

RESOLUTION NUMBER 17-20

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, LEE COUNTY, FLORIDA, AUTHORIZING TRANSFER OF FUNDS FROM THE ACCOUNT KNOWN AS TOWN OF FORT MYERS BEACH-OPERATING FUNDS AS HELD IN SUNTRUST BANK; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town staff is requesting Town Council approve the attached banking resolution for Bank United (Exhibit A) authorizing the commitment of \$600,000 to be made available for transfer to creation of Town Banking Certificates of Deposit or Money Market Accounts with Bank United.

IT IS HEREBY RESOLVED by the Town of Fort Myers Beach as follows.

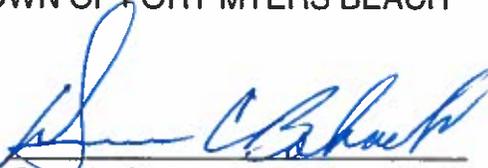
1. The above recitals are true and correct and incorporated herein as though fully set forth below.
2. The Town Mayor of the Town of Fort Myers Beach, Florida is hereby authorized to utilize the transferred \$600,000 to make available for disbursement to Certificates of Deposit or Money Market Accounts or a combination of both to be in compliance with Section VI and VII of the Town's investment policy, adopted by Resolution 14-13 on May 5, 2014.
3. The Town Manager is hereby directed and authorized to establish said Certificates of Deposits or Money Market accounts pursuant to the Town's investment policy.
4. The Mayor and Town Manager are authorized to execute any additional banking documents related to the transfer of funds and creation of said certificate of deposits or money market accounts.
5. This resolution is effective immediately upon adoption.

DULY PASSED AND ADOPTED ON THIS 19th day of June, 2017

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Cereceda and seconded by Council Member Shamp, and upon being put to a vote, the result was as follows:

Dennis C. Boback, Mayor	aye
Tracey Gore, Vice Mayor	aye
Bruce Butcher, Council Member	aye
Anita Cereceda, Council Member	aye
Joanne Shamp, Council Member	aye

TOWN OF FORT MYERS BEACH

By: 

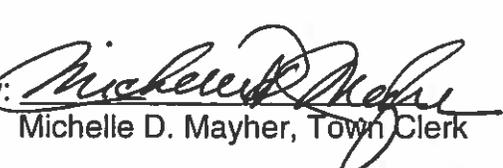
Dennis C. Boback, Mayor

Approved as to legal form:

By: 

Peterson Law Group, Town Attorney

ATTEST:

By: 

Michelle D. Mayher, Town Clerk

BankUnited

PUBLIC ENTITY RESOLUTION

The undersigned, Dennis C. Boback, Mayor of The Town of Fort Myers Beach, a Public Entity created by statute, with its principal place of business located at 2525 Estero Boulevard Fort Myers Beach, FL 33931 (referred to herein as the "Public Entity"), hereby certifies to BankUnited, N.A. (referred to herein as "Bank") that I am the duly elected and qualified Mayor of the Public Entity, and that at a meeting of the Public Entity duly called and held on June 19, 2017 at which a quorum was present, the following resolutions were adopted and are now in full force and effect.

RESOLVED, THAT Bank be and is hereby designated a depository of this Public Entity.

FURTHER RESOLVED, THAT Bank is authorized to receive and accept any and all checks, drafts, notes, orders or other instruments for the payment of money payable to the Public Entity, or to its order, when bearing the apparent endorsement of this Public Entity, which endorsement, if any, may be in writing, by stamp, or otherwise affixed, with or without the designation or signature of any person purporting to be a member, manager, officer, agent or authorized signer of this Public Entity (collectively referred to herein as "Authorized Signer(s)"). Bank may receive any and all such checks, drafts, notes, orders or other instruments for the payment of money, and Bank may conclusively assume, without inquiry, that all such deposits, and all withdrawals, of the proceeds thereof, represent the exclusive property of this Public Entity, and this Public Entity hereby ratifies, confirms, and approves any and all acts of Bank in receiving for deposit such checks, notes, drafts, or other instruments for the payment of money for deposit from this Public Entity and permitting withdrawal of the proceeds thereof.

