



**ORDINANCE – FOR MISSOURI CITIES**

**Ordinance Approving an Intergovernmental Cooperation Agreement for the Investment of Public Funds through the**

**MISSOURI CAPITAL ASSET ADVANTAGE TREASURY (MOCAAT) PROGRAM**

**BILL No.** \_\_\_\_\_

**ORDINANCE No.** \_\_\_\_\_

**AN ORDINANCE AUTHORIZING THE CITY OF \_\_\_\_\_ TO ENTER INTO AN INTERGOVERNMENTAL COOPERATION AGREEMENT FOR THE INVESTMENT OF PUBLIC FUNDS THROUGH THE MISSOURI CAPITAL ASSET ADVANTAGE TREASURY (MOCAAT) PROGRAM.**

**WHEREAS**, the City of \_\_\_\_\_ is a City of the \_\_\_\_\_ class and a political subdivision of the State of Missouri, organized and existing under the Constitution and laws of the states; and,

**WHEREAS**, Article 6, Section Sixteen of the Constitution of Missouri provide that any municipality or political subdivision of the state may cooperate under contract to provide a common service as provided by law; and,

**WHEREAS**, Sections 70.210 – 70.320 R.S.Mo. provide that political subdivisions, including cities, towns, and villages, may jointly exercise their authority to provide a common service so long as the subject and purposes of such contact are within the scope of the powers of each such participating subdivision; and,

**WHEREAS**, the (City Council/Board of Alderman) of the City of \_\_\_\_\_, Missouri, deems it to be in the best interests of the City and its citizens to enter into an intergovernmental cooperation agreement for the investment of public funds through the Missouri Capital Asset Advantage Treasury Program.

WHEREAS, this City deems it to be necessary, desirable, advisable and in the best interest of the Participant for its [Treasurer] to make use of, from time to time, PMA Financial Network, LLC, PMA Securities, LLC, and PMA Asset Management, LLC and/or their successors and assigns, in connection with the use of the Program and in accordance with the ICA.

**NOW, THEREFORE, BE IT ORDAINED BY THE (City Council/Board of Alderman) OF THE CITY OF \_\_\_\_\_, MISSOURI, AS FOLLOW:**

- That monies of this entity may be invested at the discretion of the [Treasurer] or those acting on behalf of the [Treasurer] through the intermediaries PMA Securities, LLC, PMA Financial Network, LLC, and PMA Asset Management, LLC and/or their successors and assigns (collectively, the “PMA Entities”); and
- That the governmental 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 institutions participating in the Program and its investment options including any custodian for the Program, or its successor, or programs of PMA Securities, LLC and PMA Financial Network, LLC and that any depository institutions shall be deemed eligible depositories for the entity’s funds per Missouri statutes. Monies of this governmental entity may be deposited in financial institutions, from time to time in the discretion of the Authorized Officials (as defined below), pursuant to a fixed rate investment program available to participants of the Program through the intermediaries PMA Securities, LLC and PMA Network, LLC. PMA Securities, LLC and/or PMA Financial Network, LLC are authorized to act on behalf of the entity as its agent with respect to such accounts and agreements; and
- That the [Treasurer] or those acting on behalf of the [Treasurer] may execute documents, brokerage agreements, financial advisory contracts and other applicable agreements, as necessary, with PMA Financial Network, LLC, PMA Securities, LLC, and PMA Asset Management, LLC, and/or their successors.

**Section 1. Authorization of the Intergovernmental Cooperation Agreement.** The (City Council/Board of Alderman) of the City of \_\_\_\_\_ hereby authorizes the City to enter into the ICA as a Participant (as defined in the ICA) and participate in the Program by executing the Instrument of Adoption in substantially the form attached as Exhibit A, a copy of which shall be filed with the minutes of the meeting at which this Ordinance is adopted, with such changes therein as shall be approved by the representatives of the City executing the Agreement, such representatives signatures thereon being conclusive evident of their approval thereof.

