

TOWN OF PORTSMOUTH, RHODE ISLAND

RESOLUTION # 2005-09-12 A

REDEVELOPMENT AGENCY

WHEREAS, Rhode Island General Laws §45-31 through 45-33, inclusive, authorizes establishment of a Redevelopment Agency for the purposes of the elimination and prevention of blighted and substandard areas and their replacement through redevelopment by well-planned, integrated, stable, safe, and healthful neighborhoods in the manner and by the means provided in the aforementioned chapters, and

IT IS HEREBY RESOLVED by the Town Council of the Town of Portsmouth:

1. **Findings and Establishment of Redevelopment Agency:**

A. The Town Council does hereby determine, find and declare that in certain areas of Town there exists blighted and substandard areas as defined in Rhode Island General Laws §45-31-8 which constitute community liabilities requiring redevelopment in the interest of the health, safety, morals and general welfare of the community.

B. The Town Council does hereby determine, find and declare that dangers from substandard areas as set forth in Rhode Island General Laws §45-31-3 exist in these areas and the obstacles to private development as set forth in Rhode Island General Laws §45-31-4 make it impossible for private enterprise alone to remedy these conditions of blight.

C. The Town Council does hereby determine, find and declare that there is a need for a redevelopment agency to function for the Town of Portsmouth, and that this resolution is intended to fulfill the requirements of Section 45-31-10 of the Rhode Island General Laws.

D. Accordingly, there is established a Redevelopment Agency for the Town of Portsmouth pursuant to the authority contained in Rhode Island General Laws § 45-31 through 45-33, and this Resolution shall serve as proof of establishment and authorization of the agency to transact business and exercise its powers, as provided by Section 45-31-11 of the Rhode Island General Laws.

2. **Name of Agency:** The agency shall be known as The Portsmouth Redevelopment Agency.

3. **Appointment and composition of Agency:** The Agency shall consist of five (5) resident electors of the Town of Portsmouth who shall be appointed by the President of the Town Council subject to approval of the Town Council. No member of the Agency may be an elected officer or an employee of the community. The powers of the Agency shall be vested in the members of the Agency then in office. Members who are first appointed shall be designated to serve for terms of one (1), two (2), three (3), four (4) and five (5) years respectively. Thereafter members shall be appointed for a term of office of five (5) years, except that all vacancies occurring during a term shall be filled for the unexpired term. A member holds office until his successor has been appointed and has qualified. Members shall receive their actual and necessary expenses, including travel.

4. **Officers of the Agency:** The Agency shall elect a chairman and vice-chairman from among its members. The Agency shall elect or appoint a secretary who need not be a member of the Agency. The term of all officers shall be for a calendar year.

5. **Suspension and removal of Agency members:** For inefficiency, neglect of duty, or misconduct in office a member of the Agency may be suspended by the appointing authority. A member of the Agency may be removed by the legislative body only after he or she has been given a copy of the charges against him or her which copy shall be served on him or her at least ten (10) days prior to a public hearing and after he or she has had an opportunity to be heard in person, or by counsel, at the hearing to be held within thirty (3) days after the date of suspension.

6. **Resident attorney and interest of officers and employees in project area properties:** The provisions of R.I.G.L. §45-31-18 entitled, "Resident Attorneys" and R.I.G.L. §45-31-19 entitled, "Interest of officers and employees in project area properties", as they may be amended from time to time are incorporated herein by reference.

7. **Appropriations and Budgeting Control:** When the Agency becomes authorized to transact business and exercise its power, the Town Council pursuant to the powers granted to the Council by the Portsmouth Home Rule Charter, may appropriate money to the Agency. Budget requests from the Agency shall be submitted in accordance with the provisions of the Charter. Appropriations and expenditures shall be subject to the same rules and regulations as other Town departments and agencies as set for in the Town Charter.

8. **Personnel:** The hiring of all personnel shall be governed by the provisions of the Town Charter and Town Ordinances.

9. **Task:** The Agency in cooperation with the Planning Board shall provide a description of the area or areas in which blighted and substandard conditions are found and make recommendations as to the area or areas which should be designated for redevelopment. The agency shall report its findings to the Town Council. The report shall include a description of the area or areas which are blighted and substandard and recommendations as to the area or areas which should be designated for redevelopment.

10. **Staff:** The Town Administrator is authorized to assign staff and consultants on an as needed basis to the Agency upon receipt of a written request.

11. **Additional Authority:** The Town Council reserves to itself the authority to grant the Agency additional powers as set in Chapters 31, 31.1, 32 and 33 of Title 45 of the General Laws of the State of Rhode Island, as they may be amended from time to time.

12. **Effective Date:** This resolution shall become effective upon passage.

PASSED AS A RESOLUTION of the Portsmouth Town Council on the 12th day of September, 2005.

Portsmouth Town Council

By: _____
Mary Ann Edwards, President
Portsmouth Town Council

ATTEST: _____
Kathleen Viera Beaudoin
Town Clerk