

D-Ch. 2
Ord. 4804

APPROVED

ORDINANCE AMENDING CHAPTER 2 ENTITLED "ADMINISTRATION"

BE IT ORDAINED by the Mayor and City Council of the City of Winston-Salem as follows:

Section 1. Sec. 2-63. Public bodies designated; meetings. Subsection (a) is hereby amended by adding a new committee as follows:

"(35) Downtown winston-salem business improvement district advisory committee."

Section 2. A new Division 6, Sections 2-171 – 2-178 of the City Code to be known as "Downtown Winston-Salem Business Improvement District Advisory Committee" is hereby created to read as follows:

DIVISION 6. DOWNTOWN WINSTON-SALEM BUSINESS IMPROVEMENT DISTRICT ADVISORY COMMITTEE.

Sec. 2-171. Creation; purpose.

There is hereby created a committee, to be known as the Downtown Winston-Salem Business Improvement District Advisory Committee, whose purpose is to oversee the Downtown Winston-Salem Business Improvement District.

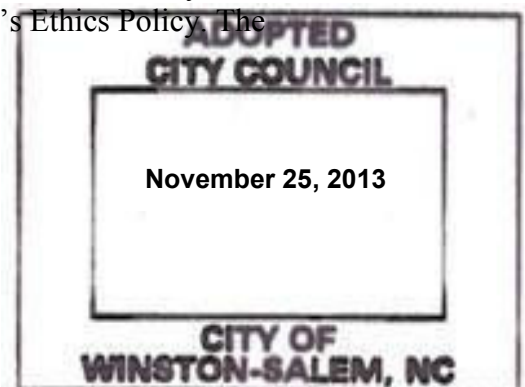
Sec. 2-172. Duties.

The duties and responsibilities of the Downtown Winston-Salem Business Improvement District Advisory Committee shall be to:

1. Prepare the annual work plan
2. Recommend an annual budget to City Council
3. Provide financial, program, and staff oversight with regards to the Downtown Winston-Salem Business Improvement District.

Sec. 2-173. Membership.

The Downtown Winston-Salem Business Improvement District Advisory Committee shall be comprised of 11 members representing various stakeholder interests within the Downtown Winston-Salem Business Improvement District area. Two members shall serve as non-voting, ex-officio members—the City Manager or designee and a financial professional. Voting members and the ex-officio financial professional shall be appointed by the City Council upon recommendation of the Mayor. Participation in the city's small business loan program or a similar city-sponsored program shall not preclude membership on this committee by the loan recipient nor shall such membership constitute a violation of the city's Ethics Policy. The structure of the committee shall be as follows:



Voting Members

Resident (primary residence within the district)
Retail Representative within the district (owner or manager)
Restaurant Representative within the district (owner or manager)
Hotel Representative within the district (owner or manager)
Real Estate Developer (owns property within the district)
Large Property Owner within the district (assessed value \$5 million or greater)
Downtown Winston-Salem Partnership Board Member
Downtown Winston-Salem Partnership Board Member
Downtown Winston-Salem Partnership Board Member

Ex-Officio - Non-Voting Members

City Manager or Designee
Financial Professional

The Financial Professional shall provide professional assistance with the financial and technical aspects of managing the business improvement district (preferably a certified public accountant). Ex-officio members are not required to reside, own property, or operate a business within the Downtown Winston-Salem Business Improvement District area.

Sec. 2-174. Terms of members; vacancies; compensation of members.

The members of the Downtown Winston-Salem Business Improvement District Advisory Committee shall be appointed for staggered terms. Initially, three members (Resident, Hotel Representative, Downtown Winston-Salem Partnership Board Member) shall be appointed for a one-year term, three members (Retail, Real Estate Developer, Downtown Winston-Salem Partnership Board Member) shall be appointed for a two-year term, and three members (Restaurant, Large Property Owner, Downtown Winston-Salem Partnership Board Member) shall be appointed for a three-year term. All subsequent appointments shall be for three-year terms. The Financial Professional shall be appointed for a three-year term.

Voting members shall serve no more than two terms. Initial appointees may serve their initial term plus one additional three-year term. Members shall hold office until their successors are appointed. Any vacancy resulting from a cause other than the expiration of a term shall be filled only for the unexpired portion of the term. Appointees to such partial terms may serve for the partial term plus one additional three-year term. For purposes of this section, service of less than 50 percent of a normal term shall not be deemed a term, and service for more than 50 percent shall be deemed a term. Members shall serve without compensation.

Sec. 2-175. Officers.

The Mayor shall designate the initial chairperson of the Downtown Winston-Salem Business Improvement District Advisory Committee, who shall serve one year. Thereafter, the committee shall elect its own chairperson each to serve one year. The committee shall also elect from its number a vice-chairperson who shall serve as chairperson in the chairperson's absence. The president of the Downtown Winston-Salem Partnership shall serve as secretary to the

committee, not as a member of the advisory committee. The chairperson and vice-chairperson shall serve one-year terms. Both are eligible to serve multiple one-year terms as long as they are members of the committee.

Sec. 2-176. Meetings.

- (a) *Generally.* The Downtown Winston-Salem Business Improvement District Advisory Committee shall hold regular meetings not less than once a quarter. All meetings and hearings of the committee shall be open to the public, and reasonable notice of the time and place thereof shall be given to the public and subject to the statutes regarding open meetings and public records. Meetings shall be called by the chairperson or upon request to the chairperson by six members of the committee.
- (b) *Records.* The committee shall maintain a record of member attendance, actions taken, findings, and recommendations.
- (c) *Quorum and voting.* A quorum to conduct business shall consist of at least six members. Official action by the committee shall require a majority vote of those present and qualified to vote. The chairperson shall be entitled to vote.
- (d) *Rules of procedure.* The committee is authorized to adopt by-laws, rules, regulations and operating procedures necessary to conduct the affairs of the committee and not inconsistent with the provisions of the codes of the city and state law.

Sec. 2-177. Reports.

The Downtown Winston-Salem Business Improvement District Advisory Committee shall submit to the Mayor and City Council quarterly financial statements, an annual audit, and an annual report of its activities, including documentation of efforts to promote diversity and adhere to City and State M/WBE requirements. The committee shall submit to the Budget and Evaluation Office, no later than April 15th of each year, a statement of its expenditures to date for the current fiscal year and its requested budget for the next fiscal year.

Sec. 2-178. Removal

Members of the committee shall serve at the pleasure of the City Council, and may be removed by the City Council.

Section 3. This ordinance shall be effective upon the date of adoption.