

Board/Commission Downtown Colorado Springs Business District Board of Directors

Regular Meeting Day and Time First Tuesday of every month at 8:00 a.m.

Approximate number of meetings per month One

Approximate number of hours involved in service by members per month One hour meeting and one hour for additional committee or project management

Detailed list of duties (please list specific duties):

The Downtown Colorado Springs Business Improvements Districts (Downtown BID) is governed by a seven-person Board of Directors, nominated to fill the slate with different types of property and business representation, as called for in the petition to create the BID, and appointed by City Council.

Board members shall govern the Downtown BID according to the statute requirements of the "Business Improvements Districts Act", Part 12 of Article 25 of Title 31, Colorado Revised Statutes, and the annually approved Service/Operating Plan and Budget of the Downtown BID, and any relevant policies set forth by the Board of Directors since its inception by City Ordinance (96-152) on August 13, 1996.

ORDINANCE NO. 96-152

AN ORDINANCE CREATING AND ESTABLISHING THE  
**DOWNTOWN COLORADO SPRINGS BUSINESS IMPROVEMENT DISTRICT**  
AND APPROVING AN OPERATING PLAN AND BUDJET THEREFOR

WHEREAS, a petition has been filed with the City Council of the City of Colorado Springs requesting formation of a business improvement district in a certain area of downtown Colorado Springs; and

WHEREAS, upon review of the petition and signatures thereon, it appears that said petition meets the requirements of the "Business Improvements District Act," part 12 of article 25 of title 31, Colorado Revised Statutes; and

WHEREAS, the formation of such district would provide continuing support for maintenance of public improvements in the district as well as resources to promote business activity in the area; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Upon consideration of the petition that the Downtown Colorado Springs Business Improvement District be established, the Council finds:

- (a) That the proposed district was initiated by petition with the Clerk of the City Council, that the petition was duly signed and presented in conformity with the "Business Improvement District Act," part 12 of article 25 of title 31, Colorado Revised Statutes, and that the allegations of the petition are true;
- (b) That the services to be provided by the proposed district best satisfy the purposes of the Business Improvement District Act;
- (c) That the City Council has fixed a place and time for a hearing on the petition;
- (d) That notice of such hearing has been duly published and mailed in accordance with the "Business Improvement District Act,"
- (e) That an operating plan and budget for 1997, together with an ongoing district service plan, has been filed with the Clerk of the City Council;
- (f) That the Downtown Colorado Springs Business Improvements District is lawful and necessary, should be created and established, and should include the area hereinafter set forth.

Section 2. The Downtown Colorado Springs Business Improvement District is hereby organized and established for the purposes and with the powers set forth in the service plan and the 1997 operating plan.

Section 3. The District is located within the boundaries of the City of Colorado Springs and a general description of the boundaries of its service area is, generally, the land and improvements contained within the boundaries starting at a point at the intersection of the center lines of Boulder Street and Nevada Avenue, then proceeding west along said center line of Boulder Street to its intersection with the center line of Cascade Avenue, then proceeding south along the center line of Cascade Avenue to its intersection with the center line of Colorado Avenue, then east along the Center line of Colorado Avenue to its intersection with the center line of Nevada Avenue, and then north along the center line of Nevada Avenue to its intersection with the center line of Boulder Street at the point if beginning. The Downtown Colorado Springs Business Improvements District shall consist only of taxable real property located within the service area which is not classified for property tax purposes as either residential or agricultural together with any taxable personal property located on such taxable real property. Any residential or agricultural property located within the boundaries of the service area is not subject to the District's revenue-raising powers until such time as the property changes classification for property tax purposes.

Section 4. The Downtown Colorado Springs Business Improvement District shall be governed by a seven-member board of directors appointed as provided in the "Business Improvement District Act."

Section 5. The service plan, 1997 operating plan, and 1997 budget as filed with the Clerk of the City Council are hereby approved.

Section 6. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Charter.

Section 7. 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 and passed on first reading and ordered published this 13<sup>th</sup> day of August, 1996.

\_\_\_\_\_  
Mayor

ATTEST

\_\_\_\_\_  
City Clerk

Finally passed, adopted and approved this 27<sup>th</sup> day of August, 1996.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE CREATING AND ESTABLISHING THE DOWNTOWN COLORADO SPRINGS BUSINESS IMPROVEMENT DISTRICT AND APPROVING AN OPERATING PLAN AND BUDGET THEREFOR”**

was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on August 13, 1996; that said ordinance was passed at a regular meeting of the City Council of said City, held on the 27<sup>th</sup> day of August, 1996, and that the same was published by summary, in accordance with Section 3-80 of Article III of the Charter, in the Daily Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 27<sup>th</sup> day of August, 1996.

\_\_\_\_\_  
City Clerk

## DOWNTOWN COLORADO SPRINGS BUSINESS IMPROVEMENT DISTRICT

# DISTRICT SERVICE PLAN

The Downtown Colorado Springs Business District (“Downtown BID”) is to be organized pursuant to the provisions of the “Business Improvement District Act,” part 12 of article 25 of title 31, Colorado Revised Statutes.

