

ORIGINAL ORDINANCE NO. 1138
ENROLLED ORDINANCE NO. 986

INTRODUCED BY Charleville

AN ORDINANCE CREATING AND ESTABLISHING A DOWNTOWN DEVELOPMENT AUTHORITY FOR THE PURPOSE OF PLANNING AND IMPLEMENTING THE RESTORATION AND IMPROVEMENT OF THE PROPERTY WITHIN ITS BOUNDARIES.

The City Council of the City of Laramie, Wyoming, finds that it is in the public interest to create and establish a downtown development authority to provide an entity to centralize organization and afford financial opportunity to provide maintenance, renovation and redevelopment of the central business district of Laramie, Wyoming; that the organization of a downtown development authority having the purposes and powers as set forth in Wyo. Stat. §§15-9-201 through 15-9-223 and amendments thereto, (hereinafter referred to as the "Act"), will serve a public use; will promote the health, safety, prosperity, security and general welfare of the inhabitants thereof and of the people of this City, will halt or prevent deterioration of property values or structures within the district, will halt or prevent the growth of blighted areas within such district, and will assist in the development and redevelopment of such district and in the overall planning to restore or provide for the continuance of the health thereof, and will be of special benefit to the property within the boundaries of the authority created hereby.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LARAMIE, WYOMING:

Section 1. Creation of Downtown Development Authority.

There is hereby created the City of Laramie Downtown Development Authority (hereinafter referred to as the "Authority") pursuant

to the provisions of Article 2, Chapter 9, Title 15, W.S. (hereinafter referred to as the "Act"). The Authority shall be a body corporate. The Authority shall adopt By-laws and rules of procedure which shall be approved by the City Council prior to becoming effective. Except as provided in this Ordinance, the board shall not exercise any function until its organizational documents and rules have been approved by the City Council.

Section 2. Board of Directors; Appointment; Term of Office; Vacancies; Rules.

(a) The Authority shall be controlled by a board consisting of nine (9) members, all of whom shall be appointed by the City Council. Members of the board shall serve without compensation, but they may be reimbursed by action of the board for actual and necessary expense. A majority of the members, except any member from the City Council, shall reside, be a lessee, or owner of property in the Downtown Development District.

(b) The initial board shall be constituted as follows:

(I) At least one (1) member of the board shall be a member of the City Council of the City of Laramie, appointed to serve at the pleasure of the City Council.

(II) Two (2) members shall be appointed for terms expiring June 30, 1990;

(III) Two (2) members shall be appointed for terms expiring June 30, 1991;

(IV) Two (2) members shall be appointed for terms expiring June 30, 1992;

(V) Two (2) members shall be appointed for terms expiring June 30, 1993.

(c) A member shall hold office until his or her successor has been appointed and qualified. After the terms of the initial members of the board have expired, the terms of all members, (except any member who is a member of the City Council of the City of Laramie whose term shall be his or her term of office), shall expire four (4) years from the expiration date of the terms of their predecessors. Appointments to fill vacancies shall be for the unexpired term, and shall be made as soon as practicable in the sole discretion of the City Council after the occurrence of said vacancy.

(d) The board shall promulgate rules pursuant to W.S. §16-3-101, et. seq., (Wyoming Administrative Procedure Act), and the rules shall be filed in the office of the City Clerk. Prior to being promulgated, all proposed rules shall be approved by the City Council. The board shall elect officers and hold regular or special meetings in the manner provided in the rules of the board, and all meetings of the board shall be open to the public except as required by law.

Section 3. Designation of Downtown Development District. The boundaries of the Downtown Development District, (hereinafter referred to as the "District"), within which the Authority shall exercise its powers shall be as established by Enrolled Ordinance No. 955, passed by the City Council of the City of Laramie on January 31, 1989. A copy of the legal description of said

District is attached hereto and is made a part hereof by this reference.

Section 4. Budget Review and Approval; Financial Reports.

(a) The board shall, before the first day of May each year, submit to the City a proposed operating budget for the forthcoming fiscal year which will be from July 1st until June 30th of the ensuing year. Copies of the proposed budget shall be provided to the City Manager, the City Treasurer, and each member of the City Council. Before becoming effective said budget must also be adopted by the City Council, as part of its regular budget adoption.

