

ORDINANCE

AN ORDINANCE AMENDING CHAPTER 2.24 “PARKING AUTHORITY BOARD” OF THE CODE OF ORDINANCES CONCERNING THE MEMBERSHIP OF THE BOARD.

WHEREAS the Parking Authority Board finds that allowing for alternate members would be consistent with the membership configuration of other City boards and commission and has requested that City Council provide for the appointment of alternate members to the board; and

WHEREAS appointment of alternate board members allows a training period for appointees who may not be familiar with service on a board or commission and also provides for additional members in order to better assure there is always a quorum necessary to conduct official business; and

WHEREAS City Council hereby finds and concludes that the proposed amendment below will provide for greater participation by interested members of public who wish to serve on the Parking Authority Board, allow for training of persons newly appointed to the board, and provide additional appointees that can ensure the required quorums can be reached in order conduct board business.

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

Section 1: Section 2.24.020(A) “Membership” of the Manitou Springs Municipal Code is hereby amended to read as follows:

A. The Parking Authority Board shall consist of seven regular members appointed by the City Council who are intended to be representative of the various parking sectors of the City, inclusive of business, residential and recreational concerns. Three members of the board should represent the business sector of the community demonstrated by operation, employment, or an ownership or financial interest in a business located within the City of Manitou Springs. Three members of the board should represent the residential and recreational interests in the community. The remaining member shall be appointed without reference to representation of any particular parking sector.

The city council may also appoint up to three alternate members to the parking authority board. Each alternate shall be appointed for a term of three years. Alternates are invited and requested to attend all meetings of the board, but are not required to do so. Alternate members may take part in the discussion of any matter that comes before the board. An alternate member may not vote on any such matter unless designated to do so by the chairperson of the board, in place of an absent member. However, no alternate member shall be eligible to vote unless he or she has attended all of the meetings at which the matter to be voted upon has been discussed. An alternate member may be considered for appointment to fill the unexpired term of a vacant position on the board. If so appointed, the alternate shall resign his or her alternate position.

All regular and alternate members must be qualified electors of the City of Manitou Springs.

Section 2: If any article, section, paragraph, sentence, clause or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3: The repeal or modification of any provision of Manitou Springs Municipal Code by this ordinance shall not release, extinguish, alter, modify or change in whole or in part any penalty, forfeiture or liability, either civil or criminal, which shall have been incurred under such provision. Each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings and prosecutions for enforcement of the penalty, forfeiture or liability, as well as for the purpose of sustaining any judgment, decree or order which can or may be rendered, entered or made in such actions, suits, proceedings or prosecutions.

Section 4: This ordinance shall take effect five (5) days after final approval and adoption on second reading.

Passed on First Reading and Ordered Published this 18th day of September, 2012.

/s/ Donna Kast
City Clerk

A Public Hearing on this ordinance will be held at the October 2, 2012 City Council meeting. The Council Meeting will be held at 7:00 P.M. at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Ordinance Published: September 20, 2012 (in full)
City's Official Website and at City Hall

Passed on Second Reading and Ordered Published this 2nd day of October 2012.

Approved: /s/ Marc A. Snyder
Mayor and City Council

Attest: /s/ Donna Kast
City Clerk

Approved for Council Action: /s/ Jack Benson
City Administrator

Approved as to form: /s/ Jeff Parker
City Attorney

Published: October 4, 2012 (in full)
City's Official Website and at City Hall