

RESOLUTION

A RESOLUTION APPROVING THE PRINCIPAL FORGIVENESS AGREEMENT CLEAN WATER STATE REVOLVING FUND IN THE AMOUNT OF \$4,082,618 AND AN ESCROW AGREEMENT RELATING THERETO; AUTHORIZING THE MAYOR, CITY MANAGER, AND CITY SECRETARY, OR THEIR DESIGNEES, TO EXECUTE ANY AND ALL DOCUMENTS RELATED THERETO; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City of Los Fresnos, Texas (the *City*) deems it necessary to request additional financial assistance from the Texas Water Development Board (the *Board*) as evidenced by a 2025 Principal Forgiveness Agreement Clean Water State Revolving Fund; and

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LOS FRESNOS, TEXAS THAT:

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 in the City's Resolution adopted on January 23, 2024 authorizing the filing of an application (the *Application*) with the Board.

2. The Mayor, City Manager, and City Secretary of the City are hereby authorized to execute and submit to the Board the Principal Forgiveness Agreement Clean Water State Revolving Fund and the Escrow Agreement, and the Mayor and City Manager of the City, together with the bond counsel, financial advisors and consulting engineers named in the Application, are authorized to appear before the Board in support of the Application and this additional request.

3. The Mayor, City Manager, and City Secretary of the City are further specifically authorized to make any required assurances to the Board in accordance with the rules, regulations, and policies of the Board.

4. 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.

5. 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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

6. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

7. 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.

8. 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.

9. This resolution shall be in force and effect from and after its passage on the date shown below.

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PASSED, ADOPTED AND APPROVED on the 9th day of September, 2025.

CITY OF LOS FRESNOS, TEXAS

Mayor

Attest:

City Secretary

(CITY SEAL)

EXHIBIT A

**PRINCIPAL FORGIVENESS AGREEMENT
CLEAN WATER STATE REVOLVING FUND**

SEE TAB NO. __

EXHIBIT B
ESCROW AGREEMENT
SEE TAB NO. __