

ORDINANCE NO. 778

AN ORDINANCE OF THE CITY OF EAGLE, ADA COUNTY, IDAHO, AMENDING ORDINANCE NUMBER 745 APPOINTING OF THE BOARD OF COMMISSIONERS OF THE EAGLE URBAN RENEWAL AGENCY TO CLARIFY APPOINTMENT AND VACANCY PROCEDURES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; PROVIDING FOR PUBLICATION BY SUMMARY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Idaho Code §50-2001 *et seq.*, the City of Eagle adopted Resolution No. 06-50, dated October 10, 2006, making the findings necessary to empower the Eagle Urban Renewal Agency (the "Agency"); and

WHEREAS, pursuant to Idaho Code §50-2006 and Resolution No. 06-50, the City appointed a Board of Commissioners (the "Board") of the Agency to transact the business and exercise the powers established by Idaho Code §50-2001 *et seq.*; and

WHEREAS, on February 14, 2012, the Mayor and City Council of the City of Eagle passed and approved Ordinance No. 669, terminating the appointment of the then-existing Board and appointing themselves as the commissioners of such Board; and

WHEREAS, on October 13, 2015, the Mayor and City Council of the City of Eagle passed and approved Ordinance No. 745, appointing the Mayor and City Council of the City of Eagle as the Board of Commissioners of the Eagle Urban Renewal Agency to clarify appointment and vacancy procedures and to make technical corrections;

WHEREAS, pursuant to Idaho Code §50-2006(3), the Mayor and City Council desire to designate those from its members to also be members of the Board of Commissioners of the Eagle Urban Renewal Agency, provided that such representation shall be less than a majority of the board of commissioners of the urban renewal agency of the Mayor and City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF EAGLE, IDAHO:

Section 1: Section 2 of Ordinance No. 745 shall be amended as follows, with additions in underline and deletions in strikethrough:

That the Mayor and City Council of the City of Eagle hereby designate and appoint from among its members and City residents themselves to be members of as the Board of Commissioners of the Eagle Urban Renewal Agency. There shall be five (5) Commissioners consisting of the Mayor and four (4) City Council Members two (2) City Council Members or one (1) City Council Member and the Mayor and three (3) at-large Commissioners.

The at-large seats 3 and 4 shall serve two (2) year terms and seat 5 shall serve a three (3) year term. The term of office for the Mayor and/or City Council Member(s) Agency Board shall

be consistent with the term of office for Mayor and/or City Council Member, respectively. Resignation or removal of the Mayor or a City Council Member shall also terminate membership on the Agency Board. A commissioner may resign his/her seat on the Agency Board without resigning his/her position as Mayor or City Council Member, ~~provided that the vacancy created by such resignation shall not be filled until the appointment or election of such Mayor or City Council Member's successor.~~ Appointment to a Mayor or City Council position shall also serve as an appointment on the Agency Board.

Section 2: Vacancy. In the event of a vacancy in a commissioner position, the replacement shall be appointed by the Mayor with the advice and consent of the City Council, and shall be filled for the unexpired term.

Section 223: Savings and Severability Clause. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence clause, or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Section 334: Repealer Clause. All City of Eagle ordinances or resolutions or part thereof which are in conflict herewith are hereby repealed.

Section 445: Publication. This Ordinance, or a summary thereof in compliance with Idaho Code §50-901A shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

Section 556: Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND ADOPTED by the City Council of the City of Eagle, Idaho this 13 day of June, 2017.

APPROVED by the Mayor of the City of Eagle, Idaho this 13 day of June, 2017.

CITY OF EAGLE, IDAHO

Stan Ridgeway
Stan Ridgeway, Mayor

ATTEST:

Sharon K. Bergmann
Sharon K. Bergmann,
City Clerk/Treasurer

