

PURSUANT TO THE LEGAL NOTICE AS IS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT INCLUDING THE POSTING OF NOTICE AND AGENDA AS IS REQUIRED BY THE TERMS THEREOF, THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA (THE "CITY") MET IN REGULAR SESSION IN THE CITY COUNCIL CHAMBERS AT CITY HALL, IN COWETA, OKLAHOMA, ON THE 7TH DAY OF OCTOBER, 2019, AT 6:00 P.M.

PRESENT:

ABSENT:

(OTHER PROCEEDINGS)

Thereupon, the following resolution was introduced and caused to be read by the City Clerk. Councilmember _____, moved passage of the Resolution and Councilmember _____, seconded the motion. The motion carrying with it the approval of said Resolution was approved by the following vote:

AYE:

NAY:

The Resolution so approved is as follows:

RESOLUTION NO. 2019-29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA (THE "CITY") APPROVING ACTION TAKEN BY THE COWETA PUBLIC WORKS AUTHORITY (THE "AUTHORITY") AUTHORIZING ISSUANCE, SALE AND DELIVERY OF ITS CLEAN WATER SRF PROMISSORY NOTE TO THE OKLAHOMA WATER RESOURCES BOARD; RATIFYING AND CONFIRMING A LEASE AGREEMENT, WHEREBY THE CITY LEASED ITS WATER, SANITARY SEWER, AND GARBAGE SYSTEMS TO THE AUTHORITY; RATIFYING AND CONFIRMING A SALES TAX AGREEMENT AND/OR APPROVING AND AUTHORIZING AN AMENDED SALES TAX AGREEMENT OR AN AMENDMENT TO SALES TAX AGREEMENT; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

WHEREAS, The Coweta Public Works Authority (the "Authority") did, by its Resolution adopted October 7, 2019, authorize the issuance, sale and delivery of its Series 2019 Clean Water SRF Promissory Note to Oklahoma Water Resources Board, in order to finance the construction of

improvements to the Authority's wastewater treatment systems in the original principal amount of \$11,373,000.00; and

WHEREAS, the City Council hereby determines that the actions taken by the Authority should be authorized and approved; and

WHEREAS, the City hereby determines that such other action necessary or attendant to accomplishment of the referenced financing should be considered by the City Council of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA:

Section 1. Issuance of Note. That the issuance, sale and delivery of The Coweta Public Works Authority, Wagoner County, Oklahoma, Series 2019 Clean Water SRF Promissory Note to Oklahoma Water Resources Board in the principal amount of \$11,373,000.00 (the "2019 Note"), all as approved by said Authority on October 7, 2019, be and hereby is authorized, approved and ratified.

Section 2. Approval. That all actions heretofore taken by the Authority in connection with the issuance, sale and delivery of the 2019 Note and all other aspects of the transaction be and are hereby authorized, approved and ratified.

Section 3. Lease Agreement. The Lease Agreement dated as of July 1, 2009, between the City and the Authority (the "Lease Agreement"), whereby the City leased to the Authority its presently existing and hereafter acquired water, sanitary sewer, and garbage systems, is hereby ratified and confirmed and the term of said Lease Agreement shall extend until the 2019 Note is paid.

Section 4. Sales Tax Agreement. The City hereby ratifies and confirms the Sales Tax Agreement dated as of November 1, 2016 (the "Sales Tax Agreement"), by and between the City and the Authority, which Sales Tax Agreement pertains to a year-to-year pledge of certain sales tax revenue and authorizes the execution of an Amended Sales Tax Agreement or an Amendment to Sales Tax Agreement as determined appropriate by bond counsel.

Section 5. Necessary Action. That the Mayor or Vice Mayor and City Clerk or Deputy City Clerk be and hereby are authorized and empowered to execute and deliver for and on behalf of the City any and all other documents or instruments reasonably necessary to accomplish the issuance, sale and delivery of the 2019 Note and all other aspects of the transaction.

[Remainder of Page Left Blank Intentionally]

PASSED AND APPROVED THIS 7TH DAY OF OCTOBER, 2019.

CITY OF COWETA, OKLAHOMA

By _____
Evette Morris, Mayor

ATTEST:

By _____
Julie Casteen, City Clerk

(SEAL)

APPROVED AS TO FORM:

By _____
Ronald D. Cates, City Attorney

STATE OF OKLAHOMA)
)SS
COUNTY OF WAGONER)

I, the undersigned, City Clerk of the City of Coweta, Oklahoma, do hereby certify that the above and foregoing is a true, full and correct copy of an excerpt from the minutes of a meeting of the City Council of said City held on the date above stated, all as recorded in the official minutes of such meeting. I further certify that the “Open Meeting Law” was complied with for such meeting.

GIVEN UNDER MY HAND THIS 7TH DAY OF OCTOBER, 2019.

(SEAL)

Julie Casteen, City Clerk