

RESOLUTION 2023-012  
OF THE COUNCIL OF THE CITY OF FORT COLLINS  
APPOINTING DANIEL BENTON AND CARL PRATT TO THE  
FORT COLLINS TOURISM IMPROVEMENT DISTRICT BOARD OF DIRECTORS

WHEREAS, the Fort Collins Tourism Improvement District (the “District”) was established by City Council’s adoption of Ordinance No. 097, 2021, on August 4, 2021, as amended by Council’s adoption of Ordinance No. 161, 2021, on December 7, 2021 (jointly, the “Establishment Ordinance”) to fund and provide certain tourism services and improvements for the benefit of lodging businesses within the District; and

WHEREAS, as provided in City Code Section 22-163(b)(5), the City Council appointed in Section 7 of the Establishment Ordinance (“Section 7”) the District’s initial five directors of the District’s Board of Directors (the “Board”) to staggered terms; and

WHEREAS, the Establishment Ordinance requires three of the directors to be affiliated with a large full-service lodging business (“Large Provider”), two of the directors to be affiliated with a small limited-service lodging business (“Small Provider”), and one director to be affiliated with a boutique or specialty lodging business (“Boutique Provider”); and

WHEREAS, on June 7, 2022, the City Council adopted Ordinance No. 061, 2022, (“Ordinance No. 061”) amending the Establishment Ordinance to increase the number of directors on the Board from five directors to seven directors and to provide that the two new directors could be affiliated with any type of lodging business (“Any Provider”); and

WHEREAS, Code Section 22-164(a) requires the District’s directors to be “electors” of the District; and

WHEREAS, Code Section 22-153 defines “elector” to mean a natural person who is a resident of the State of Colorado, is eighteen (18) years of age or older, registered to vote in general elections in the State of Colorado, and who maintains a lodging tax license with the City and is obligated to pay the City’s lodging tax by virtue of ownership and operation of a lodging business in the District or is a natural person designated to vote for an entity that is not a natural person and maintains a lodging tax license with the City and is obligated to pay the lodging tax by virtue of ownership of a lodging business in the District; and

WHEREAS, as of the date of this Resolution, the District’s duly appointed directors serving on the Board and their respective terms are: (i) Danielle Lowery serving in one of the Small Provider seats with her two-year term beginning September 1, 2021 and ending September 1, 2023, as set in the Establishment Ordinance, (ii) Ayrell Mattern serving in one of the Large Provider seats appointed by City Council in Resolution 2022-052 to replace and serve out the two-year term of Dragan Andrejic that began September 1, 2021 and ends September 1, 2023, as set in the Establishment Ordinance, (iii) George Prine serving in the Boutique Provider seat with his three-year term beginning September 1, 2021 and ending September 1, 2024, as set in the Establishment Ordinance, and (iv) Abbie Stout serving in one of the Any Provider seats with her

three-year term beginning June 17, 2022, and ending June 17, 2025, as set in Ordinance No. 061; and

WHEREAS, three director seats are currently vacant on the Board; and

WHEREAS, one vacancy is the Large Provider seat previously held by Daniel Benton and he was appointed in the Establishment Ordinance for a one-year term beginning September 1, 2021, and ending September 1, 2022, and that term ended without Mr. Benton being reappointed; and

WHEREAS, on December 6, 2022, the Board adopted a resolution requesting the City Council to reappoint Mr. Benton to this vacant Large Provider seat to serve a three-year term beginning on January 17, 2023, and ending on January 17, 2026; and

WHEREAS, Mr. Benton is affiliated with Fort Collins Hilton, a full-service lodging business in the District that has a City lodging tax license and is obligated to pay the City's lodging tax and he has been designated by Fort Collins Hilton to vote for it in District elections; and

WHEREAS, the second vacancy is the Large Provider seat previously held by Sandra Frederickson whose term began on September 1, 2021, and ended on September 1, 2022, as set in the Establishing Ordinance, and the Board has not requested her reappointment or any other person's appointment, so this seat will remain vacant; and

WHEREAS, on September 27, 2022, the Board adopted a resolution requesting the City Council to appoint Carl Pratt to the other Any Provider seat to serve a three-year term beginning on January 17, 2023, and ending on January 17, 2026; and

WHEREAS, Mr. Pratt is the General Manager of the Elizabeth Hotel located in the District, which is a full-service lodging business that has a City lodging tax license and is obligated to pay the City's lodging tax and Mr. Pratt has been designated by the Elizabeth Hotel to vote for it in District elections; and

WHEREAS, Mr. Benton and Mr. Pratt are also both residents of the State of Colorado, at least 18 years of age, registered to vote in general elections in the State of Colorado, qualified electors of the District and, therefore, they are both qualified to serve as a director on the Board; and

WHEREAS, City Council has determined that the appointment of Mr. Benton and Mr. Pratt to serve as directors on the Board is in the best interests of the City and the District.

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

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

Section 2. That the City Council hereby appoints Daniel Benton as a director on the Board to serve in a Large Provider seat for a three-year term beginning January 17, 2023, and ending January 17, 2026.

Section 3. That the City Council hereby appoints Carl Pratt as a director on the Board to serve in one of the Any Provider seats for a three-year term beginning January 17, 2023, and ending January 17, 2026.

Passed and adopted at a regular meeting of the Council of the City of Fort Collins this 17th day of January, 2023.

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Mayor

ATTEST:

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City Clerk