

Ordinance 0025-19 – Community Development Authority

An ordinance to recreate Chapter 2, Article III, Division 9, and to amend Chapter 46, Articles II and VI, and Chapter 58, Article III, of the Municipal Code of the City of Racine, Wisconsin.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Chapter 2, Article III, Division 9, shall be recreated as follows:

Sec. 2-276. - Findings; declaration of necessity.

The common council of the city of Racine finds and declares that there exists within the city the need for blight elimination, clearance of undesirable conditions, urban renewal and community development programs and projects, and housing projects. The city has in existence a redevelopment authority created by resolution no. 2305, March 6, 1974, pursuant to Wis. Stat. § 66.1333, and has in existence an elderly housing authority, created by resolution no. 2826-A, September 20, 1988, pursuant to Wis. Stat. § 66.1131, operating within the city, which have some but not all of the authority to carry out the needs stated herein.

Sec. 2-277. – Creation of community development authority; termination of redevelopment authority and elderly housing authority.

- (a) There is hereby created a housing and community development authority, which shall be known as the community development authority of the city of Racine, pursuant to Wis. Stat. § 66.1335. The community development authority shall be a public body and a body corporate and politic exercising necessary public powers, and having all the powers, duties, and functions conferred on housing authorities, redevelopment authorities, and housing and community development authorities by applicable law. The community development authority is created for the purpose of carrying out all such blight elimination, clearance of undesirable conditions, urban renewal programs and projects and housing projects within the city.
- (b) The redevelopment authority previously created in the city is terminated. The elderly housing authority previously created in the city is terminated.
  - (1) Any programs and projects which have been begun by the redevelopment authority or by the elderly housing authority shall be transferred to and completed by the community development authority. Any procedures, hearings, actions, or approvals taken or initiated by the redevelopment authority or by the elderly housing authority on pending projects are deemed to have been taken or initiated by the community development authority as if the community development authority had originally undertaken the procedures, hearings, actions, or approvals.

(2) Any form of indebtedness issued by the redevelopment authority or by the elderly housing authority shall be assumed by the community development authority.

(3) All contracts entered into between the federal government and the redevelopment authority or by the elderly housing authority, or between the redevelopment authority or the elderly housing authority and other parties, shall be assumed and discharged by the community development authority except for the termination of operations by the redevelopment authority. The redevelopment authority or the elderly housing authority may execute any agreements contemplated by this subsection. Contracts for disposition of real property entered into by the redevelopment authority or by the elderly housing authority with respect to any project are deemed contracts of the community development authority without the requirement of amendments to the contracts. Contracts entered into between the federal government and the redevelopment authority or the elderly housing authority bind the community development authority in the same manner as if originally entered into by the community development authority.

(4) The community development authority may execute appropriate documents to reflect its assumption of the obligations set forth in this subsection.

Sec. 2-278. - Composition; powers; compensation.

The community development authority shall consist of seven resident persons of the city ability and experience in the fields of urban renewal, community development and housing, as commissioners of the community development authority. The powers of the community development authority shall be vested in and exercised by the commissioners. The commissioners shall receive no compensation for their services.

Sec. 2-279. - Appointment; vacancies.

The commissioners of the community development authority shall be appointed by the mayor and confirmed by the common council as follows:

(a) Two of the commissioners shall be members of the common council and shall serve during their term of office.

(b) The first appointments of the five non-common council members shall be for the following terms: two for one year, and one each for terms of two, three, and four years. Thereafter the terms of non-common council members shall be four years and until their successors are appointed and qualified.

(c) After the appointments of the original seven commissioners have been made and confirmed, vacancies occurring during any term shall be filled for the unexpired portion of the term and new appointments or reappointments of commissioners shall be made in the same manner in which the original appointments were made.

(d) One commissioner shall be appointed the chair for a one-year appointment.

(e) One commissioner shall be appointed the vice chair for a one-year appointment.

