

RESOLUTION NO. 2022- 02

RESOLUTION AUTHORIZING ENTERING INTO AN AGREEMENT(S) FOR THE DEPOSIT OF PUBLIC FUNDS OF SAN CARLOS ESTATES WATER CONTROL DISTRICT (“DISTRICT”) BETWEEN THE DISTRICT AND FLORIDA PRIME STATE BOARD OF ADMINISTRATION LOCAL GOVERNMENT SURPLUS FUND (“FLORIDA PRIME”); AUTHORIZING THE EXECUTION OF THE NECESSARY COMMERCIAL BANKING AGREEMENT(S) AND OTHER DOCUMENTATION BETWEEN THE DISTRICT AND FLORIDA PRIME; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR LIBERAL CONSTRUCTION AND FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 298 Florida Statutes, the Judicial Decree by the Circuit Court of the Twelfth Judicial Circuit in and for Lee County, Florida, Case No. 69-105, dated April 3, 1969, and other applicable provisions of law, the San Carlos Water Control District (“District”) is responsible for operating a system of perimeter canals, dikes, roadside swales, roadbeds, basins and outfall canals to provide drainage and stormwater flow control and other reclamation of the lands located within the District's geographical boundary; and,

WHEREAS, the District and Florida Prime, a “qualified public depository” as defined in Chapter 280 of the Florida Statutes, is desirous of entering into a public depository agreement(s), as authorized by Florida law; and,

WHEREAS, it has been determined that it is in the best interest of the District to enter into one or more public depository agreements with Florida Prime as provided/authorized by Florida law for the benefit of the District; and,

WHEREAS, Florida Prime requires the adoption of a Resolution by the Board of Supervisors of the District to authorize the desired public depository agreements with Florida Prime.

NOW THEREFORE, be it resolved by the Board of Supervisors of the San Carlos Estates Water Control District that:

SECTION 1 - AUTHORITY

This Resolution is adopted pursuant to the provisions of Florida law, especially Chapter 280 and Section 298.22(8), Florida Statutes, and the District's enabling judicial decree entered by the Circuit Court of the Twelfth Judicial in and for Lee County, Florida, Case No. 69-105, dated April 3, 1969, and other applicable provisions of law.

SECTION 2 - INCORPORATION OF RECITALS

The recitals set forth above are true and correct and form a part of this Resolution.

**SECTION THREE – AUTHORIZATION OF AGREEMENT(S) WITH
FLORIDA PRIME AND APPROVAL OF DISTRICT'S AUTHORIZED SIGNERS**

Florida Prime is hereby designated a qualified public depository for the District and all of the elected officials of the District named below are hereby designated as authorized signers with respect to any accounts of the District with Florida Prime, with the authority to enter into on behalf of the District, any of Florida Prime's agreements, including checking, savings, certificates of deposit, wire or electronic funds transfer, night deposit, cash management, or other treasury management services agreements, as well as any other forms of bank accounts allowed by Florida law, including the authority to open, close and modify said agreements and accounts with Florida Prime in the future in the name of the District until such time as this Resolution is cancelled. The authorized signers named below are authorized on behalf of the District to sign, endorse, deposit, negotiate or collect, any and all checks, drafts, certificates of deposit, savings certificates, items or other instruments, or written orders for the payment of money payable by or to the order of the District and to initiate wire or funds transfers authorizations on any of the District's accounts with Florida Prime. The authorized signers are authorized to request and receive any and all information from Florida Prime related to any accounts or agreements between the District and Florida Prime. The full name, title, and signature of each authorized signer under this Section Three to act, give instructions, access information, use Florida Prime's services, perform transactions, and enter into agreements, are as stated below with the name, title, and signature being given.

Name

Title

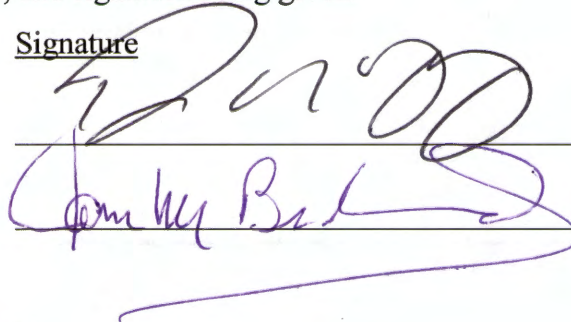
Signature

Ben Bogacz

Supervisor

Jim Bradford

Supervisor



Jennifer Finazzo Supervisor

SECTION FOUR - ADDITIONAL AUTHORIZED SIGNER

In addition to the authorized signers stated above in Section Three, the following individual is authorized as an additional signer only to sign, endorse, deposit, negotiate or collect any and all checks, drafts, certificates of deposit, savings certificates, items, or other instruments or written orders for the payment of money payable by or to the order of the District and to initiate wire or funds transfers and execute Florida Prime's wire request and electronic authorizations or funds transfers authorizations on any of the District's accounts with Florida Prime. The additional signer is also authorized to request and receive any and all information from Florida Prime related to any accounts or agreements between the District and Florida Prime.

Additional Signer

<u>Name</u>	<u>Title</u>	<u>Signature</u>
Margit Margarit C. Lawson a/k/a Chris Lawson	Secretary/Treasurer	

SECTION FIVE - BINDING EFFECT

The Board of Supervisors of the San Carlos Estates Water Control District agree to be bound by Florida Prime's agreements and its Rules and Regulations for Deposit Accounts as they are applicable to the various accounts or depository arrangements of the District.

SECTION SIX - TERMINATION OF AUTHORIZATION

The authorizations granted by this Resolution shall remain in full force and effect until written notice is provided to Florida Prime of the rescission or modification of the authorization granted hereby. Receipt of such notice shall not affect any action taken by Florida Prime prior thereto.

SECTION SEVEN - SCRIVENER'S ERRORS

Sections of this Resolution may be renumbered or re-lettered and corrections of typographical errors which do not affect the intent may be authorized by the President/Chair of the Board of Supervisors without need of a public meeting or Board decision making action by the President/Chair of the Board of Supervisors filing a corrected or re-codified copy of same with the District's records custodian.

SECTION EIGHT - SEVERABILITY

If any section, subsection, sentence, clause or other provision of this Resolution is held unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall be deemed a separate provision and eliminated from this Resolution and shall not affect the remainder of this Resolution.

SECTION NINE - RESCISSION

The Board of Supervisors hereby rescinds all prior resolutions and other official action of the Board of Supervisors to the extent of any conflict with any part of this Resolution.

SECTION TEN - CONSTRUCTION AND EFFECTIVE DATE

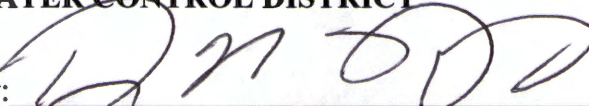
This Resolution shall be liberally construed to effect the purposes hereof and shall take effect immediately upon its adoption.

THE FOREGOING RESOLUTION WAS OFFERED BY SUPERVISOR Ben Bogacz WHO MOVED THE RESOLUTION'S ADOPTION. THE MOTION WAS SECONDED BY SUPERVISOR Jennifer Finazzo AND, UPON BEING PUT TO A VOTE, THE VOTE WAS AS FOLLOWS:

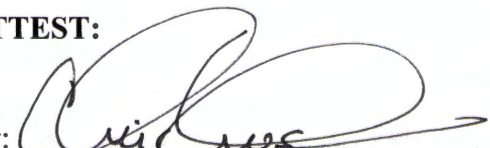
<u>NAME</u>	<u>YES</u>	<u>NO</u>
Ben Bogacz	<u>✓</u>	<u> </u>
Jim Bradford	<u>✓</u>	<u> </u>
Jennifer Finazzo	<u>✓</u>	<u> </u>

Duly passed and adopted on this 15th day of February, 2022.

**BOARD OF SUPERVISORS OF THE SAN CARLOS ESTATES
WATER CONTROL DISTRICT**

By: 
Ben Bogacz, President/Chair of the Board of Supervisors

ATTEST:

By: 
Chris Lawson, Secretary-Treasurer for the District

CERTIFICATION

I, Chris Lawson, the Secretary of the Board of Supervisors of the District, hereby certify to Florida Prime State Board of Administration Local Government Surplus Fund that the above is a true and accurate copy of Resolution No. 2022- 02 , which was duly adopted by the Board of Supervisors at a regularly scheduled Board of Supervisors meeting on February 15, 2022, pursuant to all proper and necessary legal authority under Florida law and the District's enabling legislation. I further certify that the above Resolution is in full force and effect and has not been amended or rescinded.

Dated: 02-15-2022

**SAN CARLOS ESTATES WATER
CONTROL DISTRICT**


Chris Lawson, Secretary _____

LGIP Participant Account Maintenance Form

(One form must be completed for each agency account.)

1) Account Information:

New Account Change Existing Acct (please check one)

Agency Account #: 323380
 Participant Name: Chris Lawson
 Account Name: San Carlos Estates Water Control District

2) Contact Information:

Address: PO Box 367807
 City/State/Zip: Bonita Springs FL 34136
 Phone: 239-495-4699 Fax: _____

Banking Information:

3) Bank WIRING Instructions: Check if Change

Beneficiary Bank Name: Bank of America ABA/Routing Number: 026009593
 Bank Address: 24550 S Tamiami Tr Bonita Springs, FL 34134 Account Number: 005561907870

****Complete this section below ONLY if your bank is not on-line with the Federal Reserve and utilizes a correspondent bank for wires****

Receiving Bank Name: _____ (Fed Bank) ABA/Routing Number: _____ (Fed Bank)
 Bank Address: _____
 Beneficiary Information: _____ Beneficiary Account: _____

4) Bank ACH Instructions: (Complete if plan to utilize ACH option)

Check if Change

Beneficiary Bank Name: Bank of America ABA/Routing Number: 063100277
 Bank Address: 24550 S Tamiami Tr Bonita Springs FL 34134 Account Number: 005561907870


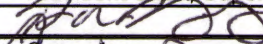

5) Name of ALL Persons Authorized to Transmit/Withdraw Funds:

NAME	EMAIL ADDRESS (required field)	Check if email changed
Chris Lawson	<u>scewcd@allabouttrust.com</u>	<input type="checkbox"/>
Ben Bogacz	<u>benbogacz@gmail.com</u>	<input type="checkbox"/>
Jennifer Finazzo	<u>jenniferfinazzohw@gmail.com</u>	<input type="checkbox"/>
James Bradford	<u>bradfordmk@aol.com</u>	<input type="checkbox"/>

6) Name of ALL With 'View Only' Website Privilege: (full access to website but may NOT conduct business)

NAME	EMAIL ADDRESS (required field)	Check if email changed
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>
		<input type="checkbox"/>

7) Name, Title, Email and Signature of Persons Authorized to Notify the SBA of Changes in Account Information:

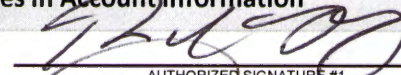
Name: <u>Chris Lawson</u>	Title: <u>Secretary/Treasurer</u>
Email: <u>scewcd@hotmail.com</u>	Signature: 
Name: <u>Ben Bogacz</u>	Title: <u>President/Chair, Supervisor</u>
Email: <u>benbogacz@gmail.com</u>	Signature: 
Name: <u>James Bradford</u>	Title: <u>Supervisor</u>
Email: <u>bradfordmk@aol.com</u>	Signature: 

8) Number of Authorizing Signatures Required to Change Account Information.

