

ORDINANCE NO. 15-_____

AN ORDINANCE AMENDING ORDINANCE NO. 04-238 (ORDINANCE ORGANIZING THE INTERQUEST SOUTH BUSINESS IMPROVEMENT DISTRICT) TO ALLOW CITY COUNCIL TO FILL VACANCIES ON THE BOARD OF DIRECTORS OF THE INTERQUEST SOUTH BUSINESS IMPROVEMENT DISTRICT BY APPOINTMENT

WHEREAS, on or about October 12, 2004, the City Council of the City of Colorado Springs organized the Interquest South Business Improvement District (the "District") by the adoption of Ordinance No. 04-238 ; and

WHEREAS, Ordinance No. 04-238 provides that pursuant to Section 31-25-1209(d)(1), C.R.S., the members of the Board of Directors of the District are to be elected by the eligible electors of the District; and

WHEREAS, neither Section 31-25-1209(d)(1), C.R.S., nor Ordinance No. 04-238 provides a mechanism to fill vacancies on the Board of Directors outside of an election; and

WHEREAS, there are no members currently serving on the District's Board of Directors and without amending Ordinance No. 04-238 there is no process by which those vacancies on the Board of Directors may be filled; and

WHEREAS, City Council desires to amend Ordinance No. 04-238 to provide a process whereby City Council may fill vacancies on the District's Board of Directors to serve until the next regular special district election.

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

Section 1. That Ordinance No. 04-238 is hereby amended to add the following to the end of Section 4 of Ordinance No. 04-238:

In the event of a vacancy on the District's Board of Directors, City Council may fill such vacancy by appointing an elector of the District, by resolution, to serve as a member of the Board of Directors until the next regular special district election. Any such appointee is subject to the requirements of the Business Improvement District Act and must carry out the responsibilities

required of the District's Board of Directors by the Business Improvement District Act and other law.

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:

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