

RESOLUTION 2020-080
OF THE COUNCIL OF THE CITY OF FORT COLLINS
APPROVING APPOINTMENT OF DIRECTORS TO THE MIDTOWN BUSINESS
IMPROVEMENT DISTRICT BOARD OF DIRECTORS

WHEREAS, on December 5, 2017, the City Council adopted Ordinance No. 165, 2017, (“Ordinance No. 165”) creating the Midtown Business Improvement District (the “District”) under the Business Improvement District Act in Part 12 of Article 25 in Title 31 of the Colorado Revised Statutes; and

WHEREAS, the City Council also appointed in Ordinance No. 165 the District’s initial nine directors to the District’s board of directors (the “Board”); and

WHEREAS, Steve Taylor, Mike Dellenbach, Spiro Palmer, John Gaffney and Carrie Baumgart were appointed as five of the directors to serve a term ending December 31, 2019; and

WHEREAS, the remaining four directors, Rayno Seaser, David Fritzler, Luke McFetridge and Lauren DeRosa, were appointed in Ordinance No. 165 to terms ending December 31, 2020; and

WHEREAS, on December 3, 2019, the City Council adopted Resolution 2019-108 approving the District’s 2020 Operating Plan (the “Operating Plan”) and the Operating Plan provided for the reappointment of three of the directors whose terms would expire December 31, 2019, Mike Dellenbach, Spiro Palmer and Carrie Baumgart, but the Operating Plan provided for the appointment of Patrick Bunyard in place of John Gaffney, with all four of these appointed directors to have a two-year term ending December 31, 2021, as this was further presented in the agenda item summary for Resolution 2019-108 (the “AIS”); and

WHEREAS, the AIS also provided that director Steve Taylor would not be reappointed, but rather that John Hoxmeir would be appointed in his place for a two-year term ending December 31, 2021; and

WHEREAS, the Operating Plan erroneously failed to reflect John Hoxmeir’s intended appointment and reappointed Steve Taylor in error; and

WHEREAS, since January 1, 2020, John Hoxmeir has attended and participated in the Board’s meetings and Steve Taylor has not; and

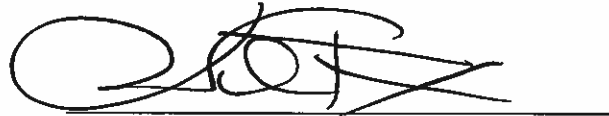
WHEREAS, the purpose of this Resolution is to correct any confusion about these conflicting appointment references by appointing John Hoxmeir as a director on the Board to serve a term ending December 31, 2021, and for his appointment to be effective, to the full extent permitted by the law, as of January 1, 2020, but in any event, effective no later than the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. That John Hoxmeir is hereby appointed to serve as a director on the Board for a term ending December 31, 2021, with his appointment being effective, to the full extent permitted by law, as of January 1, 2020, but, in any event, effective no later than the date of this Resolution. In addition, the appointments in Resolution 2019-108 of Board Directors Mike Dellenbach, Spiro Palmer, Patrick Bunyard and Carrie Baumgart to serve a new two-year term ending December 31, 2021, are hereby reaffirmed and ratified.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 18th day of August, A.D. 2020.



Mayor

ATTEST:


City Clerk

