

ORDINANCE NO. **BG2024 - 21**

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 2
(ADMINISTRATION) OF THE CITY OF BOWLING
GREEN CODE OF ORDINANCES RELATED TO
THE CREATION OF SUBCHAPTER 2-24 (A BETTER
BGKY INC.) A NON-PROFIT CORPORATION

WHEREAS, the City of Bowling Green wishes to create a duly organized non-stock, non-profit corporation pursuant to Kentucky Revised States Chapter 273 by the filing of Articles of Incorporation with the Secretary of State to operate exclusively for charitable, recreational, civic, educational, and public purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986; and,

WHEREAS, it is in the best interest of the City to amend Chapter 2 (Administration) of the City of Bowling Green Code of Ordinances to create a non-profit and new Subchapter 2-24 (A BETTER BGKY INC.).

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 2 (Administration) is hereby amended as follows:

...

2-24 A BETTER BGKY INC.

2-24.01 Purpose.

A BETTER BGKY INC. is a duly organized non-stock, non-profit corporation incorporated pursuant to Kentucky Revised States Chapter 273 by the filing of Articles of Incorporation with the Secretary of State to operate exclusively for charitable, recreational, civic, educational, and public purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any future United States Internal Revenue law. The Corporation is formed for the specific purpose of raising and expending funds for the support and operation of projects in the City's public parks and cemeteries, and for public events and programs of the City of Bowling

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Green, Kentucky, conducting any activities consistent with such purposes, and such other activities authorized by the nonprofit corporation laws of the Commonwealth of Kentucky and Section 501(c)(3), including the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3). Further, any and all such things and acts in and incidental to the conduct of such activities as are useful, necessary, proper and lawful are declared purposes.

2-24.02 Board of Directors.

The affairs of the Corporation shall be managed by its Board of Directors. The Board of Directors may select, appoint, employ, and contract with such committees, agents, employees, and independent contractors and make such expenditures necessary and proper to carry out the purposes of the Corporation as determined within the sole discretion of the Board of Directors. The Board of Directors shall consist of at least three (3) Directors and no more than five (5) Directors. The Board of Directors shall be composed of the Director of the Neighborhood and Community Services Department, the Director of the Parks and Recreation Department, and the City's Chief Financial Officer. The remaining seats will be held by community representatives, whose appointments shall be recommended by the Mayor and subject to approval by the Board of Commissioners. Each member of the Board of Directors shall serve without compensation.

2-24.03 Officers.

The officers of the Corporation shall be a Chair, Vice-Chair and Secretary. The City shall provide staff to assist with the activities of the Corporation. Said staff shall assure that all obligations of the Corporation shall be paid pursuant to the City's policies and procedures and all purchases shall be made pursuant to the City's purchasing policy and Model Procurement Code. Such other officers and assistance officers as may be deemed necessary may be elected or appointed by the Board of Directors. The Chair and Vice-Chair shall be elected by the Board of Directors every year at the June quarterly meeting of the Board of Directors and shall serve one-year terms. Officers may be reelected for additional

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terms. The City Clerk or Assistant City Clerk shall serve as Secretary of the Corporation. Duties: The duties of the officers are as follows: Chair - The Chair shall have the authority and responsibility to preside over meetings; manage and administer the business and affairs of the Corporation including, without limitation, signing on behalf of the Corporation all contracts and other documents authorized by the Board of Directors, and perform such other duties that are specifically assigned to the Chair by the Board of Directors; Vice-Chair - During the absence or disability of the Chair, the Vice-Chair shall have all the duties and responsibilities of the Chair. Additionally, the Vice-Chair shall perform such other duties as are specifically assigned to the Vice-Chair by the Board of Directors; Secretary - The Secretary shall provide notice of meetings, attend meetings and take minutes, keep and maintain records for the Corporation, attest to the validity of the Corporation's records, and perform any other such duties as determined by the Board of Directors. All meeting notices shall comply with the Kentucky Open Meetings Act and all public records of the Corporation shall be maintained in accordance with Kentucky Open Records Act.

2-24.04 Meetings and Minutes.

The Board of Directors shall meet on the third Wednesday once per quarter at 3:00 p.m., with the initial meeting occurring September 18, 2024 and meetings occurring quarterly after that in December, March, and June. Additional meetings may be called by the Chair of the Board of Directors or upon written request of a majority of the members of the Board. Meetings shall be held at City Hall or such other place as the Chair or Board of Directors may from time to time designate in notices of special call meetings. All meetings of the Board of Directors shall be subject to the Kentucky Open Meetings Law and the Secretary shall maintain and keep minutes for the meetings.

2-24.05 Powers and Duties.

The Corporation shall have the following powers:

- a) To raise and receive funds, apply for grants and solicit sponsorships, the proceeds of

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which shall be used in a manner consistent with the purposes of the Corporation;

b) To receive donations, charitable contributions, and to establish endowments to be used in a manner consistent with the purposes of the Corporation; and,

c) To do any and all other lawful acts reasonable necessary to carry out the purposes of the Corporation.

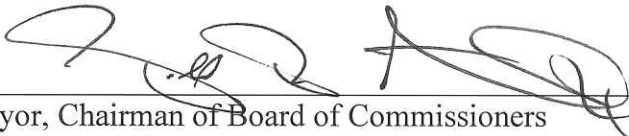
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2. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

3. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

4. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on October 15, 2024, and given final reading on November 19, 2024, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

ADOPTED: November 19, 2024

APPROVED: 
Mayor, Chairman of Board of Commissioners

ATTEST: 
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager