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City of Las Cruces[®]
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Council Action and Executive Summary

Item # 3 Ordinance/Resolution# 10-212 Council District: _____

For Meeting of March 1, 2010

(Adoption Date)

TITLE:

A RESOLUTION AUTHORIZING THE SIGNATURES OF THE NEW MAYOR PRO-TEM, SHARON K. THOMAS, AND THE NEW CITY TREASURER, ROBERT SCALING FOR THE CITY OF LAS CRUCES ACCOUNTS WITH ALL LOCAL FINANCIAL INSTITUTIONS WITHIN THE MUNICIPALITY AND THE WITHDRAWAL OF THE SIGNATURE OF THE FORMER MAYOR PRO-TEM, DOLORES C. ARCHULETA FROM THE CITY OF LAS CRUCES ACCOUNTS.

PURPOSE(S) OF ACTION: Authorize the signatures of Mayor Pro-Tem, Sharon K. Thomas and Treasurer, Robert Scaling, for municipal accounts with local financial institutions within the municipality and its depositories, and to withdraw the signature of the former Mayor Pro-Tem, Dolores C. Archuleta.

Name of Drafter: Gloria Podruchny		Department: Finance		Phone: 541-2050	
Department	Signature	Phone	Department	Signature	Phone
Originating Department		541-2050	Budget		2300
			Assistant City Manager		2271
Legal		541-2128	City Manager		2076

BACKGROUND / KEY ISSUES / CONTRIBUTING FACTORS:

On December 3, 2007, City Council approved Resolution No. 08-151, authorizing the signatures of the City Mayor, Ken Miyagishima, and the Mayor Pro-Tem, Dolores C. Archuleta, for the City of Las Cruces accounts with all local financial institutions within the municipality.

Due to the appointment of the new Mayor Pro-Tem, Sharon K. Thomas, effective November 16, 2009, and the hiring of the new City Treasurer, Robert Scaling, it is necessary to update the authorized signatures with local financial institutions with which the City conducts its business.

The resolution authorizes the signature of the Mayor Pro-Tem, Sharon K. Thomas, to be added to the Certificates of Authority of the local financial institutions for the purpose of signing City checks. Two (2) signatures are required on all City of Las Cruces checks.

The resolution also authorizes the removal of the signature of Dolores C. Archuleta from the Certificates of Authority due to the conclusion of her duties as Mayor Pro-Tem.

SUPPORT INFORMATION:

Fund Name / Account Number	Amount of Expenditure	Budget Amount
N/A	N/A	N/A

1. Resolution
2. Resolution No. 08-151

OPTIONS / ALTERNATIVES:

1. Approve the Resolution authorizing the signatures of Mayor Pro-Tem Sharon K. Thomas and City Treasurer Robert Scaling for the City of Las Cruces accounts with all local financial institutions within the municipality, and the withdrawal of the signature of former Mayor Pro-Tem Dolores C. Archuleta from the City of Las Cruces accounts.
2. Modify the Resolution.
3. Do Not Approve the Resolution and provide staff with alternative direction.

RESOLUTION NO. 10-212

A RESOLUTION AUTHORIZING THE SIGNATURES OF THE NEW MAYOR PRO-TEM, SHARON K. THOMAS, AND THE NEW CITY TREASURER, ROBERT SCALING FOR THE CITY OF LAS CRUCES ACCOUNTS WITH ALL LOCAL FINANCIAL INSTITUTIONS WITHIN THE MUNICIPALITY AND THE WITHDRAWAL OF THE SIGNATURE OF THE FORMER MAYOR PRO-TEM, DOLORES C. ARCHULETA FROM THE CITY OF LAS CRUCES ACCOUNTS.

The City Council is informed that:

WHEREAS, the City desires to designate authorized signatures on municipal accounts with the local financial institutions within the municipality and its depositories so that checks, drafts, notes, or orders for the municipal operations may be drawn on said accounts; and

WHEREAS, it is necessary to provide the financial institutions with electronic and/or written notification of instruction for outgoing money transfer of funds for the payment of certain bill, taxes or the purchase of securities; and

WHEREAS, on December 3, 2007, City Council approved Resolution 08-151 authorizing the signatures of the City Mayor, Ken Miyagishima and the Mayor Pro-Tem, Dolores C. Archuleta for the Las Cruces accounts with all local financial institutions within the municipality; and

WHEREAS, due to the appointment of a new Mayor Pro-Tem, Sharon K. Thomas, and the hiring of a new City Treasurer, Robert Scaling, it is necessary to update the authorized signatures with local financial institutions with which the City conducts its business; and

WHEREAS, given that Dolores C. Archuleta has concluded her duties as Mayor Pro-Tem, she is no longer authorized to have her signature on file with the financial institutions, her signature will be withdrawn.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT all checks, drafts, notes, or orders drawn against any account be signed by Mayor Ken Miyagishima and in his absence by Sharon K. Thomas, Mayor Pro-Tem; by Mark D. Sutter, Finance Director and in his absence by Terrence R. Moore, City Manager to be effective for all documents signed on or after November 16, 2009.

(II)

THAT two (2) signatures are required on all checks. Those manual and facsimile signatures shall be duly certified to said financial institutions and no checks, drafts, or orders drawn against said financial institutions shall be valid unless so signed.