The mayor shall make appointments to the community development authority on the third Tuesday in April, subject to common council confirmation. The terms of the non-common council members shall commence on May 1 and shall expire on April 30 of the last year of the term.

Sec. 2-280. - Meetings; quorum; bylaws.

Meetings of the community development authority shall be held in compliance with the provisions of the Wisconsin Open Meetings Law, Wis. Stat. §§ 19.81 to 19.98. Four commissioners shall constitute a quorum of the community development authority for the purpose of conducting its business and exercising its powers and for all other purposes. Action may be taken by the community development authority upon the affirmative vote of the majority of commissioners present at any meeting of the community development authority at which a quorum is present. No vacancy in the membership of the CDA shall impair the right of the quorum to exercise the powers and perform the functions of the community development authority. The community development authority may adopt, and from time to time amend or repeal, such bylaws and other rules and regulations not inconsistent with applicable law, as it deems necessary in the performance of its functions, subject to the approval of the common council.

Sec. 2-281. - Powers and duties of community development authority.

(a) The community development authority shall have all the powers, duties, and functions of a housing authority as set forth in Wis. Stat. §§ 66.1201 to 66.1213 inclusive, and all housing projects initiated by the community development authority and approved by the common council shall be undertaken and carried out pursuant to such sections.

(b) The community development authority shall have all the powers, duties, and functions of the redevelopment authority as set forth in Wis. Stat. § 66.1333, and all projects relating to blight eliminations, clearance of undesirable conditions, urban renewal and redevelopment programs initiated by the

community development authority and approved by the common council shall be undertaken and carried out pursuant to Wis. Stat. §§ 66.1105, 66.1301 to 66.1329, inclusive, Wis. Stat. §§ 66.1331, 66.1333, or Wis. Stat. § 66.1337 as determined appropriate by the common council on a project by project basis.

(c) The community development authority is authorized to act as agent for the city in planning and carrying out community development programs and activities approved by the common council under the federal housing and community development act of 1974, as amended, 42 U.S.C. 5300 to 5320.

(d) The community development authority is further authorized to act as agent to perform all acts, except the development of the general plan of the city, which may be otherwise performed by the city plan commission under Wis. Stats. §§ 66.1105, 66.1301 to 66.1329, inclusive, Wis. Stats. § 66.1331, or Wis. Stats. § 66.1337.

(e) The community development authority may issue bonds or notes from time to time in furtherance of its power and duties and as authorized by state law and the city hereby declares that such community development authority bonds and notes are issued for an essential public and government purpose and are public instrumentalities.

(f) In addition to the foregoing powers, duties and functions, the community development authority shall have such other powers, duties and functions related to community development as conferred on it from time to time by the common council.

Sec. 2-282. - Construction.

The powers conferred upon the community development authority pursuant to this division and pursuant to Wis. Stats. § 66.1335, as amended from time to time, shall be in addition to and supplemental to the powers conferred upon a community development authority by any other law, provided that insofar as this division or Wis. Stats. § 66.1335 is inconsistent with any other law, this division and Wis. Stats. § 66.1335 shall control.

Secs. 2-283 - 2-290. - Reserved.

Part 1A:

Chapter 2, Article VII, Section 2-579(a) is amended as follows:

The word “redevelopment” is deleted and the words “community development” are substituted therefor.

Part 1B:

Chapter 46, Article II, Section 46-41(b) is amended as follows:

The word “redevelopment” is deleted and the words “community development” are substituted therefor.

Part 1C:

Chapter 46, Article VI, Division 9, Section 46-268 is amended as follows:

The word “redevelopment” is deleted and the words “community development” are substituted therefor.

Part 1D:

Chapter 58, Article III, Division 4, Section 58-80 is amended as follows:

The word “redevelopment” is deleted and the words “community development” are substituted therefor.

Part 2: This ordinance shall take effect 30 days after passage by a two-thirds vote of the members of the City of Racine Common Council present and publication or posting as required by law.