

ORDINANCE NO. 15-_____

AN ORDINANCE ADOPTING ARTICLES OF AMENDMENT
TO THE ARTICLES OF INCORPORATION OF THE CITY OF
COLORADO SPRINGS PUBLIC FACILITIES AUTHORITY

WHEREAS, upon the direction of City Council, by Ordinance No. 88-270, on or about February 14, 1989, The City of Colorado Springs Recreation Authority was formed by filing Articles of Incorporation with the Colorado Secretary of State; and

WHEREAS, Article XII of the Articles of Incorporation provide that the Articles of Incorporation may be amended by an affirmative vote of a two-thirds majority of the members of the Board of Directors of the Public Facilities Authority and affirmative vote of a majority of the members of City Council by duly-adopted ordinance; and

WHEREAS, the Articles of Incorporation were amended on July 13, 2000 to change the name to The City of Colorado Springs Public Facilities Authority; and

WHEREAS, in November 2010, the voters of the City of Colorado Springs voted to change the form of the City's government from a Council-Manager form of government to a Council-Mayor form of government; and

WHEREAS, under the Articles of Incorporation the Board of Directors of the Public Facilities Authority is composed of two members of City Council and three members of the City administrative staff; and

WHEREAS, the Articles of Incorporation were amended on May 4, 2011 by duly-adopted Articles Amendment ("2011 Articles of Amendment") to make the composition of the Board of Directors consistent with the change from Council-Manager form of government to the Council-Mayor form of government; and

WHEREAS, the Board of Directors has recognized that in practice the 2011 Articles of Amendment need further clarification and to this end the Board of Directors unanimously adopted Articles of Amendment to the Articles of Incorporation of the Public Facilities Authority, a copy of which is attached hereto and incorporated herein, ("2015 Articles of Amendment"); and

WHEREAS, the Board of Directors has recommended that the City Council approve the 2015 Articles of Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That the 2015 Articles of Amendment are hereby approved and the City Attorney's Office is hereby directed to make any required filings with the Colorado Secretary of State in order to effectuate the 2015 Articles of Amendment to the Articles of Incorporation.

Section 2. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 3. Council 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 _____, 2015.

Finally passed: _____
Merv Bennett, Council President

Delivered to Mayor on _____.

Mayor's Action:

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

John W. Suthers, 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.

Merv Bennett, Council President

ATTEST:

Sarah B. Johnson, City Clerk