

## RESOLUTION NO. 240514-09

RESOLUTION AUTHORIZING AND DIRECTING ESTABLISHMENT OF THREE CONSTRUCTION ACCOUNTS WITH DEPOSITORY BANK PURSUANT TO BOND ORDINANCES AND PRINCIPAL FORGIVENESS AGREEMENT WITH THE TEXAS WATER DEVELOPMENT BOARD; APPOINTING AUTHORIZED SIGNATORIES WITH RESPECT TO SUCH ACCOUNTS; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT

THE STATE OF TEXAS                                 §  
COUNTY OF FANNIN                                 §  
CITY OF LEONARD                                 §

WHEREAS, the City of Leonard, Texas (the "City") has authorized two ordinances (the "Bond Ordinances") authorizing the issuance of \$2,040,000 City of Leonard, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2024A and \$2,285,000 City of Leonard, Texas Combination Tax and Surplus Revenue Certificates of Obligation, Series 2024B (collectively, the "Bonds") to the Texas Water Development Board ("TWDB") for loans in the amounts of \$2,040,000 and \$2,285,000 (the "Loans"), and as required by the terms of said Loans, the City will enter into that certain Principal Forgiveness Agreement – Drinking Water State Revolving Fund with the TWDB for principal forgiveness in the amount of \$4,155,000 (the "Principal Forgiveness Agreement", and together with the Bond Ordinances, the "Agreements");

WHEREAS, in each of the Agreements, the City has agreed to maintain at its depository bank, being First United Bank and Trust (the "Bank"), an account separate from all other funds and accounts to be known as the "Series 2024A Construction Fund", "Series 2024B Construction Fund" and a "Construction Account", respectively (collectively, the "Construction Accounts");

WHEREAS, this City Council hereby finds and determines that it is a public benefit to and in the best interests of the City and its residents to open at the Bank a Series 2024A Construction Fund and a Series 2024B Construction Fund as required by the Bond Ordinances, and a Construction Account as required by the Principal Forgiveness Agreement, respectively, and to authorize signatories with respect to such accounts; and

WHEREAS, it is officially found, determined and declared that the meeting at which this Resolution has been adopted was open to the public, and public notice of the date, hour, place and subject of said meeting, including this Resolution, was given, all as required by the applicable provisions of Chapter 551, Texas Government Code; Now, Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LEONARD:

1. That three new accounts be established at the Bank, which shall be designated as "City of Leonard Series 2024A Construction Fund", "City of Leonard Series 2024B Construction Fund", "City of Leonard, Texas, Principal Forgiveness Agreement, Texas Water Development Board Commitment LF1001709 Construction Account", respectively (collectively, the "Bank Accounts").
2. That any account opening documentation as required from time to time be executed by the signatories designated hereunder (the "Authorized Signatories"), binding the City to the terms and conditions governing the Bank Accounts.
3. That instructions relating to banking transactions may be given electronically or by fax to the Bank for execution and to this end any electronic or facsimile indemnity letter authorizing the Bank to act upon such instructions may be signed by the Authorized Signatories.
4. That the following officers and directors are hereby appointed as Authorized Signatories

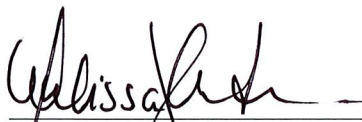
with respect to the Bank Accounts: any two of the following officials, acting jointly:

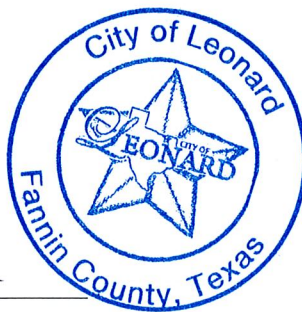
- a.) Mayor
- b.) Mayor Pro-Tem
- c.) City Administrator

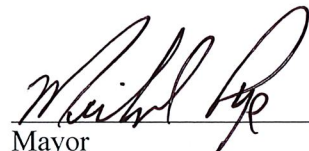
5. That the Authorized Signatories are hereby authorized to enter into, make, sign, execute, perform and do all such acts, consents, signature cards and other agreements necessary in connection with establishment of the Bank Accounts at the Bank.

DULY PASSED AND APPROVED by the City Council of the City of Leonard, Texas on May 14, 2024.

ATTEST:

  
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City Secretary,  
City of Leonard, Texas



  
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Mayor  
City of Leonard, Texas