Please select One Two

PLEASE NOTARIZE FORM AND RETURN THE ORIGINAL TO BE PROCESSED

9) This section MUST be signed by an Official authorized in the Resolution OR listed on the previously submitted Participant Account Maintenance Form as Authorized to Notify the SBA of Changes in Account Information


 AUTHORIZED SIGNATURE #1
Ben Bogacz
 TITLE
President/Chair, Supervisor
 AUTHORIZED SIGNATURE #2 (IF REQUIRED)
Chris Lawson
 TITLE
Secretary/Treasurer
 DATE
11/16/2021

10) STATE OF FLORIDA
 COUNTY OF LEE

The foregoing instrument was acknowledged before me this 16th day of November, 2021, by Ben Bogacz and Chris Lawson who is/are personally known to me or who has produced _____ as identification and who did/did not take an oath.

*(circle one)

(SEAL)

 Notary Public State of Florida

My Commission expires: _____

Authorized signers must complete the Disclosure Statement on page 2 (required by FS 218.407(1))

FOR STATE BOARD OF ADMINISTRATION USE ONLY

Initial input _____ Date _____
 Mgt review & approval _____ Date _____

Form update 7/14/2015



Disclosure Statement
For Participation in the Local Government Surplus Funds Trust Fund (Florida PRIME)

This Disclosure Statement (the "Statement") is made and entered into by and between the State Board of Administration of Florida (the "SBA") and San Carlos Estates Water Control District (the "Participant").

WHEREAS, Chapter 218.405, Florida Statutes, creates a public funds investment pool to which any local government of the State of Florida may delegate, by Authorizing Resolution, the authority to hold legal title as custodian and to make investments purchased with local surplus funds;

WHEREAS, the SBA is authorized pursuant to Chapter 218.409, Florida Statutes to receive, transfer, and disburse surplus money and securities belonging to "units of local governments" of the state (as defined herein);

WHEREAS, the Local Government Surplus Funds Trust Fund (Florida PRIME) is a public funds investment pool, which funds are invested in certain eligible investments as more fully described in the enrollment materials;

WHEREAS, the SBA is authorized pursuant to Section 215.44, Florida Statutes to invest the funds of state agencies, state universities and colleges and direct support organizations of any of the foregoing in Florida PRIME;

WHEREAS, the Participant has determined that it is authorized to invest in Florida PRIME created under the Florida Statutes and has adopted the required Authorizing Resolution to permit the SBA to invest and reinvest funds of the Participant in Florida PRIME;

WHEREAS, the Participant acknowledges that the SBA is not responsible for independently verifying the Participant's authority to invest under the statutes;

WHEREAS, the Participant acknowledges that the performance of Florida PRIME is not guaranteed by the State of Florida, the SBA or any other governmental entities; and

NOW THEREFORE, for and in consideration of the mutual promises, covenants and agreements herein contained, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree with each other as follows:

The Disclosure Statement. The Participant must execute this Disclosure Statement, an Authorizing Resolution and a completed Participant Account Maintenance Form designating person(s) to serve as Authorized Representatives of the Participant before depositing any funds into Florida PRIME.

Acknowledgement of Disclosure. The following signatory is a duly appointed, acting, and qualified officer of the Participant, who, in the capacity set forth above is authorized to execute this Statement. Further the Participant hereby acknowledges receipt and review of these enrollment materials which includes the New Participant Enrollment Guide, Authorizing Resolution, this Disclosure Statement, Florida PRIME Investment Policy Statement, applicable Rules, and other historical financial information also posted on the Florida PRIME website. At the SBA's discretion, modifications to these documents may be posted on the Florida PRIME website. The Participant will have up to 45 days to withdraw their funds from the Florida PRIME or the modifications will be deemed accepted by the Participant.

San Carlos Estates Water Control District

11/16/2021

PARTICIPANT NAME:

DATE:

SIGNATURE:

TITLE:

President, Chair/Supervisor

Ben Bogacz

benbogacz@gmail.com

PRINTED NAME:

EMAIL: