

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF BASALT,
COLORADO, APPROVING THE EXPENDITURE OF COMMUNITY
ENHANCEMENT FUNDS FROM HOLY CROSS ENERGY**

**Town of Basalt, Colorado
Resolution No . 31
Series of 2018**

RECITALS

WHEREAS, the Town Council of the Town of Basalt, Colorado, approved Ordinance No. 3, Series of 2008 which granted a franchise to Holy Cross Energy. That franchise was renewed by the Town Council by motion on March 13, 2018 for a period beginning April 3, 2018 and ending April 3, 2028. The 10-year extension was authorized in Ordinance No. 03, Series of 2018 ("2018 Franchise Agreement").

WHEREAS, Article 11 of the 2018 Franchise Agreement provides that Holy Cross will voluntarily make monetary resources available to the Town for programs designed to make a difference in people's lives and the communities where they live.

WHEREAS, Section 11.1 of the 2018 Franchise Agreement limits the use for which such funds shall be spent to: (1) Beautification projects; (2) Energy conservation projects; (3) Equipment and technology upgrades for schools; (4) Scholarship funds; (5) Acquisition of open space and/or park land and development thereof; (6) Sponsorship of special community events; (7) Undergrounding of overhead electric and other utility lines. Funds made available under this Article may be spent for other purposes only with the express written consent of the Company.

WHEREAS, Section 11.4 of the 2018 Franchise Agreement provides that the Town Council is required to approve the expenditure by resolution or ordinance duly enacted by the Town Council, and such resolution or ordinance shall clearly describe the nature and purpose of the project for which the expenditure is made and that prior to any expenditure, the Town shall notify the Company of its intended use of the funds. Unless the Company objects, in writing, prior to such expenditure, the Company shall have waived its right to object in the future if the funds are expended for the use identified in the notice.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF BASALT, COLORADO, that

Section 1. Town Council hereby approves utilizing the Holy Cross Enhancement Funds as set forth in **Exhibit A**. Town Council believes that the

expenditure of these funds will make a difference in people's lives and the Basalt community in which they live.

Section 2. The Town Staff will forward this Resolution to Holy Cross in accordance with Section 11.4 of the 2018 Franchise Agreement.

READ AND ADOPTED by a vote of 7 to 0 on November 13, 2018.

TOWN OF BASALT, COLORADO

By: _____

Jacque R Whitsitt, Mayor

ATTEST:

Pamela K Schilling
Pamela K Schilling, Town Clerk

Res.31-HolyCrossCommunityEnhancement



Exhibit A

Basalt 2019 Holy Cross Projects

2019 Town of Basalt Projects:

2019 Events – The Town has had and has scheduled a variety of events for all citizens of Basalt to enjoy. This includes Motors on Midland, The Wednesday Music Series, Holiday Lighting events, Aspen Valley Ski Club Sale, and Basalt Sunday Market.

The Holy Cross Community Enhancement Contribution for this project is \$40,000.

This leaves a balance in the Holy Cross Community Enhancement Fund Account of approximately \$32,750.30.