

RESOLUTION NO. 13  
SERIES OF 2004

INTRODUCED BY: Bonnie Blum  
SECONDED BY: Doug Tisdale

A  
**RESOLUTION  
OF THE CITY COUNCIL  
OF THE CITY OF CHERRY HILLS VILLAGE  
AUTHORIZING THE TRANSFER OF FUNDS FROM COLOTRUST TO CSAFE**

WHEREAS, the City of Cherry Hills Village (the "City") desires to pool its funds with other local government entities by becoming a Participant in the Colorado Surplus Asset Fund Trust ("CSAFE"); and

WHEREAS, pursuant to the provisions of C.R.S. Section 24-75-601 and 701, et seq., as amended and C.R.S. 24-75-702, et seq. as amended, any local government entity (including cities, towns, school districts, special districts, counties or political subdivisions of the state) is authorized to pool any moneys in its treasury, which are currently surplus funds and not immediately required to be disbursed, with similar moneys from other local government entities, in order for these entities to take advantage of short-term investments and maximize net interest earnings. CSAFE is formed as a common law trust under the laws of the state of Colorado; and

WHEREAS, the City Council of the City desires to participate in CSAFE formed in accordance with the aforesaid statutes, in order to pool its surplus funds with other local government entities, it has passed, by majority vote the following resolution:

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE:

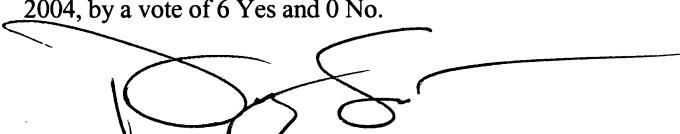
That the City Council of the City of Cherry Hills Village Colorado finds it is in the best interest of the City and therefore hereby approves and adopts this Resolution, along with other local government entities in the trust for the purpose of pooling surplus funds. The terms of the above mentioned trust indenture shall be incorporated herein by this reference and a copy filed with the minutes of the meeting at which warranties, either expressed or implied, are part of this agreement between CSAFE and said governing body of the City of Cherry Hills Village unless as set forth in the Indenture of Trust, but that CSAFE shall use its best efforts in conjunction with The City of Cherry Hills Village to accomplish these goals.

The City of Cherry Hills Village is liable for all checks written on its account, authorized or unauthorized. The City of Cherry Hills Village shall indemnify and hold CSAFE harmless from and against any and all claims, demands, damages, losses, liabilities and expenses (including, without limitation, reasonable attorney fees and court costs at trial or appeal arising from: (a) any checking activity on a Cherry Hills account or (b) any act or omission from CSAFE arising out of CSAFE action or inaction taken pursuant to a request by The City of Cherry Hills Village. The City of Cherry Hills Village should implement proper security procedures to safeguard the checks for each account. CSAFE does not guarantee the prevention of fraud or theft from a Participant account.

RESOLVE, further that **Karen Proctor**, who is the government official empowered to invest funds of the City of Cherry Hills Village or her successor in function, is hereby authorized and directed to execute the Indenture of Trust and any other documents necessary to establish an account with CSAFE. Karen Proctor is hereby designated the "Treasurer" as that term is defined in the Indenture of Trust and is therefore authorized to invest money from the Cities treasury, from time to time, which are not immediately required to be disbursed, by purchasing shares of CSAFE with those available funds and is authorized to redeem, from time to time, part or all of those shares as funds are needed for other purposes.

The undersigned agree that the authorizations and instructions contained in the trust registration form are to remain in effect until the trust receives written notice of any changes.

Introduced, passed and adopted at the regular meeting of City Council this 16<sup>th</sup> day of November 2004, by a vote of 6 Yes and 0 No.

  
Doug Scott, Mayor

ATTEST:

  
Jennifer Pettinger, City Clerk

(SEAL)