

DISTRICT COURT, LARIMER COUNTY, COLORADO Court Address: 201 La Porte Avenue Fort Collins, CO 80521 Phone Number: (970) 494-3500	DATE FILED: July 18, 2018 8:12 PM FILING ID: BF0E70FBC34B1 CASE NUMBER: 2018CV149
<p>Plaintiff: ERIC SUTHERLAND, <i>pro se</i></p> <p>v.</p> <p>Defendants: THE CITY OF FORT COLLINS, a home rule municipality in the State of Colorado; STEVE MILLER, in his capacity as the Larimer County Assessor and all successors in this office; IRENE JOSEY, in her capacity as the Larimer County Treasurer and all successors to this office; and</p> <p>Indispensable Parties: THE TIMNATH DEVELOPMENT AUTHORITY, an Urban Renewal Authority; and COMPASS MORTGAGE CORPORATION, an Alabama company doing business in Colorado.</p>	<p style="text-align: center;">▲ COURT USE ONLY ▲</p>
Attorneys for Defendant City of Fort Collins: John W. Mill (#22348) Amanda Levin Milgrom (#47871) Sherman & Howard L.L.C. 633 17th Street, Suite 3000 Denver, CO 80202 Phone Number: (303) 297-2900 Email: jmill@shermanhoward.com amilgrom@shermanhoward.com	Case No.: 2018CV149 Courtroom/Division: 3C
AFFIDAVIT OF RITA KNOLL IN SUPPORT OF THE MOTION TO DISMISS OF THE CITY OF FORT COLLINS	

I, Rita Knoll, declare the following:

1. My name is Rita Knoll and I am over the age of eighteen years and have personal knowledge of the facts set forth in this affidavit.
2. I am competent to give testimony on following subject matters.
3. I have been employed by the City of Fort Collins since July 25, 1978. I have worked in the City Clerk's Office since June 21, 1982. I have been the Chief Deputy City Clerk of the City of Fort Collins since 1998.

4. My duties as Chief Deputy City Clerk include, but are not limited to:
 - a. Acting on behalf of, and in the capacity of, the City Clerk in her absence;
 - b. Attesting to City legal documents including ordinances, resolutions, contracts, water certificates, and bond closing documents;
 - c. Participating in the coordination and preparation of City Council and City enterprise board agendas, including the Electric Utility Enterprise Board; and
 - d. Participating in and overseeing the maintenance and operation of the City Council's legislative records, including City Council ordinances and the ordinances of the City's utility enterprise boards, including the Electric Utility Enterprise Board ordinances.

The Mayor is the President of the Electric Utility Enterprise Board

5. I certify that Wade Troxell is the current Mayor of Fort Collins and has been the Mayor since 2015.
6. I certify that the Mayor of Fort Collins is also the President of the Electric Utility Enterprise Board.
7. Since the City of Fort Collins first established its utility enterprises in 1993 pursuant to Ordinance No. 60, 1993, the Mayor of Fort Collins has acted as the president of the board for each of the City's utility enterprises, including for the Electric Utility Enterprise Board.
8. I certify that Wade Troxell signed the following documents:
 - a. April 3, 2018 City Council Minutes; and
 - b. April 3, 2018 Electric Utility Enterprise Board Minutes.
9. I certify that Gerry Horak, as the City's Mayor Pro Tem and as the Vice President of the Electric Utility Enterprise Board, signed the following documents:
 - a. March 20, 2018 City Council Minutes; and
 - b. March 20, 2018 Electric Utility Enterprise Board Minutes.

I hereby swear or affirm that the foregoing is true and correct to the best of my knowledge, information and belief.



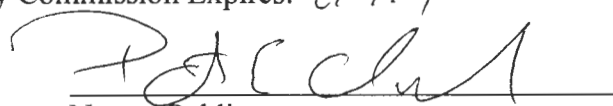
Rita Knoll

STATE OF COLORADO)
)ss.
COUNTY OF LARIMER)

Subscribed and sworn to before me this 18 day of July, 2018.

Witness my hand and Official Seal. My Commission Expires: 6/1/19

[seal]



Notary Public

