO. 19- ____

A RESOLUTION OF THE FIRESTONE URBAN RENEWAL AUTHORITY APPROVING AN AMENDMENT TO ITS BYLAWS

WHEREAS, by Resolution No. 2009-22, on July 9, 2009, the Firestone Board of Trustees established the Firestone Urban Renewal Authority (the "Authority"); and

WHEREAS, on September 10, 2009, the Authority adopted bylaws (the "Bylaws"), in order to allow for the efficient and orderly operations and conduct of the Authority and to effectuate the purposes of Part 1 of Article 25 of Title 31, Colorado Revised Statutes (the "Urban Renewal Law"); and

WHEREAS, pursuant to Article VI of the Bylaws, the Bylaws may be amended by an affirmative vote of two-thirds of the membership of the Commissioners of the Authority (the "Commissioners"); and

WHEREAS, H.B. 15-1348 affected changes to the Urban Renewal Law, including the provisions establishing membership of the boards of urban renewal authorities, causing the Authority to provide notice to applicable taxing bodies requesting appointees to serve on the Authority; and

WHEREAS, by Resolution No. 2019- _____, on May 15, 2019, the Authority accepted Commissioner appointments in conformance with the Urban Renewal Law; and

WHEREAS, the Commissioners have determined that it is in the best interests of the Authority to amend the Bylaws to describe the updated membership of the Commissioners in light of recent activities to comply with the Urban Renewal Law, list the terms of the Commissioners, designate a regular meeting date, and clarify several other aspects of the Bylaws.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE TOWN OF LYONS URBAN RENEWAL AUTHORITY:

Section 1. The foregoing Recitals are incorporated herein by this reference.

Section 2. The Authority hereby adopts the Amended Bylaws attached hereto as Exhibit A.

Section 3. This Resolution and the Amended Bylaws shall be effective upon approval of the Authority.

INTRODUCED, READ and ADOPTED this 15th day of May, 2019.

FIRESTONE URBAN RENEWAL AUTHORITY

By: ________________________________
Samantha Meiring, Chair

ATTEST:

____
Leah Vanarsdall, FURA Clerk

EXHIBIT A

AMENDED BYLAWS

[Attached]

BYLAWS
OF
FIRESTONE URBAN RENEWAL AUTHORITY

ARTICLE 1 THE AUTHORITY

Section 1. **Name of Authority**. The name of this urban renewal authority shall be the Firestone Urban Renewal Authority ("Authority") as established by Resolution No. 09-22 of the Firestone Board of Trustees ("Board of Trustees") on July 9, 2009.

Section 2. **Members**. In accordance with C.R.S. § 31-25-115(1), at the time of establishment, the Board of Trustees, comprised of seven (7) members, including the mayor of the Town of Firestone ("Town"), designated itself to serve as the Authority. In accordance with C.R.S. § 31-25-104(2.5), and pursuant to FURA Resolution No. 19-____, the Authority accepted the appointments of three (3) commissioners to the Authority by Weld County, Weld County School District RE-1 and St. Vrain Valley School District RE-1J, and the special districts. Pursuant to C.R.S. § 31-25-104(2.5), if the number of members of the governing body causes the Authority to have an even number of commissioners, the mayor of the Town shall appoint an additional commissioner to restore an odd number of commissioners to the Authority. The mayor of the Town, each of the trustees of the Board of Trustees, the commissioner appointed by Weld County, the commissioner appointed by St. Vrain Valley School District RE-1J (as agreed to by Weld County School District RE-1), the commissioner selected by agreement of the special districts, and the commissioner appointed by the mayor of the Town, shall constitute the Board of Commissioners of the Authority ("Commissioners"). The terms of the seven (7) commissioners who are also members of the Board of Trustees and the mayor shall be coterminous with their terms on the Board of Trustees. The terms of the three (3) commissioners appointed by Weld County, St. Vrain Valley School District RE-1J, and the special districts shall be as designated by their respective appointing parties. The term of the one (1) commissioner appointed by the mayor shall be coterminous with the mayor's term. A commissioner holds office until his or her successor has been appointed.

