

**ORDINANCE**

**AN ORDINANCE ESTABLISHING A MUNICIPAL PARKING AUTHORITY BOARD WITH AUTHORITY TO REVIEW AND MAKE RECOMMENDATIONS TO THE MANITOU SPRINGS CITY COUNCIL REGARDING PARKING IN THE DOWNTOWN BUSINESS DISTRICT, COMMERCIAL AREAS AND RESIDENTIAL NEIGHBORHOODS THROUGHOUT THE CITY.**

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**WHEREAS**, Chapter IX of the *Home Rule Chapter of the City of Manitou Springs*, August 5, 1969, grants to the Council the power *and* authority to create Boards for advisory and fact-finding purposes by ordinance setting forth the powers and duties delegated;

**WHEREAS**, parking continues to be an issue of significant concern throughout the City;

**WHEREAS**, a Parking Management Study was recently completed and delivered to the Manitou Springs Economic Development Council, which recommends the creation of a new parking management entity with responsibility for off-street parking, on-street parking, parking enforcement, planning and parking demand management throughout the City;

**WHEREAS**, the approved parking management plan identifies the following guiding principles: on street parking should be friendly but not necessarily free, all revenues generated from parking management activities should be reinvested in parking solutions for the community, enforcement should be consumer driven and not revenue driven; and

**WHEREAS**, the City Council believes that consolidation of parking management and improvements through the City will be beneficial to businesses, the residential neighborhoods and to sales tax collections for the City.

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

**Section 1: Parking Authority Board.** The City Council establishes an advisory board to be called the Manitou Springs Parking Authority Board. The purpose of the Board shall be to:

- A. Review and make recommendations to the City Council regarding the adoption of the Parking Management Study and Strategic Plan.
- B. Review and make recommendations to City Council concerning a parking professional to manage the City's parking assets, to recommend the adoption of policies to maximize the effective utilization of these assets, and to be accountable to the City Council and the Parking Authority Board for budgeted revenues and expenditures for parking facilities.

- C. Review and make recommendations to the City Council concerning the acquisition, funding, construction and operation of parking facilities within the City, including surface parking and proposals for future parking structures.
- D. To undertake and oversee policies, programs and expenditures concerning parking as approved by the City Council.

**Section 2: Membership.** The Parking Authority Board shall consist of nine 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, as follows:

Five appointees shall represent the business sector of the community, as follows:

- A. Two of the five appointees shall be nominated by the Economic Development Council.
- B. One of the five appointees shall be nominated by the Central Manitou Springs Business Improvement District.
- C. One of the five appointees shall be nominated by the Chamber of Commerce.
- D. One of the five appointees shall be nominated by the Manitou Springs Urban Renewal Authority.

The remaining four appointees shall be nominated by the City Administrator from the community at large, and shall be representative of the residential and recreational interests in the City.

The City Council shall have sole discretion to appoint nominees. If the City Council fails to appoint a nominee, the seat shall remain vacant until a new nomination is made by the appropriate nominating entity and appointed by the City Council.

Members of the Board shall be appointed to serve three-year terms. The first appointments shall be for staggered terms of one-year (3 members), two-years (3 members) and three-years (3 members). Which appointee serves which term shall be determined by the Mayor. Any members whose term expires may seek reappointment. Term limits shall not apply. The Mayor and one other member of the Council shall serve as ex-officio members of the Parking Authority Board. Each member shall serve without compensation.

**Section 3: Bylaws, Rules and Procedures.** The Parking Authority Board shall make its own Bylaws, Rules and Procedures to govern its meetings, election of officers and for the transactions of its regular business. Meetings of the Parking Authority Board shall be open to the public and minutes shall be recorded with copies thereof provided to the City Council after their approval.

**Section 4: Powers and Duties.** The Parking Authority Board shall have the following powers and duties:

- A. Make recommendations to the City Council regarding the parking elements specifically including the adoption of the Parking Management Action Plan.
- B. To write a job description for a full-time parking manager position within the City and propose the same for use by the City Council when the City hires such a position.
- C. Make recommendation to the City Council on parking fees, parking enforcement procedures, installation of pay to park devices, and provisions for parking permits within the City.
- D. Recommend to the City Council, the purchase or lease of interests in property for parking purposes within or without the City, including provisions for funding such acquisitions.
- E. Investigate and report to Council on use of various federal, state, local or private sources of funding, as may be available to fund parking services, enforcement, expansion or construction of parking facilities.
- F. Review the parking requirements in the City's development codes and make recommendations to the City Council concerning such requirements.
- G. Hear citizen comments concerning parking within the City at its regular meetings.
- H. Inform the public concerning parking facilities within the City by the use of maps and signage and by public information announcements.
- I. Provide and promote parking and transportation alternatives for employees within the City.
- J. Assist the City Council in the formulation of long range plans for parking, including a Capital Improvement Plan for parking facilities.

The Parking Authority Board shall serve solely in an advisory role, and shall have no power to act on behalf of or legally bind the City of Manitou Springs.

**Section 5: Funding.** The City Council may provide by ordinance for the acquisition, construction, maintenance and operation of city owned parking facilities, buildings, stations, or lots within the City and may pay for their cost by revenues assessed and collected as rentals, fees or charges from the operation of such facilities or from pay to park devices, or charges from enforcement activities or charges or from payments in lieu from development construction projects. The City may acquire and develop parking facilities by the issuance of revenue bonds of the City, which bonds may be retired by revenues generated by all parking related activities conducted by the Parking Authority on the City's behalf.

Passed on First Reading and Ordered Published this 9<sup>th</sup> day of September, 2008.

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City Clerk

A Public Hearing on Ordinance No. 1208 will be held at the September 16, 2008, 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 11, 2008.  
*Pikes Peak Bulletin*

Passed on second reading and adopted by Council this \_\_\_\_ day of \_\_\_\_\_, 2008.

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Mayor and Council

Attest: \_\_\_\_\_  
City Clerk

Approved for Council Action: \_\_\_\_\_  
City Administrator

Approved as to form: \_\_\_\_\_  
City Attorney

Published: \_\_\_\_\_, 2008 by title/in full.  
*Pikes Peak Bulletin*