

**ORDINANCE NO. 19-\_\_\_\_**

**AN ORDINANCE INCLUDING CERTAIN PROPERTY INTO THE BOUNDARIES OF THE BUSINESS IMPROVEMENT DISTRICT**

WHEREAS, City Council received a Petition for Inclusion (the "Petition") filed pursuant to C.R.S. § 31-25-1220 for the inclusion of certain property described in the Petition attached and made a part of this Ordinance as Exhibit "A" (the "Property") into the USAFA Visitor's Center Business Improvement District ("District"); and

WHEREAS, in accord with the law, a public notice of the Petition has been given and published in the Colorado Springs Gazette, calling for a public hearing on the inclusion request set forth in the Petition, proof of publication for which is attached and made a part of this Ordinance as Exhibit "B"; and

WHEREAS, City Council has conducted a Public Hearing and heard all persons having objections to the inclusion of the Property from the District; and

WHEREAS, the Property sought to be included into the District is located entirely within the City of Colorado Springs, El Paso County, Colorado, and does not include property within any other county or within any other incorporated city, town, or city and county.

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

Section 1. City Council finds and determines that it has jurisdiction in this matter pursuant to the Business Improvement District Act, Part 12 of Article 25 of Title 31, C.R.S.

Section 2. City Council finds and determines that the change in boundaries of the USAFA Visitor's Center Business Improvement District as proposed in the Petition does not adversely affect the District.

Section 3. Pursuant to C.R.S. § 31-25-1220, City Council grants the Petition and orders the inclusion of the Property from the boundaries of the District.

Section 4. This ordinance shall be in full force and effect (the "Effective Date") from and after the last of the following to occur: (a) its final adoption and publication as provided by Charter and (b) filing with the City Clerk of a certification by Blue & Silver Development Partners, LLC that a Site Development Lease ("Lease") for the Property by and between the Petitioner, the United States of America, acting by and through the Secretary of the Air Force, and Blue & Silver Development Partners, LLC has been fully executed and is in full force and effect.

Section 5. Upon and after the Effective Date as provided in Section 4, the City Clerk is directed to file a certified copy of this Ordinance with the County Clerk and Recorder of El Paso County, Colorado.

Section 6. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 8th day of October, 2019.

**FINALLY PASSED:** \_\_\_\_\_

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Council President

ATTEST:

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Sarah B. Johnson, City Clerk