

THE TRUSTEES OF THE BROKEN ARROW MUNICIPAL AUTHORITY, TULSA COUNTY, OKLAHOMA, MET IN REGULAR SESSION IN THE CITY COUNCIL CHAMBERS AT THE CITY HALL, 220 SOUTH FIRST STREET, IN SAID CITY ON THIS 20th DAY OF SEPTEMBER 2016, AT 6:30 O’CLOCK P. M., ALL IN COMPLIANCE WITH THE OKLAHOMA OPEN MEETING ACT.

PRESENT:

ABSENT:

Thereupon, the Chairman introduced a Resolution which was read by the Secretary. Trustee _____ moved that the Resolution be adopted and Trustee _____ seconded the motion. The motion carrying with it the adoption of the Resolution prevailed by the following vote:

AYE:

NAY:

The Resolution as adopted is as follows:

RESOLUTION NO. 940

A RESOLUTION AGREEING TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD (“OWRB”) FOR FINANCIAL ASSISTANCE THROUGH THE STATE LOAN PROGRAM, WITH THE LOAN PROCEEDS BEING FOR THE PURPOSE OF PAYING FOR COSTS RELATED TO DESIGN, CONSTRUCTION, AND INSPECTION OF IMPROVEMENTS AT THE HAIKEY CREEK WASTEWATER TREATMENT PLANT AND HAIKEY CREEK LIFT STATION; APPROVING THE PAYMENT OF AN APPLICATION FEE; DESIGNATING LEGAL AND FINANCIAL PROFESSIONALS TO ASSIST IN THE APPLICATION PROCESS AND APPROVING CONTRACTS FOR SUCH SERVICES; AUTHORIZING THE CHAIRMAN AND SECRETARY TO EXECUTE CERTAIN APPLICATION DOCUMENTS; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

WHEREAS, the Broken Arrow Municipal Authority, Tulsa County, Oklahoma, (the "Authority") was organized under Title 60, Oklahoma Statutes 2001, Sections 176 et seq., as amended, for the purpose of furthering the public functions of the City of Broken Arrow, Oklahoma (the "City"); and

WHEREAS, the Authority has determined the need to acquire funds for the purpose of paying and/or reimbursing the Authority for all costs related to improvements at the Haikey Creek Wastewater Treatment Plant, in the approximate amount of \$7,800,000.00; and

WHEREAS, the Oklahoma Water Resources Board has made monies available to qualified entities for the financing of certain qualifying projects; and

WHEREAS, the Oklahoma Water Resources Board requires a resolution from potential borrowers authorizing the submission of certain application documents and the payment of an application fee.

**NOW, THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF THE
BROKEN ARROW MUNICIPAL AUTHORITY, TULSA COUNTY,
OKLAHOMA:**

Section 1. The Authority hereby approves the submission of a loan application to the Oklahoma Water Resources Board for the purpose of acquiring funds to pay for all costs related to design and construction of a maintenance building at the Haikey Creek Wastewater Treatment Plant, design of the rehabilitation of a grit removal facility at Haikey Creek Wastewater Treatment Plant, and construction of the Phase 3 Force Main at Haikey Creek Lift Station.

Section 2. Municipal Finance Services, Inc., Edmond, Oklahoma, as Financial Advisor, and Kiser Law Firm PLLC, Oklahoma City, Oklahoma, as Bond Counsel, are hereby directed by the Authority to work with staff members to prepare all loan application materials and supporting documents sufficient for proper submission to the respective state agencies. In addition, professional service agreements for such services presented at the meeting are hereby approved.

Section 3. An application fee in the amount of \$500.00 payable to the Oklahoma Water Resources Board is hereby approved to be submitted with said application.

Section 4. The Chairman or Vice-Chairman and Secretary or Assistant Secretary of the Authority are hereby further authorized on behalf of the Authority to accept, receive, execute, attest, seal and deliver the above mentioned application and all additional documentation, certificates and instruments and to take such further actions as may be required in connection with the application, and are further authorized to approve and make any changes to the documents approved by this Resolution, for and on behalf

of the Authority, the execution and delivery of such documents being conclusive as to the approval of any terms contained herein.

ADOPTED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2016.

**BROKEN ARROW MUNICIPAL AUTHORITY
TULSA COUNTY, OKLAHOMA**

By _____
Chairman

(SEAL)

ATTEST:

By _____
Secretary