

RESOLUTION NO. 002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORT COLLINS,
COLORADO, SITTING AS THE BOARD OF THE STORMWATER UTILITY ENTERPRISE
DETERMINING THAT THE ENTERPRISE'S REVENUE BONDS, SERIES 2023,
SHALL BE SOLD BY PUBLIC SALE

WHEREAS, the City of Fort Collins, Colorado (the "City") is a duly organized and existing home rule municipality of the State of Colorado, created and operating pursuant to Article XX of the Constitution of the State of Colorado and the home rule charter of the City (the "Charter"); and

WHEREAS, the members of the City Council of the City (the "Council") have been duly elected and qualified; and

WHEREAS, Section 19.3(b), Article V of the Charter ("Section 19.3(b)") provides that the Council may establish by ordinance the City's Stormwater utility (the "Utility") as an enterprise of the City; and

WHEREAS, pursuant to Section 19.3(b), the Council has heretofore established the Utility as an enterprise of the City (the "Enterprise") in ordinances codified in Section 26-392 of the Code of the City of Fort Collins (the "City Code"); and

WHEREAS, pursuant to Section 19.3(b) and City Code Section 26-392, the Council has authorized the Enterprise, by and through the Council sitting as the board of the Enterprise (the "Board"), to issue, by ordinance, revenue and refunding securities and other debt; and

WHEREAS, pursuant to Section 19.6, Article V of the Charter all securities shall be sold or exchanged as determined by the Board; and

WHEREAS, pursuant to Section 209 of Board Ordinance No. 011 authorizing the issuance of the City of Fort Collins, Colorado, Stormwater Utility Enterprise Revenue Bonds, Series 2023 (the "Bonds"), the Board's determination as to whether the Bonds shall be sold either at a public sale or by a negotiated sale shall be determined in a resolution adopted by the Board.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF THE CITY OF FORT COLLINS, COLORADO, STORMWATER UTILITY ENTERPRISE AS FOLLOWS:

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

Section 2. That the Board hereby determines that the Bonds shall be sold at a public sale.

Passed and adopted at a regular meeting of the Board of the City of Fort Collins, Colorado, Stormwater Utility Enterprise this 19th day of September, 2023.

CITY OF FORT COLLINS, COLORADO,
STORMWATER UTILITY ENTERPRISE

By: _____
President

(ENTERPRISE SEAL)

ATTEST:

Secretary