

RESOLUTION NO. 2017-001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS AUTHORIZING EXECUTION OF THE FIRST AMENDMENT TO THE WASTEWATER TRANSPORTATION CONTRACT (WALKER-CALLOWAY SYSTEM) WITH TRINITY RIVER AUTHORITY OF TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, On April 18, 1969, the City of North Richland Hills and the City of Hurst (collectively the Cities) entered into separate agreements (Initial Contracts) with Trinity River Authority of Texas (Authority) for the Authority to issue revenue bonds and construct the Walker-Calloway Branch Outfall Trunk Sewer System (System) for the transportation, treatment and disposal of sanitary sewage and other waste for the Cities; and

WHEREAS, Pursuant to the Initial Contracts, the Authority constructed the infrastructure and all of the Authority's bonds issued to construct the System have been paid in full; and

WHEREAS, On October 24, 2001, the Cities and the Authority subsequently entered into a contract (Contract) whereby the Authority agreed to continue providing, and the Cities agreed to pay for, transportation and treatment of the Cities wastewater by a 3rd entity, including all operation and maintenance charges for the System; and

WHEREAS, The Authority and Cities anticipate further construction, improvements and expansion projects for the System, which will be financed through the issuance of Bonds by the Authority; and

WHEREAS, The Cities and the Authority deem it necessary and desirable to amend the Contract to provide a means for the security and payment of Bonds to be issued in one or more series for improvements, enlargements, modifications, and extensions to the System.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:

SECTION 1. That, for and on behalf of the City of North Richland Hills, Texas (City), the Mayor, the City Manager, or Assistant City Manager is hereby authorized and directed to execute and deliver, and the City Secretary of the City is hereby authorized and directed to sign, attest, and seal, the "TRINITY RIVER AUTHORITY OF TEXAS FIRST AMENDMENT TO WASTEWATER TRANSPORTATION CONTRACT (WALKER-CALLOWAY SYSTEM)" (First Amendment) in substantially the form and substance attached to this Resolution and made a part hereof for all purposes.

SECTION 2. That, upon its execution by the parties thereto, the First Amendment shall be binding upon the City in accordance with its terms and provisions and the appropriate officials of the City are authorized and directed to take any and all action, to execute and deliver any and all documentation and to

perform any and all functions as may be necessary or appropriate according to the terms of the First Amendment.

SECTION 3. That this Resolution shall take effect and be in full force and effect from and after the date of its adoption, and it is so resolved; and all resolutions of the City Council of the City in conflict herewith are hereby amended or repealed to the extent of such conflict.

PASSED AND APPROVED this the 23rd day of January, 2017.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. Farmer, City Attorney