



Barbara Kirkmeyer, Chair
Michelle Bettger
Beth Block
Mark Grajeda, Vice Chair
Tommy Holton
Gary Montoya
Eugene Reynolds
Carol Ruckel

AGENDA

**Fort Lupton Urban Renewal Authority
Regular Meeting
Fort Lupton City Hall – 130 S. McKinley Ave.
Wednesday, February 21, 2018
6:30 P.M.**

- 1. Call To Order – Roll Call**
- 2. Approval Of The Agenda**
- 3. Consent Agenda**
 - a. Approval of the Minutes of the January 17, 2018 Meeting
- 4. Public Comment**
- 5. Accounts Payable**
- 6. Action Items**
 - a. AM 2018-002 Amending the Bylaws of the Fort Lupton Urban Renewal Authority
- 7. New Business**
 - a. Façade Improvement Program Update
 - b. Intergovernmental Agreements
 - c. Downtown Design Guidelines Discussion
 - d. Downtown Colorado Inc. Upcoming Events
- 8. Old Business**
- 9. Staff Reports**
 - a. Executive Director
 - b. Staff Liaisons
- 10. Board Reports**
- 11. Adjournment**

RECORD OF PROCEEDINGS
FORT LUPTON URBAN RENEWAL AUTHORITY
January 17, 2018

The Fort Lupton Urban Renewal Authority met at the City Complex, 130 South McKinley Avenue, the regular meeting place of the Board, on Wednesday, January 17, 2018. Chairperson Barb Kirkmeyer called the meeting to order at 6:36 p.m.

ROLL CALL

Roll Call was taken and those present were Chairperson Barbara Kirkmeyer and Board members Beth Block, Carol Ruckel, and Mark Grajeda. Board member Gary Montoya arrived at 6:38 p.m. Also in attendance were Staff Liaison Alyssa Knutson and Planning Technician Stephanie Darnell.

Ms. Kirkmeyer made a comment to the attendance of Mayor Zo Stieber, and that Tommy Holton was appointed in her place on the Board.

APPROVAL OF AGENDA

Ms. Kirkmeyer asked for a motion to approve the agenda as presented.

Ms. Ruckel made a motion with a caveat to move the Façade Improvement Program Celebration & Presentation to an earlier time and Mr. Montoya seconded the motion. Motion passed unanimously.

CONSENT AGENDA

Approval of the Minutes of the December 19, 2017 Meeting.

It was moved by Ms. Block and seconded by Ms. Ruckel to approve the Consent Agenda as presented. Motion carried unanimously.

Ms. Kirkmeyer took Chair's prerogative that the Façade celebration be moved to right now.

FAÇADE IMPROVEMENT PROGRAM CELEBRATION & PRESENTATION

Ms. Kirkmeyer presented Julie and Philip DeVisser with a certificate of appreciation that expressed FLURA's appreciation for their participation in the first year of the Façade Improvement Grant Program, and the revitalization of downtown Fort Lupton. Ms. Kirkmeyer continued to thank Mr. and Mrs. DeVisser and thank them for their involvement in the program.

Mrs. DeVisser thanked the Board, and was looking forward to the next year's grant program to improve with signage and lighting and continue with the corner beautification.

Mr. Grajeda also thanked Mr. and Mrs. DeVisser for their improvement efforts.

**RECORD OF PROCEEDINGS
FORT LUPTON URBAN RENEWAL AUTHORITY
January 17, 2018**

PUBLIC COMMENT

Public was in attendance but did not wish to address the Board.

ACTION ITEMS

AM 2018-001: Designating the City Complex as the Public Place for Posting Notices of Public Meetings

Ms. Kirkmeyer requested a motion to pass AM 2018-001 designating the City Complex as the public place for posting of notices at public meetings. Mr. Montoya made a motion to pass AM 2018-001 and the motion was seconded by Ms. Block. The motion as corrected passed unanimously.

Election of Officers

Ms. Kirkmeyer asked Planner Alyssa Knutson if there were term limits for the officers.

