

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-56
Series of 2011

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A RESOLUTION REMOVING BOB MCCOY FROM THE NORTHGLENN URBAN RENEWAL AUTHORITY

WHEREAS, Bob McCoy ("Commissioner McCoy") is currently a duly appointed commissioner of the Northglenn Urban Renewal Authority ("NURA");

WHEREAS, by Memorandum dated April 13, 2011, to the Mayor of the City of Northglenn, NURA requested that Commissioner McCoy be removed from NURA for inefficiency and misconduct in office;

WHEREAS, upon receipt of the above referenced correspondence from NURA, the Mayor determined pursuant to C.R.S. § 31-25-104(4) to bring charges seeking removal of Commissioner McCoy as a NURA commissioner, and a quasi-judicial hearing was set in accordance with C.R.S. § 31-25-104(4) to provide Commissioner McCoy with an opportunity to be heard regarding the charges against him;

WHEREAS, pursuant to C.R.S. § 31-25-104(4), the Mayor with the consent of the governing body is authorized to remove a member of NURA "for inefficiency or neglect of duty or misconduct in office," but only after the governing body provides the commissioner whose removal is sought an opportunity to be heard; and

WHEREAS, having held a quasi-judicial hearing pursuant to C.R.S. § 31-25-104(4) and in accordance with Article 7, Chapter 3 of the Northglenn Municipal Code, the City Council adopts this Resolution regarding the removal of Commissioner McCoy.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City Council finds that based on the evidence presented at the quasi-judicial hearing that Commissioner McCoy's conduct constitutes grounds for removal for inefficiency and misconduct in office pursuant to C.R.S. § 31-25-104(4). The City Council finds by a preponderance of the evidence that Commissioner McCoy's conduct as more particularly described in the record of the proceedings of the hearing conducted on May 31, 2011, authorizes the removal of Commissioner McCoy as a NURA commissioner for inefficiency and misconduct in office.

Section 2. Based on the findings of fact set forth above, Commissioner McCoy is hereby removed from his position as a commissioner of the Northglenn Urban Renewal Authority.

Section 3. The Mayor is therefore authorized to file in the office of the city clerk a record of these proceedings, the charges made against Commissioner McCoy dated April 28, 2011, and this Resolution making the findings authorizing the removal.

DATED at Northglenn, Colorado, this 31st day of May, 2011.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney