

ORDINANCE NO. 23-_____

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE
COLORADO SPRINGS BRIARGATE GENERAL
IMPROVEMENT DISTRICT APPROVING DISSOLUTION OF
THE DISTRICT

WHEREAS, the Colorado Springs Briargate General Improvement District, located within the City of Colorado Springs and El Paso County, Colorado, is a duly organized and validly existing public or quasi-municipal subdivision of the State of Colorado and a body corporate under the laws of the State; and

WHEREAS, the District was organized by Ordinance No. 00-127 of the City Council of the City of Colorado Springs, effective August 22, 2000; and

WHEREAS, the members of the City Council of the City of Colorado Springs constitute ex officio the Board of Directors of the District ("Board"), all of whom have been duly elected, chosen, and qualified; and

WHEREAS, the Board approved by ordinance the issuance of General Obligation Refunding Bonds, Series 2003, in the aggregate principal amount of \$8,960,000 ("Bonded Debt"); and

WHEREAS, the outstanding Bonded Debt has been paid in full and retired on December 15, 2022; and

WHEREAS, since the District has no outstanding indebtedness, obligations, or liabilities, the District may be dissolved; and

WHEREAS, state law requires formal action in accord with Colorado Revised Statute ("C.R.S.") § 31-25-625, be taken to dissolve the District; and

WHEREAS, on August 22, 2023, the Board of the Colorado Springs Briargate General Improvement District, after lawful notice, held a public hearing to consider dissolution of the Colorado Springs Briargate General Improvement District; and

WHEREAS, at the public hearing on this date, the City Council sitting ex officio as the Board, heard and considered the concerns and comments from electors of the District; and

WHEREAS, having considered the information received at the public hearing, the satisfaction of the District's indebtedness, obligations and liabilities, and the state law concerning dissolution of general improvement districts, the

Board now determines that it is in the best interest of all concerned to dissolve the District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE COLORADO SPRINGS BRIARGATE GENERAL IMPROVEMENT DISTRICT:

Section 1. The Board finds and determines that:

- A. There is no outstanding indebtedness, obligation, or liability of the Colorado Springs Briargate General Improvement District.
- B. Proper notice of the dissolution proceeding was given in compliance with C.R.S. § 31-25-625.
- C. All other requirements of C.R.S. § 31-25-625 have been satisfied.
- D. It is in the best interest of all concerned to dissolve the District.

Section 2. The Board hereby orders that the District be dissolved as of September 12, 2023.

Section 3. A certified copy of this ordinance shall be filed and recorded by the City Clerk, on behalf of the Board, in the Office of the El Paso County Clerk and Recorder where the District is located, as required by C.R.S. § 31-25-625.

Section 4. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 5. Council, acting ex officio as the Board, deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____
day of _____, 2023.

Finally passed: _____

Randy Helms, Council President

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Blessing A. Mobolade, Mayor

Council Action After Disapproval:

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.
- Council action on _____ failed to override the Mayor's veto.

Randy Helms, Council President

ATTEST:

Sarah B. Johnson, City Clerk