Ms. Knutson stated that in the Bylaws, the first meeting of the year requires the election of officers for the Board. The officers to be elected are Chair, Vice Chair, Secretary, and Treasurer.

Ms. Kirkmeyer asked the Board if anyone would like to serve as an officer.

Ms. Block stated that she would like to remain Secretary.

Ms. Ruckel moved to keep the same officers for next year.

Ms. Block seconded the motion.

The motion passed unanimously.

NEW BUSINESS

Intergovernmental Agreements

Ms. Knutson started by stating that she sent Malcom Murray the Intergovernmental Agreement with the Fire District and the Board's thoughts. Ms. Knutson further explained that in the standard agreement with Weld County, the money can be used for specific items. However, in the Fire District's proposed IGA, it also includes funds being used to offset the cost of improvements by the Fire District for similar infrastructure, inside or outside the URA area. Ms. Knutson stated she mentioned this to Mr. Murray, and that he did not have concerns.

Ms. Kirkmeyer stated that it doesn't make sense if section 2 B states that the Fire District can spend the remaining 50% and then section 3 states that the Fire District wants all of the Mill Levies returned to them.

RECORD OF PROCEEDINGS
FORT LUPTON URBAN RENEWAL AUTHORITY
January 17, 2018

Ms. Knutson stated that she was under the impression that the two sections were referring to different items, and that Mr. Murray stated we could return retro actively the Mill Levies if the Board wishes to do so and that the distinction would need to be made. Ms. Knutson stated that she did not believe that the intention of the Board to return the Mill Levies retro actively.

Ms. Kirkmeyer asked if the Fire District thought that all the revenue that is generated from the Mill Levy for the Fire District should be returned to them.

Mr. Grajeda stated that any new Mill Levies that are put in for a building, or what is needed for the station remain the same, since it was approved by the tax payers, and should cover any loans or payments on the existing buildings. This is to prevent asking tax payers for additional funds on buildings that were already approved.

Ms. Kirkmeyer clarified that any Mill Levies related to a debt that was approved by the tax payers to build something would still be in place.

Mr. Grajeda agreed.

Mr. Reynolds stated that the Recreation Center IGA utilizes a debt service agreement method.

Ms. Knutson stated that there is a share back agreement on the undeveloped parcels, but not on the developed, and that is similar to the agreement with Weld County.

Mr. Reynolds asked what the 50% is.

Ms. Knutson stated that it was her understanding that the 50% is a share back on the undeveloped, or greenfield parcels.

Ms. Kirkmeyer clarified that FLURA would retain 100% on the properties that are already developed.

Ms. Knutson agreed, and that 50% references what the money can be spend on such as entry way improvements, storm drainage, streets, and traffic lights, which aligns with the Weld County agreement; however the Fire District added that similar infrastructure, inside or outside the URA area will fall under this spending area.

Ms. Kirkmeyer stated that money could not be used outside the URA area, but could from inside the URA area; however the decision would be up to the URA, and that the additional statement refers to an additional category of how FLURA can use their discretion to spend the money.

Ms. Knutson agreed.

RECORD OF PROCEEDINGS
FORT LUPTON URBAN RENEWAL AUTHORITY
January 17, 2018

Ms. Block stated that the agreement was confusing. The Chair stated that the Board will address the items individually as a series of questions. First, being how the FLURA Board will address new Mill Levies used for debt service, as either retaining or not retaining the revenue.

Mr. Reynolds stated that in the past FLURA would not involve itself with debt service.

Everyone agreed.

Ms. Kirkmeyer clarified that any Mill Levy associated or approved by the voters for debt service, prospective or retrospective, would be returned at 100% to the taxing entity.

Everyone agreed.

Ms. Kirkmeyer stated that in the County Agreement, there was a 50% share back on all undeveloped parcels in the area, and no share back for developed parcels. Ms. Kirkmeyer further stated that this provision, needs to be stated in the agreement, and that the vacant green fields need to have the 50% share back.

