

## RESOLUTION NO. 09 11 03

### AUTHORIZING THE TRANSFER OF THE C-BT WATER UNITS FROM THE GENERAL FUND TO THE WATER FUND FOR THE CITY OF FORT MORGAN.

**WHEREAS**, City Council of the City of Fort Morgan, Colorado, is authorized by Art. IV, Sec. 4(D)(1) of the *Charter of the City of Fort Morgan, Colorado* (2008) to provide for “the construction, maintenance, operation, and disposition of public improvements, public works, public utilities, public services...”; and,

**WHEREAS**, there are 152 units of C-BT water currently held in the General Fund with a purchase value of \$327,855.60; and,

**WHEREAS**, upon review and by recommendation of City Staff it has been suggested that it would be beneficial to the City to transfer these units as currently held in the general fund to the water fund; and,

**WHEREAS**, such a transfer would be bound by the limitations provided under TABOR, the City Treasurer has determined that such a transfer of these units is within the constraints of TABOR; and,

**WHEREAS**, City Council previously directed that this transfer be made.

### NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT MORGAN, COLORADO:

**Section 1.** The City Council authorizes the transfer of the 152 units of C-BT water from the General Fund to the Water Fund.

**Section 2.** City Staff is directed to take all necessary steps to transfer title of the units to correctly reflect ownership of the C-BT units.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 24<sup>th</sup> day of November 2009, the vote upon roll call being as follows:

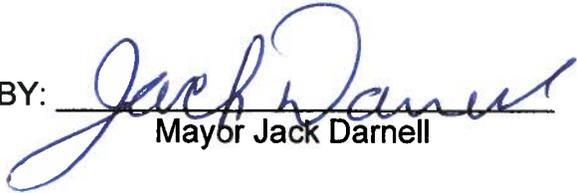
**Ayes:** Mayor Darnell; Councilmembers Deal, Forstedt, McAlister, Powers, Shaver and Simmons.

**Nays:** None.

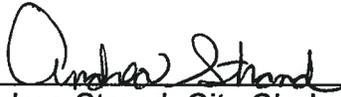
**Absent /Abstain:** None.

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY:   
Mayor Jack Darnell

ATTEST:

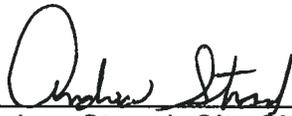
  
Andrea Strand, City Clerk

STATE OF COLORADO )  
COUNTY OF MORGAN ) ss.  
CITY OF FORT MORGAN )

**CERTIFICATE**

I, Andrea Strand, City Clerk of the City of Fort Morgan, Colorado, do hereby certify that the above and foregoing **Resolution** is a true, perfect and complete copy of the **Resolution** adopted by the City Council and is identical to the original thereof appearing in the official records of the City of Fort Morgan, Colorado, and that the same has not been, since its adoption, in any respect, rescinded or amended.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the City of Fort Morgan this 25<sup>th</sup> day of November, 2009.

  
Andrea Strand, City Clerk