



GOLDEN URBAN RENEWAL AUTHORITY

Memorandum

To: GURA Board of Commissioners
From: Mark Heller
Date: 8/17/05
RE: Proposed Bylaw Amendment regarding GURA attorney

The below amendment has been proposed by some Commissioners to clarify the roles and responsibilities of the Board, the Executive Director, and the GURA attorney. My opinion is that since the statute provides that the Board hires the attorney, and since the natural day-to-day workings of an organization such as GURA would gravitate towards what is contemplated by the proposed amendment, that such an amendment is not required.

Proposed Amendment:

Section 6. Additional Duties. (Currently Section 7)

Section 7. Executive Director. (Currently Section 6)

Section 8. Additional Personnel. (No Changes)

Section 9. The Attorney of the Authority. (New Section) Pursuant to Colorado Revised Statutes 31-25-104(2) (c), the Authority may employ an attorney to provide outside legal counsel to the Board and the Executive Director on issues relating to Colorado Urban Renewal Law and other legal matters of interest to the Board. The Commissioners can authorize the attorney to represent the Authority in legal actions taken by or against the Authority. In the event of a vacancy in the position of Attorney of the Authority, the Chairperson of the Board will submit a list of attorneys for the commission members' consideration. A majority vote of the commissioners is required for the selection of the Attorney of the Authority. For purposes of appointment, continuation and contract

negotiations, the Chairperson is the officer of the Authority to initiate such actions. On a day-to-day basis, the Attorney of the Authority reports to the Executive Director on behalf of the Board of Commissioners. Except as might be proscribed by the “Urban Renewal Law”, the responsible oversight of the Attorney of the Authority is a responsibility delegated by the Board of Commissioners to the Executive Director.

Section 10. Term of Officers

(Currently Section 9)