Ms. Knutson agreed, and stated that the specific parcels would need to be identified for clarification.

Ms. Kirkmeyer stated that in addition to that, there needs to be clarification on what FLURA can spend the collected money on, and that Mr. Murray needs to write this in the agreement.

Everyone agreed.

Ms. Knutson moved to Section 4 which stated that funds are to be transferred every month to the Fire District. Ms. Knutson stated that Mr. Hanes had indicated that he thought that would be burdensome since the treasurer does not transfer funds every month.

Ms. Ruckel made a comment that Mr. Hanes also suggested transferring quarterly.

Ms. Knutson stated that she will address this with Mr. Hanes.

Ms. Kirkmeyer stated that should be okay with anything other than monthly as long as it was consistent with how the transfers to the Recreation Center are being handled.

Ms. Knutson said she will follow up with the transfer schedule and have Mr. Murray negotiate on that.

Everyone agreed.

Downtown Design Guidelines Discussion

RECORD OF PROCEEDINGS
FORT LUPTON URBAN RENEWAL AUTHORITY
January 17, 2018

Ms. Kirkmeyer stated that she, Ms. Ruckel, and Mr. Montoya attended the work session with the City Council in regards to a streetscape plan. There was a consensus about liking the idea, however cost was brought up, and that the City Council didn't seem to want to make a solid commitment about how much money they would offer until there was more information.

Mr. Montoya and Ms. Ruckel agreed that the City Council was receptive to the idea of the streetscape plan and that an RFP process would be the next step to have to present to City Council.

Ms. Knutson stated that City Council should be involved with the RFP process since several aspects of the project would have to be approved through them.

Mr. Montoya suggested having phases to propose to City Council to alleviate issues of funds, and commitment.

Ms. Kirkmeyer agreed.

Ms. Ruckel asked when the Comprehensive Plan Update would be finalized.

Ms. Knutson stated that it should be complete no later than the end of first quarter.

Ms. Knutson requested direction from FLURA in regards to their request for the RFP.

Ms. Kirkmeyer stated to draft the RFP, and to reference to the Lamar streetscape plan, and having the project done in phases.

Mr. Montoya also suggested including data about Lamar that reflects the increase of new businesses, increase in sales tax to bring forward to City Council.

Downtown Colorado Inc. Upcoming Events

Ms. Knutson stated that there hasn't been an update about more information on early registration for the DCI Annual Confernece, and wanted to know how many members would like to attend. She stated it would be about \$300 per person.

Ms. Kirkmeyer stated that they would need more information in regards to cost before committing numbers.

Ms. Knutson and Ms. Block expressed interest in attending, but may not be able to commit to all of the days.

Ms. Kirkmeyer suggested looking into one registration and having different members attend different days.

**RECORD OF PROCEEDINGS
FORT LUPTON URBAN RENEWAL AUTHORITY
January 17, 2018**

Ms. Ruckel suggested that Planning Technician, Stephanie Darnell, attend on Ms. Knutson's behalf if she was unable.

OLD BUSINESS

No old business.

STAFF REPORTS

Executive Director

Mr. Hanes is not in attendance, and Ms. Knutson stated there was nothing to report on his behalf.

Staff Liaison

Mr. Knutson stated that Zo Stieber's term expired, and Tommy Holton expressed an interest serving as the Council Representative to the Board. City Council voted him to serve on the FLURA Board.

Board Reports

There were no reports to be made.

Ms. Kirkmeyer reminded everyone about the Open House at the Rec Center about the Highway 85 corridor at 6:00 p.m.

Ms. Block made a comment that the new preschool will be opening.

Ms. Kirkmeyer asked if there was anything else to go over. Seeing none, the meeting was adjourned at 7:45 pm.

