



Legislation Text

File #: 2019-0913, Version: 1

Title

A RESOLUTION APPROVING AND AUTHORIZING (1) PMA FINANCIAL NETWORK, INC. AND PMA SECURITIES, INC. TO PROVIDE INVESTMENT SERVICES AND (2) EXECUTION OF THE DECLARATION OF TRUST ESTABLISHING THE ILLINOIS PUBLIC RESERVES INVESTMENT MANAGEMENT TRUST

Body

WHEREAS, the Board of Trustees (“Board”) of the Village of Orland Park (the “Entity”), deems it to be in the best interest of the Entity for its treasurer to make use, from time to time, of investments which are legal under the Constitution and laws of the State of Illinois (the “State”), including through participation in joint investments permitted by the Constitution and laws of the State; and

WHEREAS, this Board deems it to be in the best economic and administrative interest of this unit of local government for its treasurer to make use of, from time to time, PMA Financial Network, Inc. and PMA Securities, Inc. in securing investments in accordance with an Investment Policy presented to the Board as it may be amended from time to time; and

WHEREAS, separately, certain political corporations or subdivisions intend to enter into a Declaration of Trust establishing the Illinois Public Reserves Investment Management Trust (the “Fund”), for the purpose of combining their respective available investment funds so as to enhance the investment opportunities available to them and increase the investment earnings accruing to the benefit of the respective municipalities on behalf of which they acted; and

WHEREAS, the Fund is an investment opportunity for political corporations or subdivisions of the State of Illinois excluding school districts, community college districts and educational service regions (called “Participants”); and

WHEREAS, the authority for the Participants to jointly invest their funds in the Fund comes from the following sources:

(i) Article VII, Section 10 of the Constitution of the State of Illinois provides, among other things, that the State shall encourage intergovernmental cooperation and use its technical and financial resources to assist intergovernmental activities among its units of local government; and

(ii) The Intergovernmental Cooperation Act (5 ILCS 220/1 *et seq.*), as amended, provides a statutory framework that supplements the constitutional grant of intergovernmental cooperation powers, and provides that any one or more public agencies may contract with any one or more other public agencies to perform any governmental service, activity or undertaking which any of the public agencies entering into the contract is authorized by law to perform, *provided* that such contract shall be authorized by the governing body of each party of the contract and shall set forth fully the purposes, powers, rights, objectives and responsibilities of the

contracting parties; and

(iii) The Illinois Municipal Code (65 ILCS 5/3.1-35-50) (the “Municipal Code”), as amended, provides among other things, that the corporate authorities of each municipality may exercise jointly, with one or more other municipal corporations or governmental subdivisions or districts, all of the powers set forth in the Municipal Code including, among other things, that each State municipal treasurer is permitted to join with other municipal treasurers or municipalities for the purpose of investing the municipal funds of which the treasurer has custody;

(iv) The Local Government Debt Reform Act (30 ILCS 350/1 *et seq.*), provides that “a governing body may authorize and upon such authorization the treasurer of any governmental unit may . . . join with the treasurers of other governmental units for the purpose of jointly investing the funds of which the treasurer has custody.”

WHEREAS, the Fund’s assets can only be invested in instruments authorized by the Public Funds Investment Act (30 ILCS 235/1 *et seq.*), as amended; and

WHEREAS, the Fund’s Declaration of Trust shall set forth fully the purposes, powers, rights, objectives and responsibilities of the Participants; and

WHEREAS, no public entity shall become a Participant in the Fund unless and until such public entity, including the Entity, has adopted and authorized the Declaration of Trust; and

WHEREAS, the Participants anticipate that other municipal treasurers (i.e. those persons officially charged with the collection, receipt, tabulation, custody, deposit, investment or disbursement of municipal funds) or official custodians of municipal funds may wish from time to time to become Participants; and

WHEREAS, this Board deems it necessary and in the best interests of the Entity to participate in the Fund, including any series thereof, by having the Entity become a Participant.

NOW, THEREFORE, BE AND IT HEREBY IS RESOLVED, AS FOLLOWS:

RESOLVED, that the preambles to this Resolution are hereby found and determined to be true, correct and complete and are hereby incorporated into the text of this Resolution; and it is

RESOLVED, that the officers or employees of the Entity may make use of investments permitted under the Constitution and laws of the State, and that which are also permitted by the Investment Policy of the Entity, including the Fund’s programs through PMA Financial Network, Inc. and PMA Securities, Inc. (collectively, the “Fund Programs”); and it is

RESOLVED, that monies of the Entity may be invested, at the discretion of the officers or employees of the

Entity, through the intermediaries PMA Financial Network, Inc., PMA Securities, Inc. and Prudent Man Advisors, Inc.; and it is

RESOLVED, that the Entity may open depository accounts, make permitted investments, enter into wire transfer agreements, safekeeping agreements, third party surety agreements securing deposits, collateral agreements, letters of credit, and lockbox agreements with third-party financial institutions participating in the Fund Programs, and it is

RESOLVED, that monies of the Entity may be deposited in third-party financial institutions, from time to time in the discretion of the Entity's officers and employees, pursuant to the Fund Programs, and PMA Financial Network, Inc. and PMA Securities, Inc. are authorized to act on behalf of the Entity as its agent with respect to such accounts and agreements; and it is

RESOLVED, that the Entity is hereby authorized to become a Participant of the Fund; and it is

RESOLVED, that officers or employees of the Entity are hereby empowered and directed to execute the Declaration of Trust establishing the Fund at such time the Declaration of Trust is executed; and it is

RESOLVED, that the officers or employees of the Entity are hereby empowered to take any and all actions to invest the Entity's available funds from time to time in the Fund and withdraw such funds from time to time in accordance with the provisions of the Declaration of Trust; and it is

RESOLVED, that the officers or employees of the Entity are hereby empowered and directed to execute and deliver all documents, certificates and other instruments necessary to further the intent and purpose of this Resolution; and it is

RESOLVED, that all resolutions or motions in conflict herewith are hereby superseded to the extent of such conflict, and that this Resolution shall be in full force and effect forthwith upon its adoption.

The following individuals, or their successors, currently holding the office or position are designated as "Authorized Officials" with full power and authority to effectuate the investment and withdrawal of monies, contracts and agreements on behalf of the Entity: