**ORDINANCE NO. 23-13**

AN ORDINANCE AMENDING THE WAVERLY MUNICIPAL CODE SECTION 32.006 REGARDING CONVERSION OF THE COMMUNITY DEVELOPMENT AGENCY TO A COMMUNITY REDEVELOPMENT AUTHORITY PURSUANT TO THE NEBRASKA COMMUNITY DEVELOPMENT LAW AND CONSTITUTING THE MEMBERS OF THE AUTHORITY; TO REPEAL CONFLICTING ORDINANCES AND CODE PROVISIONS; PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE FOR AN EFFECTIVE DATE THEREOF.

WHEREAS, the City of Waverly currently has an entity referred to as a Community Development Agency constituted pursuant to Ordinance No. 18-07 and codified at Waverly Municipal Code § 32.006;

WHEREAS, current Municipal Code provides that the members of the Waverly City Council shall constitute the membership of the Community Development Agency, pursuant to the Nebraska Community Development Law;

WHEREAS, the City finds it expedient to amend Code § 32.006, and convert the Community Development Agency into a new entity organized as a Community Redevelopment Authority pursuant to Neb. Rev. Stat. § 18-2101.01 for the purpose of creating an independent governing body to oversee redevelopment;

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WAVERLY, LANCASTER COUNTY, NEBRASKA:

Section 1: That Waverly Municipal Code § 32.006 is amended as follows:

~~(A) The Mayor and the City Council hereby find and determine that it is necessary and desirable for the purposes of providing for the redevelopment and general welfare of the city that a Community Development Agency be created pursuant to the Community Development Law, Nebraska Revised Statutes §18-2101.01 (Reissue of 1999)~~

~~(B) There shall be and there is hereby created in and for the city an agency to be known as the “Community Development Agency of the City of Waverly, Nebraska”, which shall consist of the Mayor and City Council and which such Agency shall exercise all of the power and authority provided for in Neb. Rev. Stat. §18-2101 to 18-2144, both inclusive and 18-2147 to 18-2153 (Reissue of 1999), as amended, and as hereafter amended.~~

~~(C) The Agency, as hereby created shall function in the same manner as shall be deemed appropriate from time to time by the Mayor and City Council as the governing body of the City of Waverly, Nebraska, and as determined by resolution or ordinance duly adopted by said governing body from time to time. (Ord. 18-07)~~

(1) Creation. There is hereby created the Community Redevelopment Authority of the City of Waverly, Nebraska.

(2) Membership. The Mayor shall appoint, with the approval of the City Council, five (5) members who shall constitute the membership of the Authority. The Mayor shall designate the term of office for each member as provided for in Neb. Rev. Stat. Section 18-2102.01. Vacancies shall be filled for any unexpired term in the same manner as the original appointment. Members of the community redevelopment authority so appointed shall hold office until their successors have been appointed and qualified. All members of the community redevelopment authority shall serve without compensation but shall be entitled to be reimbursed for all necessary expenses incurred. A total of four (4) members of the Authority shall constitute a quorum for the transaction of business. The Authority shall adopt rules for the transaction of its business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be made available for public inspection during regular business hours.

(3) Officers. The Authority shall organize by electing one of its members chairperson and another as vice-chairperson.

(4) Employees. The Authority may secure the services of a director, community redevelopment administrator, or coordinator, and other officers and employees as may be desired through contract with the Department of Economic Development upon terms which are mutually agreeable.

(5) Funds. All income, revenue, profits and other funds received by the Authority shall be deposited with the City Treasurer as the ex officio Treasurer of such Authority without commingling such money with any other money under his or her control and disbursed by check or draft only upon warrants, orders, or requisitions by the Chairperson of the Authority or other person authorized by the Authority which shall state distinctly the purpose for which the same are drawn; and a permanent record shall be kept by the Authority of any such activity.

Section 2: That the Community Redevelopment Authority shall assume all existing obligations, duties and rights associated with the current Community Development Agency with respect to existing redevelopment contracts or pending redevelopment plan applications.

Section 3: That all ordinances, resolutions and Code sections or portions thereof in conflict herewith are hereby repealed.

Section 4: That this Ordinance shall be in full force and effect from and after its passage and publication as provided by law.

PASSED AND APPROVED THIS \_\_\_\_\_\_DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2023.

CITY OF WAVERLY, NEBRASKA

BY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

William D. Gerdes, Mayor

ATTEST:

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Megan K. Frye, City Clerk

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