

**CITY OF LEADVILLE, COLORADO
RESOLUTION NO. 10
SERIES 2019**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEADVILLE
APPROVING THE CENTRAL LEADVILLE URBAN RENEWAL PLAN**

WHEREAS, there was presented to the City Council of the City of Leadville (the “City”) for its review and consideration a document entitled “Central Leadville Urban Renewal Plan Area Conditions Survey” (the “Conditions Survey”); and

WHEREAS, the Conditions Survey was completed by *Ricker | Cunningham* (the “Consultant”); and

WHEREAS, the Conditions Survey demonstrates that the Central Leadville Urban Renewal Plan Area (the “Area” or “Urban Renewal Area”) qualifies as a blighted area under the Urban Renewal Law of the State of Colorado, Part 1 of Article 25 of Title 31, Colorado Revised Statutes, as amended (the “Act”); and

WHEREAS, by Resolution No. 8, Series 2019 (the “Prior Resolution”), the City Council found and determined that the Area is a blighted area as defined in Section 31-25-103(2) of the Act; and

WHEREAS, the Consultant has prepared the Central Leadville Urban Renewal Plan (the “Plan”), a copy of which is attached to and made a part hereof as **Exhibit 1**; and

WHEREAS, it is desirable and in the public interest that the Leadville Urban Renewal Authority (the “Authority” or “LURA”) undertake redevelopment activities described in the Plan; and

WHEREAS, approval of the Plan will facilitate the elimination and prevention of blighted areas and promote the redevelopment, conservation, and rehabilitation of the Urban Renewal Area; and

WHEREAS, the Plan is a matter of public record in the custody of the City Clerk, and is available for public inspection during business hours of the City; and

WHEREAS, on June 4, 2019, the City Council conducted a public hearing and reviewed the Plan pursuant to the procedural and notice requirements of the Act; and

WHEREAS, notice of the public hearing on the Plan was published as required by Section 31-25-107(3) of the Act at least thirty (30) days prior to the public hearing; and

WHEREAS, written notice of the public hearing was mailed to each property owner, business owner, and resident of the area included in the Plan informing them of the public hearing at least thirty (30) days prior to the public hearing; and

WHEREAS, the Leadville Planning Commission found that the Plan is in conformance with the City of Leadville Comprehensive Plan (the “Comprehensive Plan”), which is the general plan for the development of the City as a whole; and

WHEREAS, notice has been provided to and negotiations have been concluded with each affected public entity that levies property taxes in the proposed Urban Renewal Area related to the impacts and benefits of the proposed Plan on the services and revenues of such public entities, including sharing of incremental property tax revenues to offset such impacts where required, and the City and Authority are otherwise in compliance with the requirements of the Act; and

WHEREAS, specifically, a copy of the Plan and the *Central Leadville Urban Renewal Plan – Lake County Impact Report* was submitted to the Lake County Board of County Commissioners and the governing bodies of the City, Lake County School District, St. Vincent Hospital District, Colorado Mountain College and Leadville Sanitation District; and

WHEREAS, LURA entered into written agreements with all entities with the exception of the Leadville Sanitation District (the “District”); and

WHEREAS, LURA and the District submitted to mediation in accordance with the Act and the mediators’ *Findings of Fact Following Mediation Pursuant to C.R.S. § 31-25-107(9.5)(d)(III)* dated January 24, 2019 have been incorporated into the Plan; and

WHEREAS, the City Council, having considered the evidence presented in support of and in opposition to the Plan, the Prior Resolution, City Staff and Consultant recommendations regarding the Plan, and other evidence made a part of this proceeding, and having considered such evidence and given appropriate weight to said evidence, desires to approve the Plan.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Leadville, Colorado as follows:

Section 1. The foregoing recitals are incorporated herein by reference as findings and determinations of City Council.

Section 2. As set forth in the Prior Resolution, the Area described in the Urban Renewal Plan has been found, determined, and declared to be a blighted area as defined in the Act.

Section 3. The boundaries of the Area described in the Urban Renewal Plan have been drawn as narrowly as the City Council determines feasible to accomplish the planning and development objectives of the Plan.

Section 4. The City Council finds that the Plan is in conformity with the Comprehensive Plan, which is the general plan of the City as a whole.

Section 5. Pursuant to Section 31-25-107(4), C.R.S., and based upon the Urban Renewal Plan, testimony, and evidence presented at the public hearing:

(a) The City Council finds that each of the applicable requirements of the Act are met or satisfied by the Urban Renewal Plan and, in particular but without limitation, that:

i. It is not anticipated that acquisition of real property will result in the relocation of individuals, families or business concerns; however, if such relocation becomes necessary, LURA will adopt a relocation plan in conformance with the Act; and

ii. The City Council has made reasonable efforts to provide written notice of the public hearing prescribed by Section 31-25-107(3), C.R.S., to all property owners, residents, and owners of business concerns in the Urban Renewal Area at their last known address of record at least thirty (30) days prior to such hearing, in addition to providing published notice of said public hearing; and

iii. No more than one hundred twenty (120) days have passed since the commencement of the first public hearing of the Urban Renewal Plan pursuant to Section 31-25-107(3), C.R.S.; and

iv. The Plan does not contain property that was included in a previously submitted urban renewal plan that the City Council for the City of Leadville failed to approve pursuant to Section 31-25-107, C.R.S.; and

v. The Urban Renewal Plan conforms to the general plan (e.g., Comprehensive Plan) of the City as a whole; and

vi. The Urban Renewal Plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the Area by private enterprise; and

vii. The Leadville Urban Renewal Authority or the City will adequately finance, or that agreements will be in place to finance, any additional county infrastructure and services required to serve development within the Urban Renewal Area for the period in which all or any portion of the property taxes described in subparagraph (II) of paragraph (a) of subsection (9) of Section 31-25-107, C.R.S., and levied by a county are paid to the Authority; and

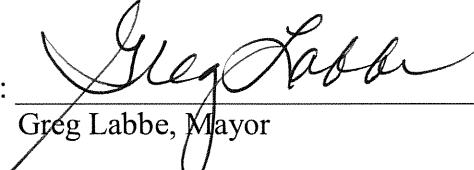
(b) The City Council further finds that the approval and adoption of the Urban Renewal Plan is necessary in the interest of the public health, safety, morals, or welfare of the residents of the City.

Section 6. Based upon the findings set forth in this Resolution and conformance of the Central Leadville Urban Renewal Plan with the Act, the City Council hereby approves and adopts the Central Leadville Urban Renewal Plan. The Authority shall be authorized to take any and all actions pursuant to the Act to carry out the Urban Renewal Plan. City Staff shall coordinate with the Authority as necessary in order to take all steps necessary to file the Plan and related documents with the Lake County Assessor.


Section 7. If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

Section 8. Effective Date. This Resolution shall take effect upon its adoption by the City Council.

CITY OF LEADVILLE, COLORADO

By: 
Greg Labbe, Mayor

ATTEST:


Deputy City Clerk

ADOPTED by a vote of 7 in favor and 0 against, and 0 abstaining, this 18 day of June, 2019.

EXHIBIT 1

Central Leadville Urban Renewal Plan
(attached)