Respectfully submitted,

Stephanie Darnell, Planning Technician

Approved by Fort Lupton Urban Renewal Authority

Barbara Kirkmeyer, Chairperson

Murray Dahl Kuechenmeister & Renaud LLP

Attorneys at Law
710 Kipling Street, Suite 300
Lakewood, CO 80215



Ph:303-493-6670

Fax:

February 5, 2018

Fort Lupton Urban Renewal Authority
130 S. McKinley Ave
Fort Lupton, CO 80621

Attention: Leann Perino

Matter #: 16-242
Inv #: 14239

RE: General Counsel

DATE	DESCRIPTION	ATTY	RATE	HOURS	AMOUNT
Jan-23-18	telephone call with Alyssa Knutson	MMM	\$250.00	0.25	62.50
				Totals	0.25 \$62.50

DISBURSEMENTS

Jan-31-18	January Postage			1.40	
				Totals	\$1.40
				Total Fee & Disbursements	\$63.90
				Previous Balance	125.00
				Previous Payments	125.00
				Balance Now Due	\$63.90

TAX ID Number 20-1943771

TIMEKEEPER LIST

MMM Malcolm M. Murray

Senior Partner

AM 2018-002

AMENDING THE BYLAWS OF THE FORT LUPTON URBAN RENEWAL AUTHORITY

- I. **Agenda Date:** Board Meeting – February 21, 2018
- II. **Attachments:** A. Redline of proposed changes to bylaws.
- III. **Issue/Request:**

This action memorandum is a proposal to amend the Bylaws of the Fort Lupton Urban Renewal Authority (Bylaws) related to certain provisions related to membership of the Board. The Bylaws currently require that membership be comprised of nine regular members and one alternate, and those members shall include:

- 1. One member shall be appointed by agreement of the board of county commissioners.*
- 2. One member shall be a board member of a special district whose property taxes are subject to allocation under the urban renewal plan.*
- 3. One member shall be an elected member of the school board.*
- 4. One member shall be an elected official that is currently serving on the Fort Lupton City Council at the time of appointment to the Board.*
- 5. One member shall be a board member of the Fort Lupton Fire Protection District.*
- 6. Two members shall serve as business representatives and must own and operate a business within the City and reside within the City at the time of their appointment and at all times while serving on the Authority.*
- 7. Two members shall represent the citizens of Fort Lupton and must own property and reside within the City at the time of their appointment and at all times while serving on the Authority.*
- 8. One alternate, who is eligible to fill the alternate position if they either (1) operate a business within the City and reside within the City at the time of their appointment and at all times while serving on the Authority, or (2) own property and reside within the City at the time of their appointment and at all times while serving on the Authority.*

The amendments proposed are located in Article IV, Section 1, Paragraph A(7) and A(8) related to removing the ownership requirement for a person to serve as a citizen representative to the Board, as either a regular or alternate member. The proposed changes are shown in the attached redline of the Bylaws. The proposed changes would make the requirement simply that a citizen representative to the Board reside within the City.

According to the Bylaws, proposed amendments must be provided to all members a week in advance of consideration of any amendments. Amendments shall be approved by an affirmative vote of not less than a majority of current members of the Authority.

IV. Alternatives/Options:

1. *Approve a motion to amend Article IV, Section 1, Paragraph A(7) and A(8) of the Bylaws so that a citizen representative to the Board not be required to own property within the City, as shown in the attached redlines to the Bylaws; or*
2. *Do not approve a motion to amend the Bylaws and continue to require that a citizen representative to the Board own property within the City.*

V. Financial Considerations:

Not applicable.

VI. Legal / Political Considerations:

By requiring property ownership for a citizen to serve on the Board, it excludes certain members of the community from being able to participate should they choose to. This further potentially limits the ability to maintain full membership of the Board by shrinking the pool of people who qualify to serve.

VII. Staff Recommendation:

Staff recommends a motion amending the Bylaws so that property ownership is not a requirement to serving as a citizen member of the Board, either as a regular or alternate.

**BYLAWS OF THE
FORT LUPTON URBAN RENEWAL AUTHORITY
OF THE CITY OF FORT LUPTON, COLORADO**

**ARTICLE I.
INTRODUCTION**

Section 1. The name of this urban renewal authority shall be the “Fort Lupton Urban Renewal Authority,” as established by Resolution 2014R043 of the Fort Lupton City Council on August 18, 2014, and hereinafter referred to as the “Authority.”

