RESOLUTION # 21-14

RESOLUTION AUTHORIZING APPLICATION FOR FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD FOR WATER SYSTEM IMPROVEMENTS; EXPRESSING INTENT TO REIMBURSE COSTS OF THE WATER SYSTEM PROJECT SUBJECT TO THE APPLICATION, AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

THE STATE OF TEXAS	§
COUNTY OF STEPHENS	§
CITY OF BRECKENRIDGE	§

WHEREAS, the City of Breckenridge, Texas (the "City") hereby finds and determines that there is an urgent need for the construction of improvements to the City's wastewater system; and

WHEREAS, such capital improvements cannot be reasonably financed unless financial assistance is obtained from the Texas Water Development Board (the "TWDB"); and

WHEREAS, it is hereby officially found and determined: that public notice of the time, place, and purpose of said meeting was given, all as required by Texas Government Code, Chapter 551; and

WHEREAS, the City expects to pay, or have paid on its behalf, expenditures in connection with the project described in Section 1, below (the "Project"), prior to the issuance of tax-exempt obligations or other obligations for which a prior expression of intent to finance or refinance is required by Federal or state law (collectively and individually, the "Obligations") to finance the Project; and

WHEREAS, the City finds, considers and declares that the reimbursement for the payment of such expenditures will be appropriate and consistent with the lawful objectives of the City and, as such, chooses to declare its intention to reimburse itself for such payments at such time as it issues Obligations to finance the Project;

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF BRECKENRIDGE, TEXAS:

1. That an application is hereby approved and authorized to be filed with the TWDB seeking financial assistance in an amount not to exceed \$4,000,000 for purposes of the planning, acquisition, design and construction of improvements to the City's water system, including improvements at the Water Treatment Plant (WTP) to upgrade chemical storage area and clearwell, installation of a backwash pond liner other necessary improvements along with repairs/upgrades to the raw water intake structure and valves, and replacement of various water lines within the distribution system.

2. That the Mayor and City Secretary of said City are each hereby designated as authorized representatives of the City for the purpose of furnishing such information and executing such documents as may be required in connection with the preparing and filing of such application for financial assistance and with complying with the rules of the TWDB.

3. That the following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the City before any hearing held by the TWDB on such application, to-wit:

Financial Advisor Bond Counsel Engineer Eric Macha Sage Diller, P.E. Dan Culver Hilltop Securities, Inc. Enprotec / Hibbs & McCall, Parkhurst & Horton L.L.P. 1201 Elm Street, Suite 3500 717 N. Harwood, 9th Floor Todd, Inc. Dallas, Texas 75270 402 Cedar St Dallas, Texas 75201-6587 Phone: (214) 953-4033 Phone: (214) 754-9275 Abilene, Texas 79601 erick.macha@hilltopsecurities.com Fax: (214) 754-9250 Phone: (325) 698-5560 dculver@mphlegal.com sage.diller@e-ht.com

and the Mayor of the City is hereby authorized and directed to execute contracts for services with such firms and individuals on behalf of the City.

4. That the City reasonably expects to incur debt, as one or more series of Obligations, with an aggregate principal amount not to exceed \$4,000,000 for the purpose of paying the costs of the Project.

5. That all costs to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt Obligations will be issued by the City in furtherance of this Statement after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

6. That the foregoing notwithstanding, no tax-exempt Obligation will be issued pursuant to this Statement more than three years after the date any expenditure which is to be reimbursed is paid.

7. That this Resolution shall become effective immediately upon adoption.

SIGNED this, the 6th day of July, 2021.

Mayor

City Secretary

<u>Exhibit A</u>

MAP REQUIRED BY SECTION 208 OF THE FEDERAL WATER POLLUTION CONTROL ACT