Section 3. **Office of Authority**. The office of the Authority shall be at 151 Grant Avenue, P.O. Box 100, Firestone, CO 80520, or at such other place in the Town of Firestone, Colorado, as the Commissioners may direct.

Section 4. **Authorization**. The Authority is authorized by C.R.S. § 31-25-105(1)(a) to make and adopt bylaws, orders, rules, and regulations to effectuate the purposes of Part 1 of Article 25 of Title 31, Colorado Revised Statutes ("Urban Renewal Law").

ARTICLE 2 OFFICERS

Section 1. **Officers**. The officers of the Authority shall be a Chairperson and a Vice Chairperson. The Chairperson and Vice Chairperson shall be elected by the Commissioners from its membership.

Section 2. **Chairperson**. The Chairperson shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chairperson shall sign all contracts, deeds and other instruments made by the Authority. The Board of Trustees has designated the Mayor of Firestone as the initial Chairperson.

Section 3. **Vice Chairperson**. The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation or death of the Chairperson, the Vice Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Authority shall select a new Chairperson.

Section 4. **Recording Secretary**. The Recording Secretary shall keep the records of the Authority, shall act as a secretary of the meetings of the Authority and record all votes, shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose and shall perform all duties incident to this office. That person shall keep in a safe custody all Resolutions, contracts and instruments entered into by the Authority. The Town Clerk may be appointed to the office of Recording Secretary, or the duties may be performed by the Executive Director as called for in Article II, Section 6.

Section 5. **Additional Duties**. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority or the Bylaws, resolutions, rules, or regulations of the Authority.

Section 6. **Executive Director**. The Executive Director of the Authority shall oversee the day-to-day operations of the Authority. The Executive Director shall serve as an advisor to the Authority and may serve on committees or in other capacities consistent with the Urban Renewal Law as the Commissioners may determine; provided, however, that the Executive Director shall not be considered a Commissioner of the Authority within the meaning of the Urban Renewal Law, any other applicable law, or these Bylaws, and shall not be permitted or required to act in the capacity of a Commissioner at any time. The Executive Director may serve as or perform the duties of the Recording Secretary of the Authority if the Authority so desires the Executive Director to fill said position.

Section 7. **Additional Personnel**. The Authority may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Urban Renewal Law, and all other laws of the State of Colorado and the Town of Firestone.

Section 8. **The Attorney of the Authority**. Pursuant to C.R.S. § 31-25-104(2)(c), the Authority may employ an attorney to provide outside legal counsel for the Authority, or it may call upon the municipal counsel of the Town for such legal services as the Authority may require. The Commissioners can authorize the attorney to represent the Authority in legal actions taken by or against the Authority.

Section 9. **Term of Officers**. The term of office for a Commissioner elected to the position of Chairperson and Vice Chairperson is for one year. Officers shall be elected annually by the Authority at the first meeting of each year and shall assume their duties upon election. Officers shall hold office until their successors are elected and qualified.

ARTICLE 3 MEETINGS

Section 1. **Regular Meetings**. Regular meetings of the Authority will be held at Firestone Town Hall on the ______________________________ at 6:30 p.m., and at such other time and place as may from time to time be determined by resolution of the Authority.

Section 2. **Special Meetings**. The Chair and any two Commissioners may call special meetings on at least twenty-four (24) hours written notice to each of the Commissioners personally served, left at his or her usual place of residence, or sent by e-mail to the Commissioner's e-mail address; provided, however, that a special meeting may be held on shorter notice if all Commissioners are present or have waived notice thereof in writing. At such special meeting no business shall be considered other than as designated in the call, but if all of the Commissioners are present at a special meeting, any business which may lawfully come before a regular meeting may be transacted at that special meeting.

Section 3. **Quorum**. A majority of the Commissioners holding office and attending in person shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes. In the event that a quorum shall not be present, a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action can be taken by affirmative vote of a majority of those Commissioners present and voting, excepting only actions for which a greater majority is required by law.

Section 4. **Resolutions**. All resolutions shall be reduced to writing and shall be copied in the official minute book or journal of the proceedings of the Authority.

Section 5. **Manner of Voting**. The voting on all questions before the Authority shall be by voice or by show of hands unless a roll call vote is requested by any Commissioner or required by law. The yes votes, no votes and abstentions shall be entered in the minutes of each meeting. Every Commissioner, when present, must vote unless excused from voting on matters involving the consideration of his or her own official conduct or when his or her personal or financial interest is involved. Any Commissioner must state at the time of abstention the reason for abstention.

ARTICLE 4 CONFLICT OF INTEREST

No Commissioner, other Officer or Employee, nor any immediate member of the family of any such Commissioner, Officer or Employee shall acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, nor shall he or she have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any project. If any Commissioner, or Officer or Employee of the Authority owns or controls an interest, direct or indirect, in any property included or planned to be included in any project, he or she shall immediately disclose the same in writing to the Authority. Upon such disclosure, such Commissioner, Officer or other Employee shall not participate in any action by the Authority affecting the carrying out of the project planning or the undertaking of the project unless the Authority determines that, in the light of such personal interest, the participation of such member in any such act would not be contrary to the public interest. Acquisition or retention of any such interest without such determination by the Authority that it is not contrary to the public interest or willful failure to disclose any such interest constitutes misconduct in office.

ARTICLE 5 POWERS

Section 1. **General Powers**. The Authority shall have all of the general powers of such an Authority granted to it under the Colorado Urban Renewal Law, Part 1, Article 25, Title 31, Colorado Revised Statutes, to be exercised consistent with applicable requirements of these Bylaws.

Section 2. **Contracts**. Contracts of the Authority with persons, firms, agencies, companies, the United States, and other public entities shall be authorized by motion duly recorded upon the minutes of the Authority meeting or by written resolution, and a copy of any such resolutions and contracts shall be kept with the journal for the proceedings of the Authority.

Section 3. **Checks**. Two signatures shall be required on all Authority checks or drafts for payments of monies of the Authority from amongst the following officials: Chairperson, Vice-Chairperson, or Recording Secretary.

ARTICLE 6 AMENDMENTS

These Bylaws may be amended by an affirmative vote of two-thirds of the Commissioners at any regularly scheduled or special meeting of the Authority.

Approved and adopted this 15th day of May, 2019

____
Samantha Meiring, Chairperson

Attest:

____
Leah Vanarsdall, FURA Clerk

APPROVED AS TO FORM:

____
Authority Counsel

BYLAWS
OF
FIRESTONE URBAN RENEWAL AUTHORITY

ARTICLE 1 THE AUTHORITY

Section 1. **Name of Authority**. The name of this urban renewal authority shall be the Firestone Urban Renewal Authority ("Authority") as established by Resolution No. 09-22 of the Firestone Board of Trustees ("Board of Trustees") on July 9, 2009.

Section 2. **Members**. ~~The Firestone Board of Trustees has designated the members of the Board of Trustees, including the Mayor as from time to time in office, as the Board of Commissioners of the Authority ("Commissioners").~~In accordance with C.R.S. § 31-25-115(1), at the time of establishment, the Board of Trustees, comprised of seven (7) members, including the mayor of the Town of Firestone ("Town"), designated itself to serve as the Authority. In accordance with C.R.S. § 31-25-104(2.5), and pursuant to Resolution No. 2019-____, the Authority accepted the appointments of three (3) commissioners to the Authority by Weld County, Weld County School District RE-1 and St. Vrain Valley School District RE-1J, and the special districts. Pursuant to C.R.S. § 31-25-104(2.5), if the number of members of the governing body causes the Authority to have an even number of commissioners, the mayor of the Town shall appoint an additional commissioner to restore an odd number of commissioners to the Authority. The mayor of the Town, each of the trustees of the Board of Trustees, the commissioner appointed by Weld County, the commissioner appointed by St. Vrain Valley School District RE-1J (as agreed to by Weld County School District RE-1), the commissioner selected by agreement of the special districts, and the commissioner appointed by the mayor of the Town, shall constitute the Board of Commissioners of the Authority ("Commissioners"). The terms of the seven (7) commissioners who are also members of the Board of Trustees and the mayor shall be coterminous with their terms on the Board of Trustees. The terms of the three (3) commissioners appointed by Weld County, St. Vrain Valley School District RE-1J, and the special districts shall be as designated by their respective appointing parties. The term of the one (1) commissioner appointed by the mayor shall be coterminous with the mayor's term. A commissioner holds office until his or her successor has been appointed.

Section 3. **Office of Authority**. The office of the Authority shall be at 151 Grant Avenue, P.O. Box 100, Firestone, CO 80520, or at such other place in the Town of Firestone, Colorado, as the Commissioners may direct.

Section 4. **Authorization**. The Authority is authorized by C.R.S. § 31-25-105(1)(a) to make and adopt bylaws, orders, rules, and regulations to effectuate the purposes of Part 1 of Article 25 of Title 31, Colorado Revised Statutes ("Urban Renewal Law").

ARTICLE 2 OFFICERS

Section 1. **Officers**. The officers of the Authority shall be a Chairperson and a Vice Chairperson. ~~A Recording Secretary may be an officer, or the duties of Recording Secretary may be performed by the Executive Director as called for in Article II, Section 6.~~ The Chairperson and Vice Chairperson shall be elected by the Commissioners from its membership.

Section 2. **Chairperson**. The Chairperson shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Authority, the Chairperson shall sign all contracts, deeds and other instruments made by the Authority. The Board of Trustees has designated the Mayor of Firestone as the initial Chairperson.

Section 3. **Vice Chairperson**. The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson; and in case of the resignation or death of the Chairperson, the Vice Chairperson shall perform such duties as are imposed on the Chairperson until such time as the Authority shall select a new Chairperson.

Section 4. **Recording Secretary**. The Recording Secretary shall keep the records of the Authority, shall act as a secretary of the meetings of the Authority and record all votes, shall keep a record of the proceedings of the Authority in a journal of proceedings to be kept for such purpose and shall perform all duties incident to this office. ~~The Recording Secretary~~That person shall keep in a safe custody ~~the seal of the Authority and shall have power to affix such seal to~~ all Resolutions, contracts and instruments ~~authorized to be executed~~entered into by the Authority. ~~A Commissioner or the~~The Town Clerk may be appointed to the office of Recording Secretary, or the duties may be performed by the Executive Director as called for in Article II, Section 6.

Section 5. **Additional Duties**. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority or the Bylaws, resolutions, rules, or regulations of the Authority.

Section 6. **Executive Director**. ~~In the event the Authority shall retain the services of an Executive Director, said~~The Executive Director of the Authority shall oversee the day-to-day operations of the Authority. The Executive Director shall serve as an advisor to the Authority and may serve on committees or in other capacities consistent with the Urban Renewal Law as the Commissioners may determine; provided, however, that the Executive Director shall not be considered a Commissioner of the Authority within the meaning of the Urban Renewal Law, any other applicable law, or these Bylaws, and shall not be permitted or required to act in the capacity of a Commissioner at any time. The Executive Director may serve as or perform the duties of the Recording Secretary of the Authority if the Authority so desires the Executive Director to fill said position. ~~The Authority may delegate such other powers to the Executive Director as it may choose subject to the Urban Renewal Law and other applicable laws.~~

Section 7. **Additional Personnel**. The Authority may from time to time employ such personnel as it deems necessary to exercise its powers, duties and functions as prescribed by the Urban Renewal Law, and all other laws of the State of Colorado and the Town of Firestone.

Section 8. **The Attorney of the Authority**. Pursuant to C.R.S. § 31-25-104(2)(c), the Authority may employ an attorney to provide outside legal counsel for the Authority, or it may call upon the municipal counsel of the Town for such legal services as the Authority may require. The Commissioners can authorize the attorney to represent the Authority in legal actions taken by or against the Authority.

Section 9. **Term of Officers**. The term of office for a Commissioner elected to the position of Chairperson~~,~~ and Vice Chairperson~~, or Recording Secretary~~ is for one year. Officers shall be elected annually by the Authority at the first meeting of each year and shall assume their duties upon election. Officers shall hold office until their successors are elected and qualified.

ARTICLE 3 MEETINGS

Section 1. **Regular Meetings**. Regular meetings of the Authority ~~may~~will be held at Firestone Town Hall on the ~~same dates as meetings of the Board of Trustees~~______________ at 6:30 p.m., and at such other time and place as may from time to time be determined by resolution of the Authority.

Section 2. **Special Meetings**. The ~~Mayor~~Chair and any two Commissioners may call special meetings ~~by~~on at least twenty-four (24) hours written notice to each of the Commissioners personally served, left at his or her usual place of residence, or sent by e-mail to the Commissioner's e-mail address; provided, however, that a special meeting may be held on shorter notice if all Commissioners are present or have waived notice thereof in writing. At such special meeting no business shall be considered other than as designated in the call, but if all of the Commissioners are present at a special meeting, any business which may lawfully come before a regular meeting may be transacted at that special meeting.

Section 3. **Quorum**. A majority of the Commissioners holding office and attending in person ~~or by teleconference~~ shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes~~; provided however, that any quorum shall consist of at least four (4) Commissioners who are attending in person; and provided further, however, that no more than two (2) Commissioners may participate in any meeting by teleconference~~. In the event that a quorum shall not be present, a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action can be taken by affirmative vote of a majority of those Commissioners present and voting, excepting only actions for which a greater majority is required by law.

~~**Section 4.** **Teleconferencing**. Commissioners may participate in a meeting through the use of conference telephone or other communications equipment serving similar purpose, so long as all members participating in such meeting can converse with one another. Participation includes voting.~~

Section 4. ~~**Section 5.**~~ **Resolutions**. All resolutions shall be reduced to writing and shall be copied in the official minute book or journal of the proceedings of the Authority.

Section 5. ~~**Section 6.**~~ **Manner of Voting**. The voting on all questions before the Authority shall be by voice or by show of hands unless a roll call vote is requested by any Commissioner or required by law. The yes votes, no votes and abstentions shall be entered in the minutes of each meeting. Every Commissioner, when present, must vote unless excused from voting on matters involving the consideration of his or her own official conduct or when his or her personal or financial interest is involved. Any Commissioner must state at the time of abstention the reason for abstention.

ARTICLE 4 CONFLICT OF INTEREST

No Commissioner, other Officer or Employee, nor any immediate member of the family of any such Commissioner, Officer or Employee shall acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, nor shall he or she have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any project. If any Commissioner, or Officer or Employee of the Authority owns or controls an interest, direct or indirect, in any property included or planned to be included in any project, he or she shall immediately disclose the same in writing to the Authority. Upon such disclosure, such Commissioner, Officer or other Employee shall not participate in any action by the Authority affecting the carrying out of the project planning or the undertaking of the project unless the Authority determines that, in the light of such personal interest, the participation of such member in any such act would not be contrary to the public interest. Acquisition or retention of any such interest without such determination by the Authority that it is not contrary to the public interest or willful failure to disclose any such interest constitutes misconduct in office.

ARTICLE 5 POWERS

Section 1. **General Powers**. The Authority shall have all of the general powers of such an Authority granted to it under the Colorado Urban Renewal Law, Part 1, Article 25, Title 31, Colorado Revised Statutes, to be exercised consistent with applicable requirements of these Bylaws.

Section 2. **Contracts**. Contracts of the Authority with persons, firms, agencies, companies, the United States, and other public entities shall be authorized by motion duly recorded upon the minutes of the Authority meeting or by written resolution, and a copy of any such resolutions and contracts shall be kept with the journal for the proceedings of the Authority.

Section 3. **Checks**. Two signatures shall be required on all Authority checks or drafts for payments of monies of the Authority from amongst the following officials: Chairperson, Vice-Chairperson, or Recording Secretary.

ARTICLE 6 AMENDMENTS

These Bylaws may be amended by an affirmative vote of two-thirds of the Commissioners at any regularly scheduled or special meeting of the Authority.

~~Adopted~~Approved and adopted this _____ day of ______________, 2009

____

~~Chad Auer,~~ Chairperson

Attest:

19182568

~~Judy Hegwood,~~ Recording Secretary

APPROVED AS TO FORM:

Authority Counsel

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