Section 2. The within Bylaws have been adopted by the Authority, and all previously adopted bylaws are hereby repealed.

Section 3. The purpose of these Bylaws is to establish rules and procedures necessary to carry out the purpose and duties of this Authority, as set forth in the Colorado Revised Statute Title 31, Article 25, Part 1, and hereinafter referred to as the “Colorado Urban Renewal Law.”

**ARTICLE II.
MISSION STATEMENT**

Section 1. Mission. The mission of the Authority is to promote redevelopment and reinvestment within the City of Fort Lupton and to create a thriving community that is economically diverse.

**ARTICLE III.
POWERS AND DUTIES**

Section 1. Powers and Duties. The Authority shall have all the general powers granted to it by the Fort Lupton City Council and by the Colorado Urban Renewal Law, and shall perform all duties required by law.

Section 2. Acquisition of Property. The Authority may acquire any interest in property by any manner available, except that the Authority may not acquire property by means of eminent domain. The Authority may acquire property, or any interest therein, by agreement for the following reasons: to eliminate or prevent conditions of blight; to carry out one or more objectives of any plan formally adopted by the Authority; to assemble property for redevelopment by private enterprise; for needed public improvements; for any other lawful purpose authorized by any plan formally adopted by the Authority. The Authority may authorize all expenditure of funds in excess of \$5,000.00.

ARTICLE IV.
MEMBERSHIP

Section 1. Membership. Membership on the Authority will be in accordance with the Authority's Second Amended Structure, Responsibilities and Operational Guidelines ("Guidelines"), which were adopted by the Fort Lupton City Council on December 7, 2015 by Resolution No. 2015R052. The Colorado Urban Renewal Law shall govern where there are conflicts between the Guidelines and Colorado Revised Statutes.

- A. The Authority shall be comprised of nine regular members and one alternate, and those members shall include:
1. One member shall be appointed by agreement of the board of county commissioners.
 2. One member shall be a board member of a special district whose property taxes are subject to allocation under the urban renewal plan.
 3. One member shall be an elected member of the school board.
 4. One member shall be an elected official that is currently serving on the Fort Lupton City Council at the time of appointment to the Board.
 5. One member shall be a board member of the Fort Lupton Fire Protection District.
 6. Two members shall serve as business representatives and must own and operate a business within the City and reside within the City at the time of their appointment and at all times while serving on the Authority.
 7. Two members shall represent the citizens of Fort Lupton and must ~~own property and~~ reside within the City at the time of their appointment and at all times while serving on the Authority.
 8. One alternate, who is eligible to fill the alternate position if they either (1) operate a business within the City and reside within the City at the time of their appointment and at all times while serving on the Authority, or (2) ~~own property and~~ reside within the City at the time of their appointment and at all times while serving on the Authority.
- B. The Mayor, with the consent of City Council, shall appoint the members of the Authority. A resolution of the appointment or reappointment of any member shall be conclusive evidence of the due and proper appointment of such Authority member.
- C. The Authority members who are first appointed shall be designated by the Mayor to serve for staggered terms so that the term of at least one member will expire each year. Thereafter, the term of office for Authority members is five years.
- D. An Authority member shall hold office until his successor has been appointed and has qualified.

- E. Vacancies other than by reason of expiration of terms shall be filled by the Mayor, with consent of City Council, for the unexpired term.
- F. Members of the Authority shall receive no compensation for their services, except that a they may be entitled to necessary expenses, including traveling expenses, incurred in the discharge of their duties.

Section 2. Resignation. The resignation of a member of the Authority shall be made in writing to either the Executive Director or Chair of the Authority, and the resignation shall be forwarded to the City Clerk. The resignation of a member of the Authority shall be effective immediately upon receipt and verification by the City Clerk's office.

