

**RESOLUTION 2013-33**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, AUTHORIZING THE ESTABLISHMENT AND MAINTENANCE OF BANK ACCOUNTS.**

**WHEREAS**, the City of Glenwood Springs has determined it is in the best interests of the City to establish and maintain accounts with Hometown Bank for the purpose of depositing **revenues from billable services**; and

**WHEREAS**, the City Manager recommends that Michael J. Harman, Finance Director, and Yvette K. Gustad, Assistant Finance Director, be authorized to execute the foregoing transactions; and

**WHEREAS**, the City Manager recommends that the City Clerk be authorized to execute the Resolution required by the financial institution.

**NOW, THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENWOOD SPRINGS, COLORADO, THAT:**

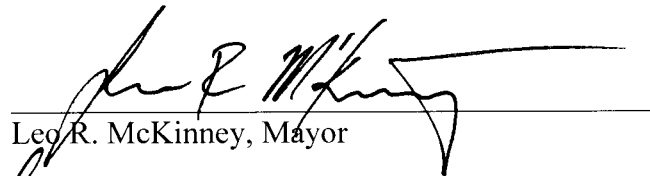
Michael J. Harman, Finance Director, and Yvette K. Gustad, Assistant Finance Director, are hereby authorized to execute any and all necessary documents to establish and maintain accounts for depositing ambulance collection fees with Hometown Bank, and the City Clerk is hereby authorized to execute the Resolution, as more fully described in **Exhibit A** attached hereto and incorporated herein.

INTRODUCED, READ AND PASSED THIS 7<sup>th</sup> DAY OF NOVEMBER, 2013.

CITY OF GLENWOOD SPRINGS, COLORADO

ATTEST:

  
Robin S. Unsworth, City Clerk

  
Leo R. McKinney, Mayor

RESOLUTION OF LODGE, ASSOCIATION OR OTHER SIMILAR ORGANIZATION

HOMETOWN BANK  
105 PLAZA ROAD  
FOND DU LAC, WI 54935

By: CITY OF GLENWOOD SPRINGS

101 W 8TH STREET  
GLENWOOD SPRINGS, CO 81601

Referred to in this document as "Financial Institution"

Referred to in this document as "Association"

I, ROBIN S. UNSWORTH, certify that I am Secretary (clerk) of the above named association organized under the laws of COLORADO, Federal Employer I.D. Number 84-6000589, and that the resolutions on this document are a correct copy of the resolutions adopted at a meeting of the Association duly and properly called and held on Nov. 7, 2013 (date). These resolutions appear in the minutes of this meeting and have not been rescinded or modified.

AGENTS Any Agent listed below, subject to any written limitations, is authorized to exercise the powers granted as indicated below:

Name and Title or Position	Signature	Faxsimile Signature (if used)
A. <u>MICHAEL J HARMAN - FINANCE DIRECTOR</u>	X <u>Michael J. Harman</u>	X <u>Michael J. Harman</u>
B. <u>YVETTE K GUSTAD - ASST FINANCE DIRECTOR</u>	X <u>Yvette K. Gustad</u>	X <u>Yvette K. Gustad</u>
C. _____	X _____	X _____
D. _____	X _____	X _____
E. _____	X _____	X _____
F. _____	X _____	X _____

POWERS GRANTED (Attach one or more Agents to each power by placing the letter corresponding to their name in the area before each power. Following each power indicate the number of Agent signatures required to exercise the power.)