(b) The board shall keep minute books and financial records of its activities. Immediately following the close of each month, the board shall report to the City Council of the City of Laramie all transactions for the preceding month, and the financial condition of the Board including but not limited to all receipts and disbursements together with the minutes of all regular and special meetings.

(c) The Authority shall cause an annual independent audit to be made pertaining to the fiscal affairs of the Authority. Said audit will also be provided to the City Council.

Section 5. Powers and Duties of the Authority. The City Council grants the following powers and establishes the following duties for the Authority

(a) The board shall exercise supervisory control over the activities of the director and the staff the Authority.

(b) The board shall budget for and after approval by the City Council, administer the 30 mil Downtown Development District Mil Levy for the following purposes:

- (i) Administrative costs of the District;
- (ii) Landscaping or maintenance of public areas;
- (iii) Planning or management of development or improvement activities;
- (iv) Promotion of public events; and
- (v) Activities in support of business recruitment and development.

(c) The board may:

(i) Subject to the approval of the City Council of the City of Laramie, appoint and remove a director, and other staff members upon recommendation of the director, and prescribe their duties and fix their compensation;

(ii) At the request of the City Council of the City of Laramie, prepare an analysis of economic changes taking place in the District;

(iii) Study and analyze the impact of metropolitan growth upon the District;

(iv) Plan and propose, within the District, plans of development for public facilities and other improvements to public or private property of all kinds, including removal, site preparation, renovation, repair, remodeling, reconstruction or other changes in existing buildings which may be necessary or appropriate to the execution of any development plan which in the opinion of the board will aid and improve the District;

(v) Implement as provided in the Act, any plan of development, whether economic or physical in the District as is necessary to carry out its functions;

(vi) In cooperation with the City planning commission and the City planning department, develop long range plans designed to carry out the purposes of the Authority and to promote the economic growth of the District, and implement education and public relations programs to persuade property owners and business proprietors to implement such plans to the fullest extent possible;

(vii) Retain and fix the compensation of legal counsel to advise the board in the proper performance of its duties;

(viii) Make and enter into all contracts necessary or incidental to the exercise of its powers and the performance of its duties;

(d) Upon approval of its organizational By-Laws and its rules by the City Council, the Authority shall have all powers and duties enumerated in or reasonably implied from this Ordinance and Wyoming law.

Section 6. Termination and Dissolution. The Authority shall continue in existence until dissolved by ordinance of the City Council of the City of Laramie. The Authority may be dissolved if there is no outstanding indebtedness of the Authority, or if adequate provision for the payment of such indebtedness is provided.

Section 7. Conflict of Interest.

(a) No board member shall vote or otherwise participate in any matter in which he or she has a financial interest substantially greater than other property owners within the District. When such interest appears, the board member shall make such interest known, and shall thenceforth refrain from voting on or otherwise participating in the particular transaction involving such interest. Willful violation of the provisions of the Section constitutes grounds for dismissal subject to the provisions of W.S. §15-9-206(d).

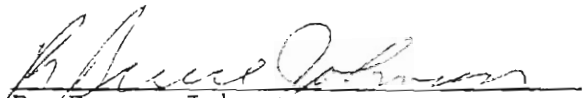
(b) No employee of the board may own or hold an interest in any property or business within the District.

Section 9. Severability. Should any part or provision of this Ordinance ever be judicially determined to be invalid or unenforceable, such determination shall not affect the remaining parts and provisions hereof, the intention being that each part or provision of this Ordinance is severable.

Section 10. Effective Date. The effective date of this Ordinance shall be immediately upon enactment and publication as provided by law.

PASSED AND APPROVED this 1 day of August, 1989.

BY THE LARAMIE CITY COUNCIL


R. Bruce Johnson
Mayor and President of the
City Council of the City of
Laramie, Wyoming

ATTEST:

Lois Caswell
City Clerk (Acting)

First Reading: _____
Second Reading: _____
Public Hearing: _____
Third Reading: _____
Final Reading: _____

Duly published in The Laramie Daily Boomerang this 9 day of
August, 1989.

6/16/2006
Resolution
Supporting Docs
Current