

Town of Basalt, Colorado
Ordinance No. 29
Series of 2013

**ORDINANCE OF THE TOWN COUNCIL OF BASALT, COLORADO, DECLARING AN
EMERGENCY AND AUTHORIZING THE APPROPRIATION OF FUNDS TO
PURCHASE UNIT F, OF THE BASALT RIVER LOFTS CONDOMINIUMS, 129 EMMA
ROAD, BASALT, COLORADO**

A. The Basalt Town Council finds and determines that The Town of Basalt has experienced difficulty attracting and retaining qualified employees because of the high cost of housing in the Town of Basalt. The Town Council finds and determines that in certain instances, particularly with regard to employees of the Police Department and Public Works Department, it is important for Town employees to reside in or near the Town. The Town desires to purchase Unit F, of the Basalt River Lofts Condominiums, for the purpose of providing community housing for employees of the Town of Basalt or for general employees satisfying the requirements established in the Town's Community Housing Guidelines.

B. The Town Council finds and determines that ownership of community housing units subject to price restrictions for use and occupancy by Town of Basalt employees is consistent with the objectives of the Master Plan.

C. The Town Council finds and determines that the purpose for which the Town is purchasing the property is not a "governmental purpose" as that phrase is used by Section 31-15-713(1)(b), C.R.S. Instead, the Unit is being purchased to assist the Town in attracting and retaining qualified employees and to assure that certain employees of the Town are located in or near the Town.

D. The Town Council finds and determines that the terms and conditions of the proposed Contract to Buy and Sell Real Estate for Unit F, of the Basalt River Lofts Condominiums, is reasonable and necessary and in the best interests of the Town of Basalt.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Basalt, Colorado, that it conclusively makes and determines the findings contained herein and authorizes the Town Manager to execute the Contract to Buy and Sell Real Estate for the Property known as Unit F, of the Basalt River Lofts Condominiums, Basalt, Colorado, and any and all documents necessary to complete the purchase thereof on the terms and conditions set forth in the Contract.

Section 1. Emergency Declaration. The Town Council of the Town of Basalt hereby finds, determines, and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public health, welfare, peace, and safety. The adoption of this ordinance on an emergency basis is necessary in order to allow for the Town to purchase the deed restricted employee housing unit to help alleviate the difficulty

experienced by the Town of Basalt in attracting and retaining qualified employees because of the high cost of housing in Basalt. The Town Council further determines that the adoption of this ordinance as an emergency ordinance is in the best interest of the citizens of the Town of Basalt.

Section 2. Publication. The Town Clerk is directed to publish this ordinance as soon as reasonably possible pursuant to Section 4-7 of the Basalt Town Charter.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional in a court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and shall not affect the validity of the remaining portions thereof.

Section 4. Effective Date. The effective date of this ordinance shall be December 10, 2013.

INTRODUCED AND READ as provided by law as an emergency ordinance by the Town Council, of the Town of Basalt this 10th day of December, 2013.




TOWN OF BASALT, COLORADO

By: _____

Jacque R. Whitsitt, Mayor

ATTEST:



Pam Schilling, Town Clerk

FINALLY adopted, passed and approved by a vote of 5 to 0, this 10th day of December, 2013 by

the unanimous vote of all Town Council members present; or

a vote of a quorum plus one Council member.