**Section 2. Execution of Documents.** The Mayor and the (City Treasurer/Finance Director) an the Clerk of the City are hereby authorized and directed to execute and attest, respectively, and deliver the Agreement for and on behalf of and as the act and deed of the city.

Such officers are further authorized to execute and attest, respectively, such other documents, certifications and instruments to take and perform such further acts on behalf of the City as may be necessary of desirable to carry out and comply with and give effect to the intent of the Ordinance and Agreement.

**Section 3. Authorization of Investments.** The City hereby authorizes the investments and withdrawal of its available funds from time to time in accordance with the terms of the agreement and the following officers are hereby designated as having full power and authority to invest and with draw invested funds of the City as provided in the Agreement:

_____	_____	_____
Print Name	Title	Signature

_____	_____	_____
Print Name	Title	Signature

_____	_____	_____
Print Name	Title	Signature

_____	_____	_____
Print Name	Title	Signature

**Section 4. Authorization to Serve as Member of Board of Directors.** The members of the (City Council/Board of Alderman) and officers of the City are hereby authorized to serve as members of the Board of Directors of the Missouri Capital Asset Advantage Treasury Program if elected or appointed under the provisions of the agreement.

**Section 5. Further Authority.** The City shall, and the officers and agents of the City are hereby authorized and directed to, take such action, expend such und sane execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with and perform the duties of the City with respect to the Agreement.

**Section 6. Effective Date.** This Ordinance shall be in force and effect from and after its passage by the (City Council/Board of Alderman) and approved by the Mayor.

Passed by the (City Council/Board of Alderman) of the City of \_\_\_\_\_, Missouri, and approved by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Mayor Signature

\_\_\_\_\_  
Print Name

Attest:

\_\_\_\_\_  
City Clerk Signature

\_\_\_\_\_  
Print Name

*See attached Form of Instrument of Adoption, Intergovernmental Cooperation Agreement and Information Statement as necessary for additional information.*

**EXHIBIT A  
TO RESOLUTION AUTHORIZING PARTICIPATION IN THE  
MISSOURI CAPITAL ASSET ADVANTAGE TREASURY (MOCAAT) PROGRAM**

**INSTRUMENT OF ADOPTION**

This Instrument of Adoption (this "Instrument of Adoption") is made as of the date written below by the Participant identified below (the "Joining Participant") in favor of and for the benefit of the Missouri Capital Asset Advantage Treasury ("MOCAAT") and the other parties to the Intergovernmental Agreement of MOCAAT, dated as of September 24, 2020, as amended (the "Intergovernmental Cooperation Agreement"). Capitalized terms used but not defined herein have the meanings given such terms in the Intergovernmental Cooperation Agreement.

The undersigned, on behalf of the Joining Participant, hereby acknowledges, agrees and confirms that, by execution of this Instrument of Adoption, the Joining Participant will be deemed to be a party to the Intergovernmental Cooperation Agreement and will have all of the rights and obligations applicable to the Joining Participant as a Participant under the Intergovernmental Cooperation Agreement. The Joining Participant hereby ratifies and agrees to be bound by, all of the terms, provisions and conditions contained in the Intergovernmental Cooperation Agreement.

IN WITNESS WHEREOF, the undersigned, on behalf of and duly authorized by the Joining Participant, has executed this Instrument of Adoption as of \_\_\_\_\_, 20\_\_.

**PARTICIPANT/JOINING PARTICIPANT (Entity Name):** \_\_\_\_\_

\_\_\_\_\_  
Signature and Officer Title (to be signed by  
the President or similar officer):

Attest:

\_\_\_\_\_  
Signature and Officer Title (to be signed by  
the Secretary or similar officer):

**EXHIBIT B**  
**TO RESOLUTION AUTHORIZING PARTICIPATION IN THE**  
**MISSOURI CAPITAL ASSET ADVANTAGE TREASURY (MOCAAT) PROGRAM**

[See attached Intergovernmental Cooperation Agreement and Information Statement]