

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 MARIETTA, OKLAHOMA (THE "CITY") MET IN REGULAR SESSION IN MARIETTA, OKLAHOMA, ON THE 9<sup>TH</sup> DAY OF AUGUST, 2022, AT 6:00 O'CLOCK P.M.

PRESENT: Council Member KorDale Lornes, Council Member Kermit McKinney, Council Member Lawrence Anderson, Council Member Brandy Valenzuela, Council Member Tambre Sanders, Council Member Destry Rushing

ABSENT: Council Member Angela Vega, Council Member Richard Barker

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

AYE: Council Member KorDale Lornes, Council Member Kermit McKinney, Council Member Lawrence Anderson, Council Member Brandy Valenzuela, Council Member Tambre Sanders, Council Member Destry Rushing

NAY: None

The Resolution so approved is as follows:

#### RESOLUTION 2022-39

A RESOLUTION OF THE CITY OF MARIETTA, OKLAHOMA (THE "CITY") APPROVING ACTION TAKEN BY THE MARIETTA MUNICIPAL AUTHORITY (THE "AUTHORITY") AUTHORIZING ISSUANCE, SALE AND DELIVERY OF ITS CLEAN WATER SRF PROMISSORY NOTE TO THE OKLAHOMA WATER RESOURCES BOARD; APPROVING AND AUTHORIZING A LEASE AGREEMENT PERTAINING TO THE LEASING OF THE SANITATION AND STORMWATER SYSTEMS OF THE CITY TO THE AUTHORITY; APPROVING AND AUTHORIZING A SALES TAX AGREEMENT, IF DEEMED NECESSARY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

WHEREAS, the Marietta Municipal Authority (the "Authority") did, by its Resolution adopted August 9, 2022, authorize the issuance, sale and delivery of its Series 2022 Clean Water SRF Promissory Note to Oklahoma Water Resources Board; and

WHEREAS, the City Council of the City of Marietta, Oklahoma (the "City") 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 MARIETTA, OKLAHOMA:

Section 1. Issuance of Note. That the issuance, sale and delivery of the Marietta Municipal Authority, Love County, Oklahoma, Series 2022 Clean Water SRF Promissory Note to Oklahoma Water Resources Board in the principal amount of \$690,000.00 (the "Note"), all as approved by said Authority on August 9, 2022, 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 Note and all other aspects of the transaction be and are hereby authorized, approved and ratified.

Section 3. Lease of Utility Systems. The Mayor or Vice Mayor and City Clerk or Deputy City Clerk of the City hereby are hereby authorized to execute and deliver a Lease Agreement and Operation and Maintenance Contract by and between the City and the Authority, and will authorize the City to lease its sanitation and stormwater systems to the Authority.

Section 4. Sales Tax Agreement. The Springing Sales Tax Agreement, by and between the City and the Authority (the "Sales Tax Agreement"), which Sales Tax Agreement pertains to a springing year-to-year pledge of certain Sales Tax Revenue as security for the Note, is hereby approved and the Mayor or Vice Mayor and City Clerk or Deputy City Clerk are hereby authorized to execute same for and on behalf of the Borrower if deemed necessary by Bond Counsel, and do all other lawful things to carry out the terms and conditions of said Sales Tax Agreement.

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 Note and all other aspects of the transaction.

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ADOPTED AND APPROVED THIS 9<sup>TH</sup> DAY OF AUGUST, 2022.

CITY OF MARIETTA, OKLAHOMA



\_\_\_\_\_  
Mayor

ATTEST:



\_\_\_\_\_  
City Clerk

(SEAL)



STATE OF OKLAHOMA        )  
  ) SS  
COUNTY OF LOVE         )

I, the undersigned, City Clerk of the City of Marietta, 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 9<sup>TH</sup> DAY OF AUGUST, 2022.

(SEAL)

 *Wattie Guin*  
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City Clerk