

RESOLUTION No. 497
RESPECTING CONTROL AND DEPOSIT IN BANK OF FUNDS OF
CITY OF CHULA VISTA, CALIFORNIA

THE CITY COUNCIL OF THE CITY OF CHULA VISTA, CALIFORNIA,
DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, that certain act of the Legislature of the State of California entitled, "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within the State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933," as amended, provides that notwithstanding any of the other provisions of the act the treasurer may, and he is hereby expressly authorized, to deposit funds and to enter into contracts relating thereto with any State or National bank in compliance with and subject to such provisions and conditions relating to the payment of interest on public funds as are now or may hereafter be prescribed by any act of the Congress of the United States or rules or regulations of any department or agency of the Federal Government adopted pursuant thereto and which said acts, rules or regulations impose lawful and binding regulations governing the payment of interest on deposits of public funds by member banks of the Federal Reserve System or banks the deposits of which are insured by the Federal Deposit Insurance Corporation and which acts, rules or regulations governing the payment of interest are in conflict with the provisions of this act; and

WHEREAS, said City Council recognizes that a conflict between State and Federal laws now exists; and

WHEREAS, the City Treasurer and the City Attorney of said City have approved a certain form of Agreement for Active Deposit of Funds with the Bank of America National Trust and Savings Association, dated August 24 1937, and which Agreement is subject to termination by either party thereto at any time after the expiration of one month from the date thereof, and which Agreement form is on file in the Office of the Clerk of said City;

NOW, THEREFORE, said CITY COUNCIL does hereby authorize and direct that said AGREEMENT for ACTIVE DEPOSIT OF FUNDS be executed by the said Treasurer by and on behalf of the City of Chula Vista, California;

That the Treasurer of said City is hereby authorized during the existence of such conflicting provisions between such Federal law or regulations and the provisions of said State act above referred to, to determine what amount of money shall be deposited as inactive deposits and the rate or rates of interest thereon, and to determine what amount of money shall be deposited as active deposits and enter into such contract or contracts with such depository or depositories as in his judgment will be to the public advantage so to do; which contract or contracts shall fix the duration of deposits and the rate or rates of interest thereon, if any, and provide conditions for the withdrawal and payment thereof, and within the requirements of Section 4 of said State Act, prescribe the security therefor; provided, however, that any and all Agreements made in accordance with the authority hereby vested in said Treasurer shall be approved by the said Council before the execution and delivery thereof.

PASSED, ADOPTED AND APPROVED the 4th day of October 1937
by the following vote, to-wit:
AYES COUNCILMEN Timmons, Bryant, Boltz, Brown and Howe.
NOES COUNCILMEN None.
ABSENT COUNCILMEN None.

ATTEST: *R. H. ...*
Clerk of said City Mayor of the City of Chula Vista, Calif.