

## **RESOLUTION NO. 2018-853**

### **A RESOLUTION REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD FOR CONSTRUCTING VARIOUS PUBLIC IMPROVEMENTS TO THE CITY'S UTILITY SYSTEM; AUTHORIZING THE CITY'S FINANCIAL ADVISORS, BOND COUNSEL, AND ENGINEERS TO COORDINATE THE SUBMISSION OF THE APPLICATION TO THE TEXAS WATER DEVELOPMENT BOARD; AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, the City of Aransas Pass, Texas (the *City*) deems it necessary to apply to the Texas Water Development Board (the *Board*) for financial assistance; and

WHEREAS, in accordance with the rules and regulations of the Board, which govern the procedures in making such an application, the governing body of the City is required to pass a resolution to accompany such application; now, therefore,

Now, THEREFORE, BE IT RESOLVED:

- Section 1. It is hereby found and determined that the City cannot reasonably finance the proposed project without the financial assistance of the Board in the amount requested.
- Section 2. The City hereby requests that the Board grant financial assistance to the City in the amount not to exceed \$470,000 (as a loan or by the purchase of obligations of the City and the receipt of the largest amount of grant funds lawfully available from the Board) for constructing the following improvements to the City's utility system: extension of water and sewer lines for a proposed Motel, a Texas Commission on Environmental Quality required project on DeBerry Street, and repairs to King Lift Station as designed by the City's consulting engineer. These obligations may be issued by the City in one or more series.
- Section 3. The Mayor or Mayor Pro Tern of the City is hereby authorized to execute and submit to the Board the application for such financial assistance, and the Mayor or Mayor Pro Tern of the City, together with the bond counsel, financial advisors and consulting engineers named in such application, are authorized to appear before the Board in support of such application.
- Section 4. The Mayor or Mayor Pro Tern of the City is further specifically authorized to make the required assurances to the Board in accordance with the rules, regulations, and policies of the Board.
- Section 5. A certified copy of this resolution shall be attached to the application for financial assistance herein authorized to be prepared and submitted to the Board, and the City Secretary of the City is authorized and directed to prepare and certify such number of copies of this resolution as may be required for purposes of supporting the submission of such application to the Board.

- Section 6. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the City.
- Section 7. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.
- Section 8. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 9. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Resolution would have been enacted without such invalid provision.
- Section 10. It is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.
- Section 11. This resolution shall be in force and effect from and after its passage on the date shown below.

PASSED, ADOPTED AND APPROVED on the 19<sup>th</sup> day of March, 2018.

ATTEST:

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Mayor

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City Secretary