

RESOLUTION NO. 095
OF THE BOARD OF COMMISSIONERS OF THE FORT COLLINS
URBAN RENEWAL AUTHORITY APPROVING THE FORMATION
OF THE LEGAL CONTRACT REVIEW COMMITTEE

WHEREAS, historically, the Fort Collins Urban Renewal Authority (the "Authority") Board of Commissioners (the "Board") consisted of just the seven members of the Fort Collins City Council, as authorized in C.R.S. § 31-25-115(1); and

WHEREAS, historically, the Fort Collins City Attorney (the "City Attorney") provided legal services to the Authority; and

WHEREAS, as required by C.R.S. § 31-25-104(2.5), on July 9, 2018, four new commissioners were seated on the Board, one appointed by the Larimer County Board of Commissioners, one appointed by the school districts within the Authority's boundaries, and one appointed by the special districts within the Authority's boundaries; and

WHEREAS, as a result of the new membership on the Board, the City Attorney advised the Authority that future conflicts of interest may arise for the City Attorney in representing and advising both the City and the Authority and their respective governing bodies and, therefore, the Authority should retain its own separate legal counsel; and

WHEREAS, on August 24, 2018, the Board adopted Resolution No. 091 creating an ad hoc committee to identify, interview and recommend new legal counsel for the Authority; and

WHEREAS, on October 12, 2018, the Board approved Resolution No. 092, appointing the law firm Brownstein Hyatt Farber Schreck as the Authority's new legal counsel ("Legal Counsel"); and

WHEREAS, Section 2 in Article III of the Bylaws provides that the Board may, from time to time, create either standing or ad hoc committees as deemed appropriate and appoint the members of such committees; and

WHEREAS, the Board desires to create an ad hoc committee to potentially consider modifications to the existing contract between the Authority and Legal Counsel with regard to addressing any future conflicts of interest Legal Counsel may have in its future representation of the Authority (the "Legal Contract Review Committee"); and

WHEREAS, the Board wishes to appoint to serve on the Legal Contract Review Committee four Board Commissioners and the Authority's Executive Director, with the four Commissioners being made up of the Board's Chair and at least one of the Commissioners recently appointed to the Board by the other governmental entities.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE FORT COLLINS URBAN RENEWAL AUTHORITY as follows:

Section 1. That the Authority hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That the Legal Contract Review Committee is hereby created as an ad hoc committee of the Board and appointed to serve on the Legal Contract Review Committee are the Authority's Executive Director, Chair, and the following three Board Commissioners:

Commissioner Joe Wise

Commissioner Kristin Stephens

Commissioner Ross Cunniff

Passed and adopted at a regular meeting of the Board of Commissioners of the City of Fort Collins Urban Renewal Authority this 28th day of March, A.D. 2019.


Chair

ATTEST:


Secretary