R-20- 172

RESOLUTION NO. __

A RESOLUTION APPOINTING ALAN NEW AND LOUIS FRANCE AS SUCCESSOR COMMISSIONERS OF THE ARGENTA DOWNTOWN CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 31; AND FOR OTHER PURPOSES.

WHEREAS, the City of North Little Rock established the Argenta Downtown Central Business Improvement District No. 31 (the "District") on September 9, 2009 through the adoption of Ordinance No. 8197; and

WHEREAS, effective on September 2, 2020, Maurice Taylor, one of the Commissioners of the District, resigned as a commissioner; and

WHEREAS, effective as of December 31, 2020, Greg Nabholz, one of the Commissioners of the District, will be resigning as a commissioner; and

WHEREAS, the Commissioners of the District have petitioned to replace Commissioners Maurice Taylor and Greg Nabholz, said petition being attached hereto as Exhibit A; and

WHEREAS, City Council is authorized, pursuant to Ark. Code Ann. § 14-88-303, as well as other statutory and common law authority, to appoint successor commissioners of the District to replace commissioners who have resigned as commissioners of the District.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That, effective as of January 1, 2020, Alan New is hereby appointed as Commissioner of Argenta Downtown Central Business Improvement District No. 31, replacing Maurice Taylor.

SECTION 2: That, effective as of January 1, 2020, Louis France is hereby appointed as a Commissioner of Argenta Downtown Central Improvement District No. 31, replacing Greg Nabholz.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED: APPROVED:

_____ _____

Mayor Joe A. Smith

SPONSOR:

Mayor Joe A. Smith

ATTEST

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY

FILED 10:45 A.M. __ P.M.

By A. Fields

DATE 12.8.20

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY S. Ussery

IN RE: ARGENTA DOWNTOWN CENTRAL BUSINESS IMPROVEMENT DISTRICT NO. 31 OF NORTH LITTLE ROCK, ARKANSAS

PETITION FOR APPOINTMENT OF SUCCESSOR COMMISSIONERS OF CENTRAL BUSINESS IMPROVEMENT DISTRICT TO REPLACE VACATING COMMISSIONERS AND ESTABLISHING STAGGERED TERMS

TO THE CITY COUNCIL
FOR THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

Whereas, the Argent Downtown Central Business Improvement District No. 31 of North Little Rock, Arkansas (the "District") was organized by the City of North Little Rock as a central business improvement district under the authority of Chapter 184 of Title 14, Subtitle 11 of the Arkansas Code of 1987 Annotated pursuant to City of North Little Rock Ordinance Number 8197, entered September 9, 2009 (the "Enabling Ordinance"); and

Whereas, pursuant to Arkansas Code Annotated Section 14-184-111, each of the Commissioners, Bruce Engstrom, Greg Nabholz and Gary Clements, have served for in excess of six (6) years and the governing body of the municipality is required to appoint the successor Commissioners to serve staggered terms; and

Whereas, Marvin Norman was appointed Commissioner on March 13, 2017, and he shall continue to server until March 12, 2023 and, thereafter, until his successor is appointed; and

Whereas, Maurice Taylor tendered his resignation as a Commissioner effective September 2, 2020; and

Whereas, Greg Nabholz has tendered his resignation as a Commissioner to be effective as of December 31, 2020; and

FILED _____ A.M. 2:15 P.M.
BY Zac Nicholson
DATE 11-30-2020
Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas
RECEIVED by K. Thomas

EXHIBIT
A

Now, Therefore, the undersigned ("Petitioners"), Bruce Engstrom, Greg Nabholz, Marvin Norman and Gary Clements, being all (or) a majority of the existing Commissioners of the District, do hereby petition the City Council for the City of North Little Rock, Arkansas ("Board"), under Arkansas Code of 1987 Annotated Section 14-184-111, to appoint a successor commissioners of the District to replace Bruce Engstrom, Greg Nabholz and Gary Clements, who have reached or exceeded a six (6) year term as commissioner of the District.

The Petitioners petition the Board to name the following successor commissioners, each of whom is a property owner in the District or has a beneficial interest in an entity which holds legal title to the lands in the District, for terms ending as follows, or until their successors are appointed:

Commissioner	Beginning of Term/if applicable	End of Term
Bruce Engstrom	Continuation of Existing Term	December 31, 2022
Gary Clements	Continuation of Existing Term	December 31, 2025
Alan New	January 1, 2021	December 31, 2026
Louis France	January 1, 2021	December 31, 2026

The Petitioners have executed this Petition effective November 18, 2020.

PETITIONERS:

Bruce Engstrom

Greg Nabholz

Gary Clements

Marvin Norman

Now, Therefore, the undersigned ("Petitioners"), Bruce Engstrom, Greg Nabholz, Marvin Norman and Gary Clements, being all (or) a majority of the existing Commissioners of the District, do hereby petition the City Council for the City of North Little Rock, Arkansas ("Board"), under Arkansas Code of 1987 Annotated Section 14-184-111, to appoint a successor commissioners of the District to replace Bruce Engstrom, Greg Nabholz and Gary Clements, who have reached or exceeded a six (6) year term as commissioner of the District.

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PETITIONERS:

_____
Bruce Engstrom

_____
Greg Nabholz

Gary Clements
_____
Gary Clements

_____
Marvin Norman