

TAC Item 2: Public accountability of an Urban Renewal Board

Urban renewal boards throughout Idaho are mostly made up of unelected commissioners appointed by the mayor and approved by the council. There are no requirements of a commissioner to live within the jurisdiction of the urban renewal area and they are therefore unaffected by the decisions made by the urban renewal agency. (As urban renewal funding is a direct tax shift to the property tax payers) To make the actions of the commissioners accountable to the electorate of a municipality and county wherein the urban renewal agency is located title 50 chapter 2006(b)(1&2) are deleted, and (3) now (1) is amended to require that an urban renewal agencies board of commissioners shall be made up of the municipalities city council with a single county commissioner appointed by the county commissioners of the affected county. This is a present option within 50-2006 and with the opinion of legal experts is a legal amendment. (4) is deleted in its entirety.

(c) is amended to accommodate these changes.

A commissioner's term of office will be established with each election of the city council and/or the county commission.

This will not eliminate, which should be encouraged, the opportunity for an urban renewal board of commissioners to incorporate non-voting commissioners who may have expertise that the council may not have.

50-2006(b) Upon satisfaction of the requirements under subsection (a) of this section, the urban renewal agency is authorized to transact the business and exercise the powers hereunder by a board of commissioners to be established as follows:

~~(1) The mayor, by and with the advice and consent of the local governing body, shall appoint a board of commissioners of the urban renewal agency which shall consist of not less than three (3) commissioners nor more than nine (9) commissioners. In the order of appointment, the mayor shall designate the number of commissioners to be appointed, and the term of each, provided that the original term of office of no more than two (2) commissioners shall expire in the same year. The commissioners shall serve for terms not to exceed five (5) years, from the date of appointment, except that all vacancies shall be filled for the unexpired term.~~

~~(2) For inefficiency or neglect of duty or misconduct in office, a commissioner may be removed by a majority vote of the board or by the local governing body only after a hearing and after he shall have been given a copy of the charges at least ten (10) days prior to such hearing and have had an opportunity to be heard in person or by counsel. Any commission position which becomes vacant at a time other than the expiration of a term shall be filled by a majority vote of the board. The board may elect any person to fill such vacant position where such person meets the requirements of a commissioner provided for in this chapter.~~

~~(3) (1) By enactment of an ordinance, t~~ **The local governing body may shall appoint and designate itself to with the addition of one county**

commissioner appointed by the county commissioners of the county wherein the urban renewal agency is located; be the board of commissioners of the urban renewal agency, in which case all the rights, powers, duties, privileges and immunities vested by the urban renewal law of 1965, and as amended, ~~in an appointed board of commissioners,~~ shall be vested in the local governing body, who shall, in all respects when acting as an urban renewal agency, be acting as an arm of state government, entirely separate and distinct from the municipality, to achieve, perform and accomplish the public purposes prescribed and provided by said urban renewal law of 1965, and as amended.

~~(4) By enactment of an ordinance, the local governing body may terminate the appointed board of commissioners and thereby appoint and designate itself as the board of commissioners of the urban renewal agency.~~

(e a) A commissioner shall receive no compensation for his services but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties. Each commissioner shall hold office until his successor has been appointed seated. ~~and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the municipality and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner.~~