

**RESOLUTION NO. 08-06**

**RESOLUTION DESIGNATING PUBLIC DEPOSITORY FOR MISCELLANEOUS  
PUBLIC ACCOUNTS AND AUTHORIZING WITHDRAWAL OF  
PUBLIC MONEYS**

**Phelan Piñon Hills Community Services District - California**

(Municipality)

(State)

IT IS RESOLVED THAT Desert Community Bank a Division of East West Bank (the "Financial Institution"), qualified as a public depository under state law, is hereby designated as a depository in which the funds of this Municipality may from time to time be deposited; that the following described account(s) be opened and maintained in the name of this Municipality with the Financial Institution subject to the rules and regulations of the Financial Institution from time to time in effect; that the person(s) and the number thereof designated by title opposite the following designation of account(s) is hereby authorized, for and on behalf of this Municipality, to sign order checks in accordance with state law, for payment or withdrawal of money from said account(s) and to issue instructions regarding the same and to endorse for deposit, negotiation, collection or discount by Financial Institution any and all checks, drafts, notes, bills, certificates of deposit or other instruments or orders for the payment of money owned or held by said Municipality; that the endorsement for deposit may be in writing, by stamp, or otherwise, with or without designation of signature of the person so endorsing; and that any officer, agent or employee of this Municipality is hereby authorized to make oral or written requests of the Financial Institution for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution.

Name or Type of Account	Number of Signatures Required	Type or Print Titles of Authorized Persons
1. Analyzed Business Account	2	Interim General Manager Bartz President Roberts, Vice President Johnson
2.		
3.		
4.		

**This Resolution includes all of the provisions on Page 2.**

This is to Certify, that the foregoing is a true and correct copy of resolutions **duly and legally** adopted by the governing body of the Municipality at an open legal meeting held on the 18<sup>th</sup> day of June, 2008 and said resolutions are now in full force and effect.

(NO)\*

SEAL

(Strike if not applicable)

Signed and sealed this 18<sup>th</sup> day of

June, 2008

Debbie Bishop  
(Clerk)

The undersigned member of the governing body not authorized to sign order checks certifies that the foregoing is a correct copy of a resolution passed as therein set forth.

Debbie Bishop

Title: Board Secretary

**IT IS FURTHER RESOLVED**, that the Financial Institution be and is hereby authorized and directed to honor, certify, pay and charge to any of the accounts of this Municipality, all order checks for the payment, withdrawal or transfer of funds or money deposited in these accounts or to the credit of this Municipality for whatever purpose or to whomever payable, including requests for conversion of such instruments into cash as well as for deduction from and payment of cash out of any deposit, and whether or not payable to, endorsed or negotiated by or for the credit of any persons signing such instrument or payable to or for the credit of any other officer, agent or employee of this Municipality, when signed, accepted, endorsed or approved by the person(s), and the number thereof, designated by title opposite the designation of the accounts described in the foregoing resolution, and to honor any request(s) made in accordance with the foregoing resolution, whether written or oral, and including but not limited to, request(s) made by telephone or other electronic means, for the transfer of funds or money between accounts maintained by this Municipality at the Financial Institution, and the Financial Institution shall not be required or under any duty to inquire as to the circumstances of the issuance or use of any such instrument or request or the application or use of proceeds thereof.

**FURTHER RESOLVED**, that the Financial Institution be and is hereby authorized to comply with any process, summons, order, injunction, execution, distraint, levy, lien, or notice of any kind (hereafter called "Process") received by or served upon the Financial Institution, by which, in the Financial Institution's opinion, another person or entity claims an interest in any of these accounts and Financial Institution may, at its option and without liability, thereupon refuse to honor orders to pay or withdraw sums from these accounts and may hold the balance therein until Process is disposed of to Financial Institution's satisfaction.

**FURTHER RESOLVED**, that any one of the persons holding the offices of this Municipality designated above is hereby authorized (1) to receive for and on behalf of this Municipality, securities, currency or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to give receipt therefore, and the Financial Institution is hereby authorized to make delivery of such property in accordance herewith, (2) to sell, transfer, endorse for sale or otherwise authorize the sale or transfer of securities or any other property of whatever nature held by, sent to, consigned to or delivered to the Financial Institution for the account of or for delivery to this Municipality, and to receive and/or apply the proceeds of any such sale to the credit of this Municipality in any such manner as he/she/they deem(s) proper, and the Financial Institution is hereby authorized to make a sale or transfer of any of the aforementioned property in accordance herewith, and (3) in accordance with state law, to accept such security, if applicable, and to execute such documents as said officer deems proper and necessary to secure the funds of this Municipality and to issue instructions regarding the same.

**FURTHER RESOLVED**, that this Municipality assumes full responsibility for any and all payments made or any other actions taken by the Financial Institution in reliance upon the signatures of any person or persons holding the offices of this Municipality designated regardless of by whom or by what means the purported signature may have been affixed to any instrument if such signatures resemble the specimen signatures provided to the Financial Institution or for refusing to honor any signatures not provided to the Financial Institution or for honoring any requests for the transfer of funds or money between accounts or for the instructions from the persons designated in the foregoing resolutions regarding security for the accounts notwithstanding any inconsistent requirements of this Municipality not expressed in the foregoing resolutions, and that this Municipality agrees to indemnify and hold harmless the Financial institution against any and all claims, demands, losses, costs, damages or expenses suffered or incurred by the Financial Institution resulting from or arising out of any such payment or other action.

**FURTHER RESOLVED**, that the Clerk of this Municipality be and hereby is authorized and directed to certify to the Financial Institution the foregoing resolutions, that the provisions thereof are in conformity with law, the names, incumbencies and specimen signature(s) on signature cards of the officer or officers named therein, and that the foregoing resolutions and signature cards and the authority thereby conferred shall remain in full force and effect until this Municipality notifies the Cashier of Financial Institution to the contrary in writing; and the Financial institution may conclusively presume that such resolutions and signature cards are in effect and that the persons identified therein from time to time as officers of the Municipality have been duly elected or appointed to and continue to hold such offices.

**IMPORTANT**

Facsimile signatures are not permitted on checks drawn against these accounts.

The original and one copy of this resolution is for the depository financial institution, and, if Treasurer is under Corporate Surety, one copy is for the Surety Company, with a copy to be retained by the local clerk or secretary.

By _____ initialing, I acknowledge this is page 2 of 2 of the Resolution Designating Public Depository for Miscellaneous Public Accounts and Authorizing Withdrawal of Public Moneys	<u>DA</u> Initials	_____ Initials	_____ Initials	_____ Initials
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