

**RESOLUTION 17-2008**

**A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ESTABLISHING ADDITIONAL DEPOSITORIES AT WACHOVIA BANK, SUN TRUST BANK AND COLONIAL BANK FOR INVESTMENT PURPOSES FOR FUNDS COLLECTED BY THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Malabar Charter directs that public monies shall be deposited in the name of the Town of Malabar in banks designated by Council; and

**WHEREAS**, the Town of Malabar Council approved depositing reserved funds with the State of Florida Board of Administration in 1986; and

**WHEREAS**, the security of those funds is not guaranteed and the rate of return on those funds on deposit has changed dramatically since November 2007; and

**WHEREAS**, the funds invested in the State Pooled Funds have been classified into two separate pool: funds in Pool "A" are available for withdrawal and funds in Pool "B" are not available until they mature and are subject to market changes; and

**WHEREAS**, the security of the funds in Pool "A" and "B" are not guaranteed and the rate of return on those funds on deposit has changed dramatically since November 2007; and **3)**

**WHEREAS**, timed certificates of deposit at a local bank are protected by the FDIC and further by Florida Statute requiring banks classified as public depositories to also be required to have sufficient collateral to match the deposits held on governmental accounts; and

**WHEREAS**, it is the fiduciary responsibility of the Council to secure the investments and monies of the Town.

**WHEREAS**, it is with the recommendation of the Town Accountant and the Town Auditor that the Town Council secure the investments and monies of the Town.

**NOW THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Malabar, Brevard County, Florida that:

Section 1: The Town Clerk is directed to contact the banks listed above and request the interest rates for the terms recommended by the accountant.

Section 2: The Town of Malabar will withdraw the funds held in Pool "A" at the State Board of Administration and purchase timed certificates of deposit from the banks named above that offer security of investment and a comparable rate of return.

Section 3: The Town of Malabar directs the Clerk to open additional depositories with the banks named above for the purpose of purchasing timed certificates of deposit in a range of values and time periods not to exceed \$300,000.00 at any one Public Depository to maximize security of funds while providing a comparable rate of return.

Section 4: This resolution shall become effective immediately upon adoption.

The foregoing Resolution was moved for adoption by Council Member Borton. The motion was seconded by Council Member McClelland and, upon being put to a vote, the vote was as follows:

Council Member Nancy Borton	<u>Aye</u>
Council Member Brian Vail	<u>Aye</u>
Council Member Charles (Chuck) McClelland	<u>Aye</u>
Council Member Jeffrey (Jeff) McKnight	<u>Excused</u>
Council Member Patricia (Pat) Dezman	<u>Aye</u>

PASSED AND ADOPTED by the Town Council, Town of Malabar, Brevard County, Florida this 21st day of April, 2008.

BY: TOWN OF MALABAR

Thomas M. Eschenberg

Mayor Thomas M. Eschenberg, Chair

ATTEST:

Debby K. Franklin

Debby K. Franklin  
Town Clerk/Treasurer

(seal)

Approved as to form and  
legal sufficiency by:

Karl W. Bohne, Jr.

Karl W. Bohne, Jr.  
Town Attorney