

RESOLUTION NO. 2  
 SERIES OF 2019

INTRODUCED BY: KATY BROWN  
 SECONDED BY: AL BLUM

**A RESOLUTION  
 OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3RD FILING  
 GENERAL IMPROVEMENT DISTRICT (GID) BOARD OF DIRECTORS  
 APPROVING THE PUBLIC SERVICE COMPANY OF COLORADO (XCEL ENERGY) LETTER  
 AGREEMENT DATED DECEMBER 5, 2018, AND AUTHORIZING THE CITY MANAGER TO  
 EXECUTE THE LETTER AGREEMENT ON BEHALF OF THE GID**

**WHEREAS**, the Cherry Hills Village Charlou Park 3<sup>rd</sup> Filing General Improvement District ("GID") has been duly organized in accordance with City of Cherry Hills Village Ordinance 1, Series 2019, and the statutes of the State of Colorado; and

**WHEREAS**, pursuant to Section 31-25-609, C.R.S., the City Council for the City of Cherry Hills Village serves ex-officio as the Board of Directors of the GID and, by practice and convenience, the administrative staff of the City serves as the administrative staff of the GID; and

**WHEREAS**, the City Council, sitting ex-officio as the Board of Directors of the GID desires to approve the Public Service Company of Colorado ("Xcel Energy") letter agreement dated December 5, 2018 ("Letter Agreement") related to the electric overhead to underground conversion project located within the boundaries of the GID (the "Project"); and

**WHEREAS**, a copy of the Letter Agreement is attached to this Resolution as Attachment A and is incorporated herein by reference; and

**WHEREAS**, the total charges for the Project equal Two Hundred Four Thousand One Hundred Seven and 31/100 Dollars (\$204,107.31); and

**WHEREAS**, the City Council, sitting ex-officio as the Board of Directors of the GID, desires to authorize the City Manager to execute the Letter Agreement on behalf of the GID,

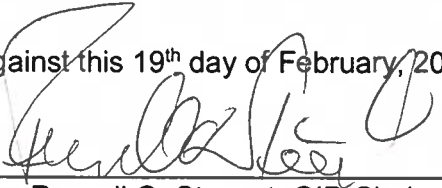
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHERRY HILLS VILLAGE, COLORADO, SITTING EX-OFFICIO AS THE BOARD OF DIRECTORS OF THE CHERRY HILLS VILLAGE CHARLOU PARK 3<sup>RD</sup> FILING GENERAL IMPROVEMENT DISTRICT, THAT:**

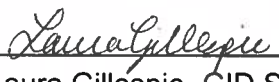
**Section 1.** The Board of Directors of the GID hereby makes and adopts the determinations and findings contained in the recitals set forth above.

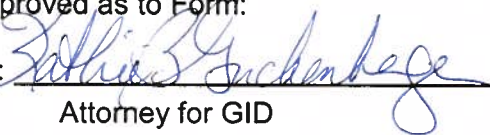
**Section 2.** The Board of Directors of the GID hereby: (a) approves the Letter Agreement; (b) authorizes the City Manager to execute the Letter Agreement on behalf of the GID; (c) authorizes the City Manager to arrange for payment to Xcel Energy in the amount of Two Hundred Four Thousand One Hundred Seven and 31/100 Dollars (\$204,107.31) upon satisfactory completion of all work associated with the Project by Xcel Energy; and (d) delegates all necessary authority to the City Manager to manage and oversee the completion of the Project on behalf of the GID.

**Section 3.** This Resolution shall be effective immediately upon adoption.

ADOPTED by a vote of 5 in favor and 0 against this 19<sup>th</sup> day of February, 2019.

By:   
 Russell O. Stewart, GID Chairperson

ATTEST:  
 By:   
 Laura Gillespie, GID Secretary

Approved as to Form:  
 By:   
 Attorney for GID

**ATTACHMENT A**  
Xcel Energy  
Letter Agreement