Section 3. Executive Director. A non-voting Executive Director provides the following support and assistance to the Authority, including, but not limited to the following duties:

- A. Ensure that the agenda is prepared and distributed on schedule.
- B. Post notice of meetings in the official posting places, and in any additional places designated by the Authority.
- C. Ensure that minutes are taken, posted and submitted to the City Clerk for the City's permanent archives.
- D. Assist the Chair during the meeting, if necessary.
- E. Ensure that actions and activities of the Authority are consistent with policies and procedures of the City.
- F. Offer insights about City organization, policies, and efforts.
- G. Notify the Authority of events, meetings, or circumstances when the City Liaison(s) is asked to speak on behalf of the Authority.
- H. Maintain the Authority's presence on the City website.
- I. Act as point person for contact with other City liaisons, departments or boards, unless otherwise delegated.
- J. Facilitate communication among members in compliance with City of Fort Lupton and Colorado open meetings laws.

Section 4. Attendance and Dismissal Requirements.

- A. Any member who has not provided notice of their absences from two consecutive regular meetings or three regular meetings in a six-month period shall receive a written

notification from the Chair of the Authority advising the member of his/her absences. If a continued pattern of absences occurs, the Chair shall notify the Mayor.

- B. The Mayor, with the consent of the City Council, may remove an Authority member for inefficiency, neglect of duty or misconduct in office, but only after the member has been given a copy of the charges made by the Mayor against them and has had an opportunity to be heard in person or by Counsel before the governing body. In the event of the removal of any member, the Mayor shall file in the office of the City Clerk a record of the proceedings, together with the charges made against the member and findings thereon.

ARTICLE V. **OFFICERS**

Section 1. Officer Terms and Duties. The officers of the Authority shall be a Chair, Vice-Chair, Secretary, and a Treasurer.

- A. The Chair shall preside over all regular and special meetings of the Authority, and shall, subject to these Bylaws and rules of procedure, decide all points of procedure, unless otherwise directed by a majority of the members present at a particular meeting. The Chair shall sign all documents of the Authority, and shall serve as the primary contact between the Authority and the Executive Director.
- B. The Vice-Chair shall assume the duties and responsibilities of the Chair in the event the Chair is absent or unable to perform his/her duties.
- C. When both the Chair and Vice-Chair are absent, the members present shall select a member to preside over the meeting by a majority vote.
- D. The Secretary shall keep the minutes of all meetings of the Authority in an appropriate minute book, give or serve all notices required by law, be a custodian of the Authority's records, sign official documents of the Authority that require the signature of the Secretary, and perform such other duties of the Secretary as required by law. Performance of duties of the Secretary may be delegated to City staff by a majority vote of the members of the Authority.
- E. The Treasurer shall have the care and custody of all funds of the Authority. The Treasurer shall keep records of accounts and other financial matters of the Authority and shall provide to the Authority not less than quarterly, or as often as requested by the Authority, a report of all expenditures. The Treasurer shall prepare and submit to the Authority members an annual budget for the operation of the Authority and shall cause the financial records, documents and accounts of the Authority to be audited annually. If required by the members of the Authority, or required by law, the Treasurer shall be bonded. Performance of duties of the Treasurer may be delegated to City staff by a majority vote of the members of the Authority.

Section 2. Elections. Officers shall be elected by a majority vote of the Authority, at the first meeting of the calendar year. Nominations for an officer position do not require a second. Nominees may have an opportunity to speak to their nomination before the vote is taken. A voice vote may be taken to elect all officers. Officers shall be elected by a majority of the members present.

Section 3. Vacancies of Officers. A vacancy in an officer position shall be filled by election at the next regular or special meeting of the Authority from among the Authority members. Until such election, the Vice-Chair shall serve as acting Chair, if the Chair position is vacant. All officers elected to fill a vacant officer position shall serve until the next officer election.

ARTICLE VI. **LEGAL COUNSEL OF THE AUTHORITY**

Section 1. Legal Counsel. The Authority may call upon the municipal counsel or chief legal officer of the municipality for such legal services as it may require, or it may employ its own counsel and legal staff.