(III)

THAT said financial institutions are hereby authorized and directed to honor and to pay any checks, drafts, notes or orders so drawn whether such checks, drafts, notes, or orders be payable to the order of any such persons in their individual capacities or not, and whether such checks, drafts, notes, or orders are deposited to the individual credit of any of the other officers or not.

(IV)

THAT the co-administrators of the City's Banking Services Provider's Electronic Banking Solution are Mark D. Sutter, the Finance Director, and Robert Scaling, the Treasurer, Pat Degman, Comptroller, and Paul Edwards, Senior Accountant.

(V)

THAT this resolution shall continue in full force and effect until modified by action of the City Council. Said financial institutions may consider the facts concerning the holders of said offices and their manual and facsimile signatures shall continue in full force and effect as set forth in the certificate of the City Clerk, accompanying a copy of this resolution when delivered to said financial institutions or in any subsequent

resolution and certificate upon and duly served on said financial institutions.

(VI)

THAT City staff and officials are authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this _____ of _____, 2010.

Mayor

ATTEST:

City Clerk

(SEAL)

VOTE:

Mayor Miyagishima:	_____
Councillor Silva:	_____
Councillor Connor:	_____
Councillor Pedroza:	_____
Councillor Small:	_____
Councillor Sorg:	_____
Councillor Thomas	_____

Moved by: _____

Seconded by: _____

Approved as to Form:

acty *Ag. A. (Lito) Connolly*
 City Attorney *02/19/10*

RESOLUTION NO. 08-151

A RESOLUTION AUTHORIZING THE SIGNATURES OF THE CITY MAYOR, KEN D. MIYAGISHIMA AND THE MAYOR PRO-TEM, DOLORES C. ARCHULETA, FOR THE CITY OF LAS CRUCES ACCOUNTS WITH ALL LOCAL FINANCIAL INSTITUTIONS WITHIN THE MUNICIPALITY AND THE WITHDRAWAL OF THE SIGNATURES OF THE FORMER CITY MAYOR, WILLIAM MATTIACE, AND THE FORMER MAYOR PRO-TEM, DOLORES CONNOR, FROM THE CITY OF LAS CRUCES ACCOUNTS.

The City Council is informed that:

WHEREAS, the City desires to designate authorized signatures on municipal accounts with the local financial institutions within the municipality and its depositories so that checks, drafts, notes, or orders for the municipal operations may be drawn on said accounts; and

WHEREAS, it is necessary to provide the financial institutions with electronic and/or written notification of instruction for outgoing money transfer of funds for the payment of certain bill, taxes or the purchase of securities; and

WHEREAS, due to the election of a new City Mayor, Ken Miyagishima, and the appointment of a new Mayor Pro-Tem, Dolores C. Archuleta, effective November 19, 2007, it is necessary to update the authorized signatures with local financial institutions with which the City conducts its business; and

WHEREAS, given that William Mattiace and Dolores Connor have concluded their respective duties as City Mayor and Mayor Pro-Tem, and they are no longer required to have their signatures on file with the financial institutions, their signatures will be withdrawn.

NOW, THEREFORE, Be it resolved by the governing body of the City of Las Cruces:

(I)

THAT all checks, drafts, notes, or orders drawn against any account be signed by Mayor Ken Miyagishima and in his absence by Dolores Archuleta, Mayor Pro-Tem; by Mark D. Sutter, Finance Director and in his absence by Terrence R. Moore, City Manager to be effective for all documents signed on or after November 19, 2007.

(II)

THAT two (2) signatures are required on all checks. Those manual and facsimile signatures shall be duly certified to said financial institutions and no checks, drafts, or orders drawn against said financial institutions shall be valid unless so signed.

(III)

THAT said financial institutions are hereby authorized and directed to honor and to pay any checks, drafts, notes or orders so drawn whether such checks, drafts, notes, or orders be payable to the order of any such persons in their individual capacities or not, and whether such checks, drafts, notes, or orders are deposited to the individual credit of any of the other officers or not.

(IV)

THAT the co-administrators of the Wells Fargo treasury management system are Mark Sutter, the Finance Director, and Robert Romano, the Treasurer.

(V)

THAT this resolution shall continue in full force and effect until modified by action of the City Council. Said financial institutions may consider the facts concerning the holders of said offices and their manual and facsimile signatures shall continue in full force and effect as set forth in the certificate of the City Clerk, accompanying a copy of this resolution when delivered to said financial

institutions or in any subsequent resolution and certificate upon and duly served on said financial institutions.

(VI)

THAT City staff and officials are authorized to do all deeds necessary in the accomplishment of the herein above.

DONE AND APPROVED this 3rd day of December, 2007.

APPROVED:



Mayor

ATTEST:



City Clerk

(SEAL)

VOTE:

Mayor Miyagishima:	<u>Aye</u>
Councillor Silva:	<u>Aye</u>
Councillor Connor:	<u>Aye</u>
Councillor Archuleta:	<u>Aye</u>
Councillor Small:	<u>Aye</u>
Councillor Jones:	<u>Aye</u>
Councillor District 6:	<u>Vacant</u>

Moved by: Connor

Seconded by: Archuleta

Approved as to Form:



City Attorney