

RESOLUTION NO. 2941

AUTHORIZING THE CITY ATTORNEY TO BE A SIGNER ON ALL BANK ACCOUNTS IF EITHER THE CITY MANAGER OR THE FINANCE DIRECTOR POSITION IS VACANT

Findings

- A. On June 16, 2004, the City adopted Resolution 2464 authorizing the City Manager and Finance Director to be signers on all bank accounts and authorizing the Assistant Finance Director to be a back-up signer on all bank accounts.
- B. The City Council desires to grant its City Attorney the authority to perform certain bank transactions when either the City Manager or Finance Director position is vacant.
- C. The Bank of the Cascades (the Bank), which provides bank services for the City requires a resolution to be adopted by the City Council to grant powers to the City Attorney to perform bank transactions.

THE CITY OF BEND RESOLVES AS FOLLOWS:

Section 1. The City Council authorizes the City Attorney to be a signer on all bank accounts if either the City Manager or the Finance Director position is vacant.

Section 2. The City Council grants the City Attorney powers as follows:

1. To open any deposit or share account(s) in the name of the City of Bend.
2. To endorse checks and orders for the payment of money or otherwise withdraw or transfer funds on deposit with bank. All checks issued by the City require two authorized signatures.
3. To enter into a written lease for the purpose of renting, maintaining, accessing and terminating a Safe Deposit Box in bank.

Section 3. The Bank is designated as a depository for the funds of the City of Bend and to provide other financial accommodations indicated in this resolution.

Section 4. This resolution shall continue to have effect until express written notice of its rescission or modification has been received and recorded by the Bank. Any and all prior resolutions adopted by the City of Bend and certified to the Bank as governing the operation of the City of Bend's account(s), are in full force and effect, until the Bank receives and acknowledges an express written notice of its revocation, modification or replacement. Any revocation, modification or replacement must be accompanied by documentation, satisfactory to the Bank, establishing the authority for the changes.

Section 5. The signature of the City Attorney is conclusive evidence of his/her authority to act on behalf of the City of Bend for the transactions listed in Section 2. The City Attorney, so long as he/she acts in a representative capacity as an agent of the City of Bend, 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 above, from time to time with the Bank, subject to any restrictions on this resolution or otherwise agreed to in writing.

Section 6. All transactions, if any, with respect to any deposits, withdrawals, rediscounts and borrowings by or on behalf of the City of Bend with the Bank prior to the adoption of this resolution are hereby ratified, approved and confirmed.

Section 7. The City of Bend agrees to the terms and conditions of any account agreement, properly opened by the City Attorney. The City of Bend authorizes the bank, at any time, to charge the City of Bend for all checks, drafts, or other orders, for the payment of money, that are drawn on the bank, so long as they contain the required number of signatures for this purpose.

Section 8. The City of Bend acknowledges and agrees that the Bank may furnish at its discretion automated access devices to the City Attorney to facilitate those powers authorized by this resolution or other resolutions in effect at the time of issuance. The term "automated device" includes, but is not limited to, credit cards, automated teller machines (ATM), and debit cards.

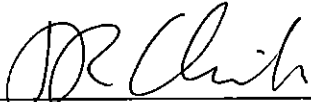
Section 9. The City of Bend acknowledges and agrees that the Bank may rely on alternative signature and verification codes issued to or obtained from the City Attorney. The term "alternative signature and verification codes" includes, but is not limited to, facsimile signatures on file with the bank, personal identification numbers, and digital signatures. If a facsimile signature specimen has been provided on this resolution (or that are filed separately by the City of Bend with the Bank from time to time) the Bank is authorized to treat the facsimile signature as the signature of the City Attorney 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 City of Bend authorizes the City Attorney to have custody of the City's private key used to create a digital signature of the City Attorney and to request issuance of a certificate listing the corresponding public key. The Bank shall have no responsibility or liability for unauthorized use of alternative signature and verification codes unless otherwise agreed in writing.

Section 10. All sections of Resolution No. 2464 adopted by the City on June 16, 2004 remain in effect unless otherwise mentioned above.

Adopted by roll call vote of the Bend City Council on May 21, 2014.

YES: Mayor Jim Clinton
Councilor Jodie Barram
Councilor Mark Capell
Councilor Scott Ramsay
Councilor Victor Chudowsky
Councilor Doug Knight
Councilor Sally Russell

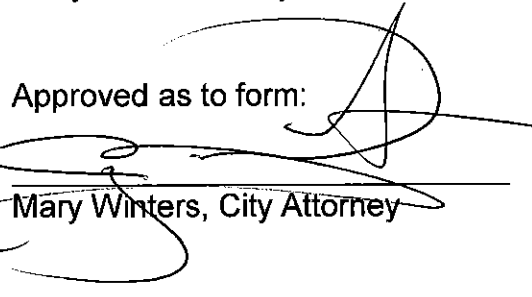
NO: none



Jim Clinton, Mayor

ATTEST:


Robyn Christie, City Recorder

Approved as to form:


Mary Winters, City Attorney