Indicate A, B, C, D, E, and/or F	Description of Power	Indicate number of signatures required
<u>A.</u>	(1) Exercise all of the powers listed in this resolution.	_____
<u>A.</u>	(2) Open any deposit or share account(s) in the name of the Association.	_____
<u>A. B.</u>	(3) Endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with this Financial Institution.	_____
<u>A.</u>	(4) Borrow money on behalf and in the name of the Association, sign, execute and deliver promissory notes or other evidences of indebtedness.	_____
<u>A.</u>	(5) Endorse, assign, transfer, mortgage or pledge bills receivable, warehouse receipts, bills of lading, stocks, bonds, real estate or other property now owned or hereafter owned or acquired by the Association as security for sums borrowed, and to discount the same, unconditionally guarantee payment of all bills received, negotiated or discounted and to waive demand, presentment, protest, notice of protest and notice of non-payment.	_____
<u>A.</u>	(6) Enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in this Financial Institution.	_____
_____	(7) Other _____	_____

LIMITATIONS ON POWERS The following are the Association's express limitations on the powers granted under this resolution.

EFFECT ON PREVIOUS RESOLUTIONS This resolution supersedes resolution dated NA. If not completed, all resolutions remain in effect.

CERTIFICATION OF AUTHORITY

I further certify that the Association has, and at the time of adoption of this resolution had, full power and lawful authority to adopt the resolutions on page 2 and to confer the powers granted above to the persons named who have full power and lawful authority to exercise the same. (Apply seal below where appropriate.)

If checked, the Association is a non-profit lodge, association or similar organization. X Robin S. Unsworth  
(Secretary)  
X Jeffrey A. Feckel  
(Attest by Other Officer)  
X Jim Scott  
(Attest by Other Officer)

RESOLUTIONS

The Association named on this resolution resolves that,

- (1) The Financial Institution is designated as a depository for the funds of the Association and to provide other financial accommodations indicated in this resolution.
- (2) This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Financial Institution. Any and all prior resolutions adopted by the Association and certified to the Financial Institution as governing the operation of this association's account(s), are in full force and effect, until the Financial Institution receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement of a resolution must be accompanied by documentation, satisfactory to the Financial Institution, establishing the authority for the changes.
- (3) The signature of an Agent on this resolution is conclusive evidence of their authority to act on behalf of the Association. Any Agent, so long as they act in a representative capacity as an Agent of the Association, is authorized to make any and all other contracts, agreements, stipulations and orders which they may deem advisable for the effective exercise of the powers indicated on page one, from time to time with the Financial Institution, subject to any restrictions on this resolution or otherwise agreed to in writing.
- (4) All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the Association with the Financial Institution prior to the adoption of this resolution are hereby ratified, approved and confirmed.
- (5) The Association agrees to the terms and conditions of any account agreement, properly opened by any Agent of the Association. The Association authorizes the Financial Institution, at any time, to charge the Association for all checks, drafts, or other orders, for the payment of money, that are drawn on the Financial Institution, so long as they contain the required number of signatures for this purpose.
- (6) The Association acknowledges and agrees that the Financial Institution may furnish at its discretion automated access devices to Agents of the Association to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated access device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.
- (7) The Association acknowledges and agrees that the Financial Institution may rely on alternative signature and verification codes issued to or obtained from the Agent named on this resolution. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the Financial Institution, personal identification numbers (PIN), and digital signatures. If a facsimile signature specimen has been provided on this resolution, (or that are filed separately by the Association with the Financial Institution from time to time) the Financial Institution is authorized to treat the facsimile signature as the signature of the Agent(s) regardless of by whom or by what means the facsimile signature may have been affixed so long as it resembles the facsimile signature specimen on file. The Association authorizes each Agent to have custody of the Association's private key used to create a digital signature and to request issuance of a certificate listing the corresponding public key. The Financial Institution shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Pennsylvania. The designation of an Agent does not create a power of attorney; therefore, Agents are not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code) unless the agency was created by a separate power of attorney. Any provision that assigns Financial Institution rights to act on behalf of any person or entity is not subject to the provisions of 20 Pa.C.S.A. Section 5601 et seq. (Chapter 56; Decedents, Estates and Fiduciaries Code).

FOR FINANCIAL INSTITUTION USE ONLY

Acknowledged and received on \_\_\_\_\_ (date) by \_\_\_\_\_ (initials)  This resolution is superseded by resolution dated \_\_\_\_\_ .

Comments: