

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF DENTON AUTHORIZING THE SUBMISSION OF AN APPLICATION THROUGH THE WATER UTILITIES DEPARTMENT TO THE TEXAS WATER DEVELOPMENT BOARD FOR FINANCIAL ASSISTANCE VIA A FIXED RATE LOAN IN THE AMOUNT OF \$195,845,000 FROM THE STATE WATER IMPLEMENTATION FUND FOR TEXAS TO FUND THE RAY ROBERTS WATER TREATMENT PLANT EXPANSION PROJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Water Development Board's mission is to provide leadership, technical services, and financial assistance to support planning, conservation and responsible development of water for Texas; and

WHEREAS, the State Water Implementation Fund for Texas provides fixed rate loans offered at below-market interest rates to help communities develop and optimize water supplies at cost effective rates; and

WHEREAS, the City of Denton, Texas (the "City") may apply to the Texas Water Development Board (TWDB) for financial assistance in an amount not to exceed \$195,845,000 to fully fund the Ray Roberts Water Treatment Plant Expansion project; and

WHEREAS, the City submitted an abridged application to the Texas Water Development Board on February 1, 2024, stating the City's interest in submitting a complete application; and

WHEREAS, in accordance with the rules and regulations for making such application to the Texas Water Development Board, a resolution adopted by City Council must accompany such application; and

WHEREAS, the City has developed the necessary application materials and desires to make a complete application to the Texas Water Development Board State Water Implementation Fund for Texas; and

WHEREAS, once TWDB evaluates the initial applications, the City anticipates an invitation from TWDB to submit the complete application by the Texas Water Development Board, which will be due 30 days after such invitation; NOW THEREFORE,

THE COUNCIL OF THE CITY OF DENTON HEREBY RESOLVES:

SECTION 1. The recitals are hereby incorporated and made part of this resolution for all purposes.

SECTION 2. Submittal of the application for the Texas Water Development Board's State Water Implementation Fund for Texas by the City is hereby approved and authorized.

SECTION 3. The City Manager, or designee, is designated, delegated, and authorized to execute and submit to the Texas Water Development Board an application for financial assistance

via a fixed rate loan in an amount not to exceed of \$195,845,000 from the State Water Implementation Fund for Texas, and act on behalf of the City of Denton in all matters related to the loan application, receipt of funds, and any subsequent loan contracts and projects that may result; and the City Manager, together with the City Attorney's Office, City's Bond Counsel, City's Financial Advisor, and Engineers named in such application are hereby authorized to appear before the Texas Water Development Board in support of such application and project.

SECTION 4. The City Manager is further specifically authorized to make the required assurances to the Texas Water Development Board in accordance with the rules, regulations and policies of the Texas Water Development 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 Texas Water Development Board.

SECTION 6. The funds will be used solely for the purposes for which they are intended under the SWIFT loan.

SECTION 7. This resolution is effective immediately upon its passage.

The motion to approve this ordinance was made by [_____] and seconded by [_____].

The ordinance was passed and approved by the following vote [__ - __ - __]:

	Aye	Nay	Abstain	Absent
Mayor Gerard Hudspeth:	_____	_____	_____	_____
Vicki Byrd, District 1:	_____	_____	_____	_____
Brian Beck, District 2:	_____	_____	_____	_____
Paul Meltzer, District 3:	_____	_____	_____	_____
Joe Holland, District 4:	_____	_____	_____	_____
Brandon Chase McGee, At Large Place 5:	_____	_____	_____	_____
Chris Watts, At Large Place 6:	_____	_____	_____	_____

PASSED AND APPROVED this the _____ day of _____, 2024.

GERARD HUDSPETH, MAYOR

ATTEST:
JESUS SALAZAR, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
MACK REINWAND, CITY ATTORNEY

BY: _____

Susan Keller
Digitally signed by Susan Keller
DN: dc=com, dc=cityofdenton, dc=codad,
ou=Department Users and Groups, ou=General
Government, ou=Legal, cn=Susan Keller,
email=Susan.Keller@cityofdenton.com
Date: 2024.03.04 21:46:58 -06'00'