

ORDINANCE

AN ORDINANCE AMENDING TITLE 2 OF THE MANITOU SPRINGS MUNICIPAL CODE TO CREATE CHAPTER 2.50 ESTABLISHING A HOUSING ADVISORY BOARD FOR THE CITY OF MANITOU SPRINGS, COLORADO

WHEREAS, through research and the public engagement process for Plan Manitou, the City has found there is a need and a community interest in increasing the safety, sustainability, resiliency, and habitability of existing housing stock in Manitou Springs;

WHEREAS, through research and the public engagement process for Plan Manitou, the City has found there is a need and community interest in increasing the options for affordable rental and owner housing in Manitou Springs;

WHEREAS, further definition of these issues and creation of solutions addressing them is beneficial to the long-term social, environmental, and economic sustainability of Manitou Springs and will further the City's goals in these areas;

WHEREAS, the Manitou Springs City Council desires to create a Housing Advisory Board to assist the City with the identification of issues related to housing quality, sustainability, and affordability and to recommend policies, regulations, and programs that address those issues; and

WHEREAS, the City Council finds this Ordinance is in the best interests of the City and the health, safety, and welfare of its citizens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MANITOU SPRINGS, COLORADO, THAT:

Section 1: A new Chapter 2.50 is hereby added to the Manitou Springs Municipal Code to read as follows:

CHAPTER 2.50 – HOUSING ADVISORY BOARD

2.50.010 - Created and Purpose

Pursuant to the authority conferred in the City Charter, there is created a Housing Advisory Board for the City of Manitou Springs. The Purpose of this Board shall be to define, research, facilitate, and promote safe, sustainable, resilient, and habitable housing and options for affordable housing for the City of Manitou Springs, Colorado.

2.50.020 - Powers and Duties

A. The recommendations of the Housing Advisory Board shall be based on the Goals, Policies, Objectives, and Actions of Plan Manitou, as adopted and amended. Should a recommendation be made that does not have a basis in Plan Manitou, the Board shall note this and outline why such recommendation is being made.

B. Assist with implementation of the established action items related to housing in the *Housing and Neighborhoods* and *Land Use and Built Environment* elements in Plan Manitou and monitor/report on the City's housing-related goals as outlined in Plan Manitou, or as may be amended or adopted in any subsequent plans relating to housing quality or affordability.

C. Recommend a minimum standard for housing habitability in the City of Manitou Springs.

D. Recommend definitions of affordable, workforce, senior, transitional, or other housing types for the City of Manitou Springs.

- E. Recommend programs and methods to increase the availability and diversity of affordable rental and homeownership housing for low and moderate income Manitou Springs' citizens.
- F. Research and identify issues with safe, sustainable and habitable housing and make recommendations to the City Council regarding solutions and programs addressing those issues.
- G. Make recommendations to City Council regarding budget needs and financial impacts of facilitation of and addressing long-term needs of housing quality and affordability.
- H. Encourage upgrades that improve safety, sustainability, resiliency, energy efficiency, durability, quality and long-term affordability in existing housing stock.
- I. Develop strategies to improve housing conditions in aging and historic neighborhoods in coordination with the City's Historic Preservation goals.
- J. Review, evaluate and make recommendations to the governing boards, commissions, agencies, and/or staff regarding zoning, subdivision, housing code, and building code amendments and financial incentives to encourage desired upgrades in housing quality and affordability.
- K. Facilitate community education, involvement, and outreach related to the federal Fair Housing Act, City building codes, City housing codes, and maintaining safe and affordable housing.
- L. Research and secure funding, grants and donations for projects and programs, as approved by the City Council, to increase the safety and quality of housing and the availability of affordable housing.
- M. Identify and work with local, regional and state partners to collaboratively address housing quality and affordability needs as identified by Plan Manitou and any additional research.

2.50.030 - Meetings

- A. Schedule. The Housing Advisory Board shall meet regularly each month, at a time and date established by the Board. A meeting schedule shall be published annually in December for the following year.
- B. Public. All meetings of the Board shall be open to the public and citizens shall have a reasonable opportunity to be heard under such rules as the Board may prescribe.
- C. Notice. Notice of each meeting shall be published a minimum of twenty-four (24) hours prior to the meeting. Additional meetings may be called by the chair of the Board, any four Board members, or the City Administrator on at least (48) forty-eight hours written notice.

2.50.040 - Membership

- A. Appointment. City Council shall have sole discretion to appoint members.
- B. Members. The Housing Advisory Board shall consist of seven regular members and up to three alternate members. All members are intended to be representative of the various demographics of the City (i.e., low-income, medium income, artist, architect, elderly, real estate expert, financial expert).
- C. Terms. Regular and Alternate members of the Board shall be appointed to serve three-year terms or until a replacement member is appointed. The initial Board appointments of regular members shall be for staggered terms of one year (two members), two years (two members) and three years (three members). Which appointees serve

which terms shall be determined by the City Council. Terms shall run from December of any given year. Alternate member terms need not be staggered.