ARTICLE VII. **MEETINGS**

Section 1. Schedule. Meetings shall occur on the regularly scheduled meeting dates established by the Authority. Regular meetings may be postponed, rescheduled, or cancelled by the Authority, if necessary, or if there is no business to conduct. If inclement weather requires that a meeting be postponed or rescheduled, the Chair shall have the authority to reschedule or postpone the meeting, and shall promptly notify all Authority members accordingly. A record of the cancellation, postponement or rescheduling must be written into the minutes of the next meeting.

Section 2. Notice of Meetings. Meeting agendas shall be posted in compliance with the Fort Lupton Municipal Code and Colorado law. The meeting agenda shall be posted as notice of a meeting. The Authority may designate additional posting places in for its agendas at its first meeting of each year. Notice of any regular or special meeting shall be posted in the designated posting places no less than 24 hours prior to the holding of such meeting, unless an emergency requires posting within 24 hours of the meeting time. Any executive session must comply with applicable law.

Section 3. Meeting Types

- A. **Public Meetings.** All meetings of the Authority shall be open to the public, pursuant to the Fort Lupton Municipal Code and Colorado law. All meetings of three or more members of the Authority, at which any Authority business is

discussed or at which any formal action may be taken, shall constitute a meeting for purposes of this section.

- B. **Special Meetings.** Special meetings may be called by the Chair, plus one regular Authority member. When a special meeting is scheduled, all Authority members must be notified at least 24 hours prior to the time set for such meeting by phone and written notice (via e-mail or hand delivery), including a listing of all items to be considered (agenda) at the special meeting, unless an emergency requires posting within less than 24 hours prior to such meeting. Formal action taken at a special meeting called in accordance herewith shall be considered as though it were taken in a regular meeting for those, and only those, matters referred to in the agenda contained in the notice of the meeting.
- C. **City Council Quarterly Meeting.** The Authority shall meet with the Fort Lupton City Council on a quarterly basis in order to provide an update on Authority activities.
- D. **Special District Meetings.** The Authority shall meet at least annually with special districts that are included within any adopted urban renewal plan to provide an update on Authority activities.

Section 4. Quorum; Voting Required.

- A. A majority of the voting members of the Authority in office shall constitute a quorum. In the absence of a quorum, no business shall be conducted by the Authority, except rescheduling of the meeting, except as otherwise provided in subparagraph D. of this Section 4, below.
- B. All members are required to vote unless recused or disqualified from voting. In determining whether a member shall be recused or disqualified from voting on a matter before the Authority, the Authority shall follow the procedures outlined in the City Council Code of Ethics and Conduct.
- C. If it is determined that any Authority members are disqualified from voting, and such disqualification causes the Authority to lose its quorum (as defined by these Bylaws) on the matter before the Authority, the matter shall be continued until the next meeting at which a sufficient number of qualified Authority members are present to constitute a quorum. In the event that the number of disqualifications are such that tabling the matter will not result in a quorum of qualified Authority members, the quorum necessary to conduct that item of business shall be adjusted to consist of at least fifty percent of those members not disqualified.
- D. Remote participation by Authority members via telephone, internet, or other remote communication technology is permitted for an Authority that are not sitting in a quasi-judicial capacity, if such remote participation technically

feasible. Any member of the Authority who wishes to participate in a meeting by remote communication shall give as much advanced notice to the Executive Director as possible, prior to the meeting.

Section 5. Rules of Procedure. The Authority may adopt its own rules of procedure, or may conduct its meetings in accordance with Robert's Rules of Order.

Section 6. Public Participation. Meeting agendas shall include a designated time for public comments, not including comment on those items scheduled for a public hearing. All public comments must be made during the public comment segment of the agenda. Public attendees shall sit in the audience unless asked to sit with the Authority during their comments. The Authority may identify time limits for public comments at its discretion.

Section 7. Meeting Agendas. The form of agendas shall be determined by the Authority. Agendas shall be posted in accordance with all open meetings laws.

