



# City of Grand Island

Tuesday, November 22, 2011

Council Session

## Item F7

**#9347 - Consideration of Amending Chapter 2 and 37 of the Grand Island City Code Relative to Community Development Division**

Staff Contact: Mary Lou Brown

# Council Agenda Memo

**From:** Robert Sivick, City Attorney  
**Meeting:** November 22, 2011  
**Subject:** Community Development Division  
**Item #'s:** F-7  
**Presenter(s):** Mary Lou Brown, City Administrator

## Background

In 1973 the Nebraska legislature passed LB 299 which was codified at Neb. Rev. Stat. §§18-2101 – 18-2144. Neb. Rev. Stat. §18-2101.01 states in part,

*Cities of all classes and villages of this state are hereby granted power and authority to create a community development agency by ordinance, which agency may consist of the governing body of the city or village or a new or existing municipal division or department, or combination thereof.... Cities of all classes and villages of this state are also granted power and authority to do all community development activities, and to do all things necessary to cooperate with the federal government in all matters relating to community development program activities as a grantee, or as an agent or otherwise....*

On April 25, 2000 the Grand Island City Council (Council) passed Ordinance No. 8586 which created the Community Projects Department and the position of Community Projects Department Director. As part of that department the Community Development Division was created as well as the position of Community Development Division Director. The Community Development Division Director answered directly to the Community Projects Department Director.

On February 22, 2005 the Council passed Ordinance No. 8954 which eliminated the Community Projects Department and its Director position. The Community Development Division was transferred to the Planning Department where it exists presently. The Planning Director was assigned to serve as the Director of the Community Development Division as well.

On March 28, 2006 the Council passed Ordinance Nos. 9036 and 9038 which together transferred references to the Community Development Division from Chapter 2 of the Grand Island City Code (Code) to a newly created Chapter 37.

## **Discussion**

The Administration has examined this matter at length and concluded the best way to achieve improved internal controls is to amend the Code and transfer the Community Development Division and its personnel to the Finance Department.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Move to approve
2. Refer the issue to a Committee
3. Postpone the issue to future date
4. Take no action on the issue

## **Recommendation**

City Administration recommends that the Council approve Ordinance No. 9347.

## **Sample Motion**

Move to approve Ordinance No. 9347 amending the Grand Island City Code by adding Article VII to Chapter 2, repeal Article III of Chapter 37, and relabeling Chapter 37 to Planning and Community Redevelopment Authority.

ORDINANCE NO. 9347

WHEREAS, the functions and responsibilities of the Community Development Division are better suited to and can be more effectively and efficiently carried out by the Finance Department,

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

I. That the Grand Island City Code be amended to contain the following additional provisions:

**Chapter 2 – Administration**

**Article VII. Community Development Division**

**§2-60 Community Development; Purpose**

The purpose of this article is to set forth the manner in which the City shall exercise power and authority to engage in community development activities granted the City pursuant to Chapter 18, Article 21 of the Nebraska Revised Statutes, codified at Neb. Rev. Stat. §§18-2101 to 18-2144, collectively known as the Community Development Law. Pursuant to that Law, the City does hereby assume all the authority granted.

**§2-61 Community Development Division**

There is hereby created a division of the Finance Department to be known as the Community Development Division which shall be responsible for the performance of all administrative tasks involved in the implementation and management of the City's community development projects, programs, policies, and procedures adopted under the provisions of this Article.

**§2-61 Director; Appointment**

The Director of the Finance Department shall act as the Director of the Community Development Division.

**§2-62 Director; Duties**

The Director of the Finance Department shall be responsible for carrying out the purposes of and duties listed in this Article, for supervising and directing the work of the Community Development Division, and for overseeing all the City's community development programs and projects.

**§2-63 Advisory Committee**

There is hereby created a Community Development Advisory Committee consisting of seven members. Six of the members shall be residents of the City of Grand Island. The seventh member shall be a member of the Grand Island City Council. All members shall serve without compensation. The initially appointed representatives shall consist of two appointed for a three year term, two appointed for two year term, and two appointed for a one year term. Thereafter, all appointments, other than vacancies, shall be for terms of three years. Appointments to fill vacancies shall be for the remainder of the term of the vacated position.

All members shall be appointed by the Mayor and confirmed by the City Council. Members may be removed without cause by the Mayor with the consent of the City Council. The advisory committee shall establish such rules and procedures as are necessary to carry out its duties. The Community Development Advisory Committee shall have the following duties:

- (1) Monitor and investigate all existing and potential Community Development programs and projects.
- (2) Make recommendations on all existing and potential Community

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Development programs and projects, procedures, and all other aspects of the City's Community Development programs.

II. That Article III, Chapter 37, §§27-22 to 37-30 of the Grand Island City Code is hereby repealed.

III. That Chapter 37 of the Grand Island City Code be relabeled "Planning and Community Redevelopment Authority".

Enacted: November 22, 2011.

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Jay Vavricek, Mayor

Attest:

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RaNae Edwards, City Clerk