

**CITY OF FRUITA
RESOLUTION 2022-02**

**A RESOLUTION AUTHORIZING THE CREATION OF THE FRUITA HOUSING
AUTHORITY**

WHEREAS, the Housing Authorities Law, C.R.S. §§ 24-4-201, *et seq.*, provides for the creation of a local housing authority;

WHEREAS, on January 7, 2022, pursuant to C.R.S. § 24-4-204, the City Clerk received a petition signed by 25 residents of the City setting forth the need for a housing authority to function in the City (the “Petition”);

WHEREAS, on January 24, 2022, the City Council held a properly-noticed public hearing to consider the Petition and to determine whether there is a need for a housing authority in the City.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO THAT:

Section 1. Findings. The City Council hereby finds and determines that:

- A. The petition meets the requirements of C.R.S. § 29-4-204(1).
- B. Notice of a public hearing was properly given as required pursuant to C.R.S. § 29-4-204(1).
- C. The public hearing was held on January 24, 2022, at which interested persons were provided an opportunity to be heard on the Petition.
- D. There is a lack of safe or sanitary dwelling accommodations in the City available to the inhabitants thereof.
- E. There is a need for the creation of a housing authority to function in the City.

Section 2. Pursuant to C.R.S. § 29-4-204(4), notice of this resolution shall be given to the Mayor of the City.

Section 3. Pursuant to C.R.S. § 29-4-204(5), the boundaries of the Fruita Housing Authority (the “Authority”) shall be the same as the municipal boundaries of the City.

Section 4. Pursuant to C.R.S. § 29-4-205(3), the Mayor shall appoint up to nine Commissioners, with such appointments ratified by the City Council pursuant to Section 2.05 of the City Charter, to serve as the Authority Board for staggered terms in accordance with C.R.S. § 29-4-205(3)(a) and (b). Thereafter, the term of office is the

number of years as set by the City Council by resolution, not to exceed five years in length, or, if the council has not so acted, five years. The Mayor shall file with the city clerk a certificate of the appointment or reappointment of any commissioner, with evidence of the City Council's ratification thereof, and such certificate is conclusive evidence of the due and proper appointment of each commissioner. Commissioners shall receive no compensation for their services but may be reimbursed for actual and necessary expenses incurred in the performance of official duties pursuant to C.R.S. § 29-4-205(4).

Section 5. The Commissioners shall select a Chair and Vice-Chair of the Authority in accordance with C.R.S. § 29-4-205(3)(b).

Section 6. Pursuant to C.R.S. § 29-4-204(4), the Commissioners shall sign a certificate setting forth that a properly noticed public hearing was held, that the City Council made a determination that there is a need for creation of the Authority, and that the Mayor shall appoint the Commissioners. The certificate shall be filed with the Division of Local Government in the Department of Local Affairs. Upon the filing of such certificate, the Authority will be created and shall operate in accordance with C.R.S. § 29-4-201, *et seq.*, and other applicable law.

DULY MOVED, SECONDED AND ADOPTED THIS 24th DAY OF JANUARY 2022.

CITY COUNCIL OF THE CITY
OF FRUITA, COLORADO

(S E A L)

BY: _____
Mayor

ATTEST:

City Clerk

Votes in favor: ____
Votes opposed: ____
Abstained: ____