



Legislation Text

File #: 17-924, **Version:** 1

A resolution appointing directors to the Interquest South Business Improvement District (Legislative).

Presenter:

Carl Schueler, Comprehensive Planning Manager, Planning and Development

Summary:

This introduces a request for the appointment of directors of the Interquest South Business Improvement District (the "BID"). City Council adopted Ordinance 15-71, which allows City Council to appoint electors to fill vacancies on the BID's board of directors to serve until the next regular special district election. The proposed appointments would be effective until the next allowable regular election which will take place in November of 2017.

Previous Council Action:

The BID was established pursuant to Ordinance 04-239 adopted by Council on October 26, 2004, which Ordinance approved the initial operating plan and budget ("Operating Plan") for the BID. In 2009 City Council approved Ordinance 09-21 including additional property into this BID. On September 22, 2015, City Council approved Ordinance 15-71 which amended Ordinance 04-239 to allow City Council to appoint electors to fill vacancies on the BID's board of directors to serve until the next regular special district election. On this same date, Council approved a resolution appointing two members to this board (Resolution 93-15). The BID's Operating Plan has been approved annually since that time in accordance with Section 31-25-1211, C.R.S., and most recently in October 2016. Council has not approved issuance of any debt by this BID.

On April 24, 2017, this item was introduced to City Council during the work session.

Background:

Business Improvement Districts are created under Colorado Statute (C.R.S. 31-25-1201 et seq.) and City Policy to finance and/or maintain certain public improvements in non-residential areas, utilizing a property tax mill levy as the revenue source. Business Improvement Districts are separate legal entities from the City, but their budgets and operating plans must be approved annually by the City.

This BID has largely been inactive to-date but development is presently occurring within the BID that will increase its activity level in 2017 and beyond. Although authorized to levy up to 50.0 mills for debt service, to-date the BID has only certified a levy of 1.0 mills for operations purposes. This BID has never issued debt, although it has accumulated developer advances and anticipates seeking City approval for a bond issuance later in 2017.

The structure of this BID calls for an elected 5-member board of directors; provided however, that Council may appoint electors of the BID to the board to fill vacancies. At this point the BID has 2

directors who have been in place since 2015. In 2015 the petitioners desired to postpone qualification of additional directors until such time as other property owners become directly involved in the BID area. The 2 proposed additional board members now have property interests in the BID. Council action at this time would allow a more complete (4-member) board of directors to be in place prior to November.

Financial Implications:

There should be no direct financial implications to the City from this action.

Board/Commission Recommendation:

The City's staff-level Special District Committee has been provided copies of these materials. All comments received have been in support and/or stated no concerns.

Stakeholder Process:

N/A

Alternatives:

City Council could choose to approve, not approve or modify the proposed resolution.

Proposed Motion:

Move approval of the attached resolution appointing directors for the Interquest South Business Improvement District.

N/A