### NON-DUPLICATION OF SERVICES, FACILITIES AND IMPROVEMENTS

The services, facilities, and improvements to be provided by the Downtown Colorado Springs Business Improvement District are not intended to duplicate or supplant the services, facilities and improvements provided by the City of Colorado Springs within the boundaries of the Downtown BID. The Downtown BID is being created to provide enhanced or otherwise unavailable services, facilities and improvements within the Downtown BID.

### BOUNDARIES OF THE DISTRICT

The boundaries of the proposed district and its service area are, generally, the land and improvements contained within the boundaries defined by Boulder Street, Nevada Avenue, Colorado Avenue and Cascade Avenue. A map of the boundaries of the proposed district and its service area, and the legal description of the land to be included within the district and its service area, are attached to this document as Exhibits A and B, respectively.

### POWERS, FUNCTIONS AND DUTIES

The downtown BID will have the authority through its board of directors to exercise all the powers, functions and duties specified in the Business Improvement District Act.

### PERPETUAL EXISTENCE

The Downtown BID shall have perpetual existence unless a budget is not submitted for City Council approval for two consecutive years, in which case the Downtown BID will be dissolved by operation of law.

### BOARD OF DIRECTORS AS GOVERNING BODY

The “Board of Directors of the Downtown BID” shall be the governing body of the Downtown BID and shall consist of 7 electors of the district, appointed by the Mayor of the City of Colorado Springs. Members appointed to the Board shall represent a cross-section of interests in the district, as follows: at least four directors shall represent owners of real estate, and of these, at least two shall represent owners of office buildings of 50,000 square feet or larger. At least one director shall represent retail/restaurant tenants and at least one director shall represent office tenants. One director shall represent service businesses located within the district. A single director shall not be precluded from representing more than one of the defined constituencies if so qualified (e.g. owner of real estate and representative of service business).

Each director shall serve a three-year term and may be appointed for one additional consecutive term, except that of the directors first appointed, 3 shall be appointed for a one-year term, 2 shall be appointed for a two-year term, and 2 shall be appointed for a three-year term.

#### FUNDING

The Downtown BID will be financed, in whole or in part, by a mill levy on real and personal property within the district, which is proposed in the amount of 5 mills. The revenue so derived will be used to fund operating expenses, maintenance, security, and other legally authorized programs and services. At least 65% of all revenues so derived shall be spent on expensed related to design and maintenance of improvements and/or security within the service area.

Incidental expenses related to organizing the district, for example, printing, postage, long distance telephone calls, and fees paid to expert consultants and legal counsel, will be paid for by voluntary contributions from the Downtown Colorado Springs, Inc. and from private property owners within the district.

The Downtown BID may utilize any revenue source authorized by the Business Improvement District Act, including any grant, gift, bequest, donation, or other similar source and may enter into contracts for the funding and provision of any of its services, facilities or improvements.

Unexpended moneys at the end of the fiscal year may be placed in one or more reserve funds to be expended as determined by the Downtown BID board of directors, including for capital expenses or any other expense authorized by law and by the budget, operating plan, and bylaws of the Downtown BID.

#### INITIAL BUDGET AND SERVICES

Initial services to be provided by the Downtown BID will focus on maintenance and repairs of public improvements within the boundaries of the service area, on design and engineering costs related to additional improvements within the district similar in concept and design to the improvements being constructed on Pikes Peak Avenue between Nevada Avenue and Tejon Street; on parking improvement issues; and on other services as deemed desirable and/or necessary by the Board. Specific services to be provided by the Downtown BID are listed in the 1997 Proposed Operating Plan and Budget which follows.

DOWNTOWN COLORADO SPRINGS BUSINESS IMPROVEMENT DISTRICT

**1997 PRELIMINARY OPERATING PLAN and  
BUDGET**

**REVENUES**

(estimated) (based on 5 mill tax levy):

**\$100,000**

**EXPENSES**

Security, Maintenance, Repairs for Existing Improvements:	
Design, Engineering for Proposed Improvements	\$65,000
Operations, Management & Miscellaneous	\$30,000
Reserves, Start-up, & Replacement Fund	<u>5,000</u>
TOTAL	\$100,000

Typical Security and Maintenance Services Provided: sweeping & washing sidewalks; trash removal; graffiti control; security patrol; landscape maintenance, including cost of plant materials, weed control, pruning, irrigation system maintenance, cost of water; electricity; snow removal; repairs and replacement costs – e.g. light bulb replacement, minor sidewalk repairs.

Typical Operations/Management/Miscellaneous Expenses: accounting, legal, secretarial, telephone, rent, insurance, supplies, postage, auditing, employee hiring/supervision, general administration; image campaign, publications; etc.



**Insert Boundary Map Here**

## EXHIBIT B

### LEGAL DESCRIPTION OF THE LAND TO BE INCLUDED IN THE DOWNTOWN COLORADO SPRINGS BUSINESS IMPROVEMENT DISTRICT

Those properties and improvements of taxable real and personal property not classified for property tax purposes as residential or agricultural, located within an area bound by the midpoints of the right of ways of Boulder Street on the north, Nevada Avenue on the east, Colorado Avenue on the south and Cascade Avenue on the west, otherwise described as Blocks 51, 52, 61, 62, 71, 72, 81, 82, 91, and 92 of the Original Townsite of Colorado Springs.