

RESOLUTION NUMBER 23-79

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, LEE COUNTY FLORIDA, AUTHORIZING TOWN OFFICIALS ACCESS AND AUTHORITY ON TOWN CERTIFICATES OF DEPOSIT(S) AND ANY OTHER TOWN ACCOUNTS WITH BANKUNITED: PROVIDING AN EFFECTIVE DATE.

WHEREAS, Florida Statutes provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal service, and exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, Article X of the Town Charter of the Town of Fort Myers Beach empowers the Town to adopt, amend, or repeal such ordinances and resolutions as may be required for the proper governing of the Town; and

WHEREAS, the Town currently has Certificate of Deposit(s) and possibly other accounts through BankUnited; and

WHEREAS, BankUnited requires that any change in authorized account representatives be approved by the Town Council via duly adopted Resolution; and

WHEREAS, several former Council members and Town staff are no longer representatives of the Town necessitating a change in the account(s) referenced above; and

WHEREAS, the Town Council hired Andrew Hyatt as Town Manager to the Town of Fort Myers Beach on May 1, 2023, necessitating a change in the account(s) referenced above.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The above recitals are true and correct and are hereby incorporated by reference as though fully set forth herein.

Section 2. The following Town officials are hereby authorized to perform normal administrative functions, including, but not limited transfer of funds, as to BankUnited Certificates of Deposit(s) and any other Town accounts owned by the Town of Fort Myers Beach, and such listed officials are the only Town officials so authorized:

Andrew Hyatt, Town Manager
Amy Baker, Town Clerk
Joseph Onzick, Finance Director
Daniel Allers, Mayor
James Atterholt, Vice Mayor

Section 3. The Town Manager, Andrew Hyatt, is hereby authorized to assign a new System Administrator for all Town of Fort Myers Beach accounts and Certificate(s) of Deposit:

Section 4. The previously authorized individuals (prior to this Resolution) to take any type of action as to BankUnited accounts or Certificate(s) of Deposit, are specifically removed as authorized agents as to the Town of Fort Myers Beach accounts and Certificates of Deposit.

Section 4. Continuity of Authorization. The person(s) set forth in Section 2 shall continue to have the indicated authority on behalf of the Town until such time as the Town passes a superseding Resolution.

Section 5. This resolution shall take effect immediately upon its adoption by the Town Council of the Town of Fort Myers Beach.

THE FOREGOING RESOLUTION was adopted by the Town Council upon motion by Council Member King and seconded by Mayor Allers, and upon being put to a vote, the result was as follows:

Dan Allers, Mayor	Aye
Jim Atterholt, Vice Mayor	Aye
John R. King, Council Member	Aye
Bill Veach, Council Member	Aye
Karen Woodson, Council Member	Aye

ADOPTED this 7th day of August 2023 by the Town Council of the Town of Fort Myers Beach, Florida.

TOWN OF FORT MYERS BEACH

Dan Allers

Dan Allers, Mayor

ATTEST:

Amy Baker

Amy Baker, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE AND RELIANCE OF THE TOWN OF FORT MYERS BEACH SOLELY:

Gretchen R. H. "Becky" Vose

Vose Law Firm, LLP, Town Attorneys

This Resolution was filed in the Office of the Town Clerk on this 8th day of August 2023.

Signature: *Dan Allers*
Dan Allers (Aug 8, 2023 13:41 EDT)
Email: allersd@fmbgov.com

Signature: *Becky Vose*
Becky Vose (Aug 8, 2023 11:28 EDT)
Email: bvose@voselaw.com

Signature: *Amy Baker*
AMY BAKER (Aug 8, 2023 11:15 EDT)
Email: AMY@FMBGOV.COM