

CERTIFICATE FOR RESOLUTION AUTHORIZING AND DIRECTING THE EXECUTION  
OF THE SECOND AMENDMENT TO TRINITY RIVER AUTHORITY OF TEXAS  
WASTEWATER TRANSPORTATION CONTRACT (WALKER-CALLOWAY SYSTEM),  
AND PROVIDING FOR THE EFFECT OF SAID RESOLUTION AND AGREEMENT

THE STATE OF TEXAS  
TARRANT COUNTY  
CITY OF NORTH RICHLAND HILLS

I, the undersigned, City Secretary of the City of North Richland Hills, Texas, hereby  
certify as follows:

1. The City Council of the City of North Richland Hills convened in REGULAR  
MEETING ON October 2, 2017, in the City Council Chamber in the City Hall, and the roll was  
called of the duly constituted officers and members of said City Council, to-wit:

Oscar Trevino, Mayor	Scott Turnage, Mayor Pro Tem, Place 6
Tito Rodriguez, Place 1	Rita Wright Oujesky, Place 2
Tom Lombard, Place 3	Tim Barth, Place 4
Mike Benton, Place 5	Tim Welch, Place 6

and all of said persons were present, except the following absentees: \_\_\_\_\_,  
thus constituting a quorum. Whereupon, among other business, the following was transacted at  
said Meeting: a written

RESOLUTION AUTHORIZING AND DIRECTING THE EXECUTION OF THE SECOND  
AMENDMENT TO TRINITY RIVER AUTHORITY OF TEXAS WASTEWATER  
TRANSPORTATION CONTRACT (WALKER-CALLOWAY SYSTEM), AND PROVIDING  
FOR THE EFFECT OF SAID RESOLUTION AND AGREEMENT

was duly introduced for the consideration of said City Council and duly read. It was then duly  
moved and seconded that said Resolution be adopted; and, after due discussion, said motion,  
carrying with it the adoption of said Resolution, prevailed and carried with all members present  
voting "AYE" except the following:

NAYS: \_\_\_\_\_ ABSTENTIONS: \_\_\_\_\_

2. That a true, full, and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full, and correct excerpt from said City Council's minutes of said Meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting officers and members of said City Council as indicated therein; and that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said Meeting; and that said Meeting was open to the public, and public notice of the time, place, and purpose of said Meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED ON \_\_\_\_\_, 2017.

---

Alicia Richardson  
City Secretary

(CITY SEAL)

## **RESOLUTION NO. 2017-040**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS AUTHORIZING EXECUTION OF THE SECOND 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 3<sup>rd</sup> entity, including all operation and maintenance charges for the System; and

**WHEREAS,** On January 27, 2017, the Cities authorized the First Amendment to 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; and

**WHEREAS,** The Contract expires on December 2, 2017 and the Cities and the Authority desire to enter into a new agreement for maintenance and operation of the System moving forward; and

**WHEREAS,** The Cities and the Authority now deem it necessary to amend the Contract a second time to extend the expiration date for the Contract to allow adequate time for review and comment on the proposed new agreement.

**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 SECOND AMENDMENT TO WASTEWATER TRANSPORTATION CONTRACT (WALKER-

CALLOWAY SYSTEM)" (Second 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 Second 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 Second 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 2<sup>nd</sup> day of October, 2017.

**CITY OF NORTH RICHLAND HILLS**

By: \_\_\_\_\_  
Oscar Trevino, Mayor

**ATTEST:**

\_\_\_\_\_  
Alicia Richardson, City Secretary

**APPROVED AS TO FORM AND LEGALITY:**

\_\_\_\_\_  
Maleshia B. McGinnis, City Attorney