Section 8. Meeting Minutes. Written minutes shall be made for all Authority meetings. The form and contents of meeting minutes shall be consistent with the form and contents of meeting minutes for meetings of the Fort Lupton City Council. The Authority's minutes shall be posted on the Fort Lupton Urban Renewal Authority website when the agenda for the upcoming meeting is posted. The minutes of each meeting shall be approved by the Authority at its next meeting and the signed original shall be provided to the City Clerk.

ARTICLE VIII. **SPECIAL AND STANDING COMMITTEES**

Section 1. Special Committees. Special committees may be authorized and formed for special, limited purpose(s), and to work on specific issues or projects, as needed. A special committee shall serve only until completion of the special, limited purpose(s) for which it was formed. Recommendations of a special committee must be approved by the Authority before being considered officially adopted.

Section 2. Standing Committees. There shall be no standing committee(s) of the Authority, unless authorized by City Council.

Section 3. Committee Chairs. A member of the Authority shall serve as the chair of any committee.

ARTICLE IX. **COMMITMENT TO THE PUBLIC**

Section 1. Commitment to the Public. Authority members' commitment to the public shall be demonstrated by adherence to all Colorado and City of Fort Lupton laws, rules and regulations regarding conduct of public officials.

Section 2. Conflict of Interest. The Authority shall adhere to all Colorado and City of Fort Lupton laws, rules and regulations that may pertain to the avoidance of conflicts of interest.

No member of the Authority, other officer, or employee of the Authority, nor any immediate member of the family of any such member, officer, or employee shall acquire any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any specific redevelopment project. If any member, other 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 specific redevelopment project, he shall immediately disclose the same in writing to the Authority, and such disclosure shall be entered upon the minutes of the Authority. Upon such disclosure, such member, 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 specific redevelopment 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.

Section 3. Communications Among Members. Authority members shall adhere to all Colorado and City of Fort Lupton laws, rules and regulations governing government communications.

Section 4. Electronic Communications. Electronic communications (including e-mails) between Authority members with respect to the business of the Authority may only occur in a manner that complies with the Colorado Open Meetings Law. The Colorado Open Meetings Law prohibits the discussion of public business (including discussion via electronic means) by a group of three or more Authority members, except at properly noticed public meetings. All electronic communications pertaining to Authority business should be treated as a public record, and, as such, potentially subject to public disclosure under the Colorado Open Records Act. The following procedures shall be followed with respect to electronic communications:

- A. One member of the Authority may send an e-mail or electronic communication to one other Authority member on any one particular matter.
- B. E-mails or other electronic communications intended for more than one Authority member shall be sent as an e-mail to the Executive Director, who shall forward the e-mail to the entire Authority.
- C. All replies shall be sent to the Executive Director, who shall compile the replies into a single e-mail message and forward the compiled e-mails to the entire Authority.
- D. The Executive Director shall not edit any of the messages that are forwarded.
- E. There shall be no further electronic communication on the matter after the compiled replies have been forwarded to the entire Authority by the Executive Director. Any

further communication among the Authority members regarding the matter shall not occur unless and until a promptly posted public meeting is held.

Section 5. Communications Outside the Authority. The Authority may give individual members the authority to speak on behalf of the Authority as needs arise. Individuals shall not speak for the Authority without the Authority's authorization, and shall not make commitments on behalf of the Authority unless the Authority has formally approved such a commitment.

ARTICLE X.
AMENDMENTS TO BYLAWS

Section 1. Amendments. These Bylaws shall be reviewed as needed and proposed amendments shall be approved by an affirmative vote of not less than a majority of the total current members of the Authority. Copies of the proposed amendment(s) shall be provided to each member of the Authority at least one (1) week prior to the date of any regular or special meeting at which the Bylaws amendment(s) are on the agenda for consideration. These Bylaws, and any subsequent amendments thereto, shall be submitted to City Council for approval by resolution prior to going into effect.

Approved on: _____

Chair: _____