D. Reappointment – Compensation. Any Regular or Alternate member whose term expires may seek reappointment. Term limits shall not apply. Members shall serve without compensation.

E. Removal. Any Regular or Alternate member may be removed by the City Council for cause including but not limited to conviction of a felony crime or undeclared conflict of interest.

F. Regular Members - Attendance. The roll shall be taken at each meeting and any regular member who misses three, unexcused, consecutive meetings shall be deemed removed from the Board and the City Council shall appoint a replacement member to fill the unexpired term.

G. Alternate Members. Alternates are invited and requested to attend all meetings of the Board, but are not required to do so. Alternate members may take part in the discussion of any matter that comes before the Board. An alternate member may not vote on any such matter unless designated to do so by the chairperson of the Board, in place of an absent member. An alternate member may be considered for appointment to fill the unexpired term of a vacant position on the Board. If so appointed, the alternate position shall be deemed vacant.

H. Vacancies. Member vacancies shall be filled for the remainder of the unexpired term. If there is less than one year remaining on the term, the Board member shall be appointed to fill the remainder of that term and the next full term. If the City Council fails to appoint a member, the seat shall remain vacant until a new appointment is made by the City Council.

I. Qualifications. All regular and alternate members shall be bona fide residents and qualified electors of the City of Manitou Springs.

J. Liaisons and Board Advisors.

1. City Council shall appoint a Council Liaison to the Board. The Liaison will not be a voting member.
2. Identified community members, regional partners and other persons who may possess expertise important to the Board, but who do not qualify for or seek appointment to the Board as Board members, shall be entitled to receive Board packets and participate in Board discussions, but shall not be compensated or voting members.

2.50.050 - Rules and Procedures

A. Elections.

1. The election of officers shall take place at the first regular meeting in December of each year.
2. Election shall be by a majority vote of the members present electing the officers.
3. Officers may be re-elected and there is no limit on the number of terms.

B. Rules of Procedure. The Board may adopt procedures as approved by City Council for the transaction of its regular business.

C. Officers. The Board shall select a chairman, vice-chairman and secretary from among the appointed members of the Board. The terms of the chairman, vice-chairman and secretary shall be for one year. Such officers shall hold office until resignation, removal or disqualification, or until election of a successor.

1. Chair – Duties. The Chair shall preside over the meetings of the Board and shall have the right to initiate motions and vote. The Chair shall be authorized to sign official communications of the Board. The Chair shall set the Board agendas and provide to City staff for posting and publication no less than one week prior to the regular meetings.

The Chair, or designee, shall report to and coordinate with City Staff regarding items discussed and recommendations made by the Housing Advisory Board.

2. Vice Chair – Duties. The Vice Chair shall, in the absence or disability of the Chair, perform the duties of the Chair.

In the absence or disability of both the Chair and Vice Chair, the next most senior Commission member in attendance shall perform the duties of the Chair.

3. Secretary—Duties. Meetings of the Board shall be recorded and such recordings shall serve as the official record. The Board secretary shall record summary minutes of meetings and provide to the City staff so they are posted and made available to the public. If no Board member is elected to serve as secretary, this duty will be rotated on a monthly basis with all members participating. A template for the meeting minutes will be provided to ensure consistency.

2.50.060 - City Staff

A. A non-voting City staff member shall be assigned by the City Administrator or designee to participate in discussions and support and advise the Board at the request of the Board chair.

B. The City Attorney shall serve as legal advisor to the Housing Advisory Board, but shall not be required to attend meetings except when requested to do so by the chair and with approval of the City Administrator or designee.

2.50.070 - Professional Services

The Board may find additional professional and technical services are necessary and these will be provided within appropriations made for such by the City Council. Such services may involve hiring regular support outside of City Staff, or professional assistance for a specific program or project.

2.50.080 - Funds

The City shall create revenue and expenditure line item(s) into which all donations, grants, City revenues, or other funding received and expenses disbursed for the Board's activities and any housing programs undertaken by the City. The City Finance Director or designee shall track and provide a monthly report to the Board regarding revenues and expenses and shall ensure that funds are only used for designated programs and expenses.

Section 2: If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3: This ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Passed on first reading and ordered published this 7th day of March, 2017.

/s/ Donna Kast
City Clerk, Donna Kast

A Public Hearing on this ordinance will be held at the March 21, 2017, City Council meeting. The Council Meeting will be held at 6:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: March 9, 2017 (in full)
City's Official Website and City Hall

Passed on second reading and approved by City Council this 21st day of March, 2017.

/s/ Nicole Nicoletta
Mayor, Nicole Nicoletta

Attest: /s/ Donna Kast
City Clerk, Donna Kast

Ordinance Published: March 23, 2017 (in full)
City's Official Website and City Hall