FURTHER RESOLVED, THAT any Authorized Signer(s) of this Public Entity is hereby authorized to endorse the name of this Public Entity on any and all checks, drafts, notes, orders or other instruments for the payment of money payable to the Public Entity, which endorsement, if any, may be in writing, by stamp, by facsimile or otherwise affixed with or without the designation or signature of any person purporting to be an Authorized Signer(s) of this Public Entity, it being understood that all prior endorsements on such items are guaranteed by this Public Entity, regardless of the lack of an express guarantee in the endorsement of this Public Entity.

FURTHER RESOLVED, THAT Bank be and is hereby directed to honor, pay and charge to the accounts of this Public Entity, without inquiry as to the circumstances of the issuance or application of the proceeds of checks, drafts, notes, orders or other instruments for the payment of money drawn against any accounts of this Public Entity with Bank when signed, whether by signature or facsimile thereof, on behalf of the Public Entity by any one Authorized Signer(s), or their successors in office, even if payable to, endorsed or negotiated by or for the credit of any person signing such item or any other member, manager, officer or agent of this Public Entity when signed by any of the Authorized Signer(s) of this Public Entity or such other person tendered in payment of such signer's individual obligation.

FURTHER RESOLVED, THAT any Authorized Signer(s) of this Public Entity is authorized to enter into a written lease for the purpose of renting, maintaining, or accessing a safe deposit box with Bank, and is further authorized to terminate any said lease and surrendering any box leased to this Public Entity by Bank.

FURTHER RESOLVED, THAT any Authorized Signer(s) of this Public Entity is authorized to implement treasury management and other general banking services, including, but not limited to, online banking, wire transfer, cash management and electronic services, and to enter into agreements with Bank relating to such services.

FURTHER RESOLVED, THAT each of the foregoing Resolutions and the authority conferred thereby shall remain in full force and effect until revoked or modified by written notice actually received by Bank at its office where the account of the Public Entity is maintained and signed by one purporting to be the executive director, finance director or board member of the Public Entity. The Treasurer of this Public Entity be and is authorized and directed to furnish Bank with a certified copy of these resolutions, the names and specimen signatures of the person(s) named herein, and such persons from time to time holding the positions named herein.

FURTHER RESOLVED, THAT this Public Entity agrees to be bound by all rules and regulations set forth in Bank's applicable disclosure statements, agreements and schedules of fees, as same may be amended from time to time, or other agreement received by this Public Entity from Bank with the same force and effect as if each and every term thereof were set forth in full herein and made a part hereof.

FURTHER RESOLVED, THAT Bank is authorized to deduct from the accounts of this Public Entity any and all applicable and then current fees and charges for any and all services rendered to this Public Entity by Bank.

I further certify that the following are the names and specimen signatures of the Authorized Signer(s) and that each presently holds the title or designation indicated and has full authority for all acts noted herein.

Dennis C. Boback	Mayor	
Tracey Gore	Vice Mayor	
Roger T. Hernstadt	Town Manager	

I further certify that all members of the Public Entity has, and at the time of adoption of this Resolution had, full power and authority to adopt the foregoing Resolutions and to confer the powers granted herein and that there is no provision in the articles of organization or operating agreement of this Public Entity limiting the power of the members of the Public Entity to manage the Public Entity as provided in the articles of organization of the Public Entity to pass the foregoing resolutions and that the same are in conformity with the provision of said articles or organization or operating agreement.

IN WITNESS WHEREOF, I have subscribed my name as Mayor of the Public Entity and affixed the seal of the Town of Fort Myers Beach said Public Entity hereto this 19th day of June 2017, and I do further acknowledge on behalf of the Public Entity that the foregoing resolutions constitute an agreement by the Public Entity with Bank in respect to the matters set forth herein.

Seal:

Dennis C. Boback, Mayor

