

## **RESOLUTION NO. 2014-03-02**

### **A RESOLUTION ACCEPTING A GRANT FROM THE COLORADO DEPARTMENT OF TRANSPORTATION, COLORADO AERONAUTICAL BOARD AND AUTHORIZATION FOR THE MAYOR TO EXECUTE THE GRANT AGREEMENT**

**WHEREAS**, The General Assembly of the State of Colorado declared in Title 43 of the Colorado Revised Statutes, Article 10, 1991 in CRS § 43-10-101 (the “Act”) “... that there exists a need to promote the safe operations and accessibility of general aviation in this state; that improvements to general aviation transportation facilities will promote diversified economic development across the state; and that accessibility to airport facilities for residents of this state is crucial in the event of a medical or other type of emergency...” The Act created the Colorado Aeronautical Board (“the Board”) to establish policy and procedures for distribution of monies in the Aviation Fund and created the Division of Aeronautics (“the Division”) to carry out the directives of the Board, including technical and planning assistance to airports and the administration of the state aviation system grant program. *SEE CRS § 43-10-103 and C.R.S. § 43-10-105 and CRS § 43-10-108.5 of the Act;* and,

**WHEREAS**, any entity operating a public-accessible airport in the state may file an application for, and be recipient of, a grant to be used solely for aviation purposes. The Division is authorized to assist such airports as request assistance by means of a Resolution passed by the applicant’s duly-authorized governing body, which understands that all funds shall be used exclusively for aviation purposes and that it will comply with all grant procedures and requirements as defined in the Division’s Aviation Grant Management Manual, revised 2009 (the “Manual”); and,

**WHEREAS**, the City of Fort Morgan has applied for such funding for the construction of the runway at the Fort Morgan Municipal Airport and been presented with a Grant Agreement attached hereto and incorporated by reference.

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

**SECTION 1.** The City of Fort Morgan, as a duly authorized governing body of the grant applicant, hereby formally requests assistance from the Colorado Aeronautical Board and the Division of Aeronautics in the form of a state aviation system grant. The City states that such grant shall be used solely for aviation purposes, as determined by the State, and as generally described in the Application.

**SECTION 2.** The City hereby makes a commitment to keep the airport facility accessible to, and open to, the public during the entire useful life of the grant funded improvements/ equipment; or b) to reimburse the Division for any unexpired useful life of the improvements/ equipment, on a pro-rata basis. Further, the City commits to keep open and accessible for public use all grant funded facilities, improvements and

services for their useful life, as determined by the Division and stated in the Grant Agreement.

**SECTION 3.** The City hereby designates Bradley A. Curtis as the Project Director, as described in the Manual and authorizes the Project Director to act in all matters relating to the work project proposed in the Application in its behalf, except for executions of the grant contract and any amendments as required by the Fort Morgan Charter.

**SECTION 4.** The City has appropriated or will appropriate or otherwise make available in a timely manner all funds, if any, that are required to be provided by the Applicant under the terms and conditions of the Grant Agreement.

**SECTION 5.** The City hereby accepts all guidelines, procedures, standards and requirements described in the Manual as applicable to the performance of the grant work and hereby approves the Grant Agreement submitted by the State, including all terms and conditions contained therein and hereby authorizes the Mayor to sign the Grant Agreement.

INTRODUCED, PASSED, APPROVED AND ADOPTED this 4<sup>th</sup> day of March 2014, the vote upon roll call being as follows:

Ayes: Mayor McCalister, Councilmembers Castoe, Lindell, Mussman, Northrup, Segura, and Shaver.

Nays: None

Absent /Abstain: None

THE CITY COUNCIL OF THE CITY OF  
FORT MORGAN, COLORADO

[ SEAL ]

BY: /s/ Terry McCalister  
Terry McAlister, Mayor

ATTEST:

/s/ John Brennan  
John Brennan, City Clerk

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

## CERTIFICATE

I, John Brennan, 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 4<sup>th</sup> day of March, 2014.

/s/ John Brennan  
John Brennan, City Clerk