

City of Fort Lupton
City Council Agenda
Regular Meeting
7:00 p.m.
130 South McKinley Avenue
January 25, 2017

Pledge Of Allegiance

Call To Order - Roll Call

Approval Of Agenda

Action Memorandum

- a. **AM 2017-019, Approve A Resolution Affirming The Participation In The Recommendation Of Trustees To The High Plains Library District Board Of Trustees**

Documents:

[AM 2017-019, Approve A Resolution For Recommending Trustees To The High Plains Library District Board Of Trustees.pdf](#)

Adjourn

**CITY OF FORT LUPTON
CITY COUNCIL**



Shannon Rhoda, Ward 1
Chris Ceretto, Ward 2
Chris Cross, Ward 3

Tommy Holton, Mayor

David Crespin, Ward 1
Zoe A. Stieber, Ward 2
Bob McWilliams, Ward 3

AM 2017-019

Approve A Resolution Affirming the Participation in the Recommendation of Trustees to the High Plains Library District Board of Trustees

- I. **Agenda Date:** Council Meeting – January 25, 2017

- II. **Attachments:** a. Resolution 2017Rxxx.

- III. **Summary Statement:**

The proposed resolution reaffirms and restates its (the City's) commitment and intent to send two individuals to participate in the nominating committee for the recommendation of new trustees to the Board of Trustees of the High Plains Library District, to dispel any contrary suggestion and to rescind an implied delegation, if any, of such authority.

IV. **Submitted by:** 
Claud Hanes, City Administrator

V. **Finance Reviewed** 
Finance Director

VI. **Approved for Presentation:** 
City Administrator

VII. **Attorney Reviewed** _____ Approved _____ Pending Approval

VIII. **Certification of Council Approval:** _____
City Clerk _____ Date _____

IX. Detail of Issue/Request:

The proposed resolution reaffirms and restates its (the City's) commitment and intent to send two individuals to participate in the nominating committee for the recommendation of new trustees to the Board of Trustees of the High Plains Library District, to dispel any contrary suggestion and to rescind an implied delegation, if any, of such authority.

X. Legal/Political Considerations:

Andy Ausmus, City Attorney has approved the proposed Resolution.

XI. Alternatives/Options:

None noted.

XII. Financial Considerations:

Not applicable.

XIII. Staff Recommendation:

Staff's recommendation is to approve the proposed resolution.

RESOLUTION 2017RXXX

A RESOLUTION AFFIRMING THE CITY OF FORT LUPTON'S COMMITMENT AND INTENT TO PARTICIPATE IN THE RECOMMENDATION OF TRUSTEES TO THE BOARD OF TRUSTEES OF THE HIGH PLAINS LIBRARY DISTRICT

WHEREAS, in 1985, the Weld County Library District, now known as the High Plains Library District, was created by the actions of the Town of Eaton, the Town of Ault, the Town of Hudson, the City of Fort Lupton, the City of Greeley, the City of Evans, the Weld County School District Re-8 and the County of Weld pursuant to the Colorado Library Law, C.R.S. §§ 24-90-101, *et seq.*; and

WHEREAS, C.R.S. § 24-90-108(2)(c) provides that, with respect to a library district established by more than one governmental unit,

[T]he legislative body of each participating governmental unit shall appoint two of its members to a committee that shall appoint the initial board of directors. Thereafter, any such legislative body or bodies may either continue such a committee or delegate to the board of trustees of the library district the authority to recommend new trustees; and

WHEREAS, after the initial appointments, the City of Fort Lupton did not delegate the authority to nominate or recommend nomination of new trustees to the board of trustees of the library district; and

WHEREAS, the High Plains Library District alleges that, despite the lack of an affirmative delegation, the City of Fort Lupton impliedly, by its conduct or otherwise, delegated the authority to nominate or recommend the nomination new trustees to the High Plains Library District Board of Trustees; and

WHEREAS, the City Council of the City of Fort Lupton desires to reaffirm and restate its commitment and intent to send two individuals to participate in the nominating committee for the recommendation of new trustees to the Board of Trustees of the High Plains Library District, to dispel any contrary suggestion and to rescind an implied delegation, if any, of such authority.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT LUPTON, COLORADO, THAT:

Section 1. The City of Fort Lupton has not delegated the authority to recommend new trustees to the Board of Trustees of the High Plains Library District.

Section 2. To the extent that the City of Fort Lupton impliedly delegated the authority to recommend new trustees, by its actions or otherwise, and to the extent that such implied delegation was lawful, the City Council hereby rescinds the implied delegation of authority to nominate or recommend the nomination of new trustees to the Board of Trustees of the High Plains Library District.

Section 3. Consistent with C.R.S. § 24-90-108(2)(c), the City of Fort Lupton shall send two individuals to participate in a nominating committee for the recommendation of new trustees to the Board of Trustees of the High Plains Library District and desires the prompt formation of a nominating committee.

INTRODUCED, READ and PASSED this ____ day of January, 2017.

CITY OF FORT LUPTON, COLORADO

Tommy Holton, Mayor

ATTEST:

Nanette Fornof, City Clerk