

ORDINANCE NO. 2436
INTRODUCED BY: Padilla

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO,
AMENDING CERTAIN SECTIONS OF ARTICLE 2-40 OF THE BRIGHTON MUNICIPAL
CODE REGARDING THE COMPOSITION OF THE BRIGHTON HOUSING AUTHORITY

WHEREAS, the City of Brighton (“City”) found a need for a housing authority to function in the City to remedy unsanitary and unsafe dwellings and to work in the public interest on projects to provide housing opportunities, including but not limited to planning of buildings and improvements, repairing and renovating buildings, and acquiring land for projects; and

WHEREAS, the City Council appoints commissioners for the board overseeing the Brighton Housing Authority (“Board”) and one City Council member is currently appointed to the Board; and

WHEREAS, pursuant to state statute § 29-4-205, C.R.S., the City Council may change the method of appointment of commissioners after a proper notice and hearing and set a date for the changed method to become effective; and

WHEREAS, the City Council desires to amend the Brighton Municipal Code to allow for the appointment of the City Manager and to broaden and clarify the basis for eligibility for the two Board positions filled by non-residents.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGHTON, COLORADO, AS FOLLOWS:

Section 1. Section 2-40-20, subsections (a), (c), (d), (e), (f), and (g) are hereby amended and enacted as follows:

(a) The affairs of the Housing Authority shall be under the supervision and control of Commissioners, also known as Board Members, consisting of seven (7) members and two (2) alternates appointed by the Mayor after approval by a majority of the City Council.

(c) When possible, not less than one (1) Commissioner shall be an individual who is directly assisted by the Authority and the Authority shall report to the Commission annually on efforts made to invite those directly assisted to apply.

(d) Not more than one (1) of such Commissioners may be a City official, defined as an elected City Council member. In the event that a City Council member is appointed as Commissioner, acceptance or retention of such appointment shall not be deemed a forfeiture of office and such term shall run consecutive with the City Council term. Any such appointment by the Mayor shall be for two years, and the persons are eligible for re-appointment as long as they remain an elected City Council member.

(e) The City Manager or designee shall be a voting member of the Housing Authority Board.

(f) The term of office of each Commissioner shall be for five (5) years, except the City Manager and City official. A Commissioner shall hold office until his or her successor has been appointed and has qualified. Vacancies other than by reason of expiration of terms of office shall be filled for the unexpired term.

(g) Commissioners and alternates shall be residents of the City for a period of at least thirty (30) days preceding the date of appointment, and residency in the City shall be a prerequisite to continuing to serve as a Housing Authority Commissioner; provided that qualified residents shall be given priority for appointment, and that no more than two (2) Commissioners and no more than one (1) Alternate need not be a resident of the City if the City Council, after a good faith effort to appoint residents, is unable to find qualified residents for appointment, and the nonresident applicant is employed within the City or has significant ties to the City demonstrated by where the individual works, worships, shops, recreates, or spends the majority of their time, at the time of appointment, and the City Council determines that it is in the best interest of the City and the Authority that a nonresident/qualified persons be so appointed.

Section 2. Section 2-40-50 is amended and replaced with the following:

The Housing Authority shall have all the power granted and shall perform all the duties imposed by the state and federal statutes, including but not limited to, improving housing conditions, providing of dwelling accommodations for persons of low income, and to prepare and carry out projects to provide for the construction, reconstruction, improvement, alteration, or repair of any project.

Section 3. As provided in City Charter Section 5.9(A), this Ordinance, either as presented or as amended, shall be published in full as it was adopted prior to taking final action. This Ordinance shall be in full force and effect five days after its final publication, as provided in City Charter Section 5.8, except as may be otherwise set forth herein.

INTRODUCED, PASSED ON FIRST READING AND ORDERED PUBLISHED THIS 21ST DAY OF NOVEMBER, 2023.

INTRODUCED, PASSED ON FINAL READING AND ORDERED PUBLISHED BY TITLE ONLY THIS 19TH DAY OF DECEMBER, 2023.

CITY OF BRIGHTON, COLORADO

GREGORY MILLS, Mayor

ATTEST:

NATALIE HOEL, City Clerk

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APPROVED AS TO FORM:

ALICIA CALDERÓN, City Attorney