

ORDINANCE NO. 17-87 A

AN ORDINANCE OF THE VILLAGE OF PLEAK, TEXAS AMENDING EXHIBIT B, CONSENT CONDITIONS TO ORDINANCE NO 17-87, ADOPTED OCTOBER 18, 2017 TITLED CONSENTING TO THE CREATION OF FORT BEND COUNTY MUD NO. 157.

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WHEREAS, the Village of Pleak (the "Village") received a request from Fort Bend County Municipal Utility District No. 157 (the "District") to Amend Exhibit B, Consent Conditions, to Ordinance No.17-87 to include road bonds; and

WHEREAS, the Village Council for the Village of Pleak recognizes that Exhibit B, Consent Conditions should be amended to include road bonds;

NOW THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF PLEAK, TEXAS:

Section 1. That facts set out in the preamble are true and correct and incorporated herein for all purposes.

Section 2. The Village of Pleak, Texas, amends Exhibit B, Consent Conditions attached hereto and made a part hereof of this Amended Ordinance.

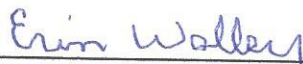
Section 4. In no way is this Ordinance considered an "allocation agreement" between the District and the Village, as provided under Texas Water Code Section 54.016.

PASSED, APPROVED, and ADOPTED on the 20 day of June, 2018.



Larry Bittner, Mayor

ATTEST:



Erin Walley, Village Secretary

EXHIBIT B

AMENDED CONSENT CONDITIONS

(a) Purposes for which bonds may be issued, absent prior approval by the Village of Pleak, shall be limited to the purchase, construction, acquisition, operation, repair, maintenance, extension and improvement of land, easements, works, improvements, facilities, plants, equipment and appliances necessary to:

(1) provide a water supply for municipal uses, domestic uses and commercial purposes;

(2) collect, transport, process, dispose of and control all domestic, industrial or communal wastes whether in fluid, solid or composite state (except that the District will not issue bonds for the purpose of garbage collection and disposal);

(3) gather, conduct, divert and control local storm water or other local harmful excesses of water in the District (including the payment of costs associated with any state or federal stormwater permit requirements);

(4) provide for parks and other recreational facilities as may be consistent with and authorized pursuant to Chapters 49 and 54 of the Texas Water Code;

(5) payment for organizational expenses, operation expenses, bond issuance costs, capitalized interest and interest on funds advanced to the District, or paid on behalf of the District all in accordance with the rules of the TCEQ.

(b) Bonds issued by the District will expressly provide that the District reserves the right to redeem said bonds on any interest-payment date subsequent to the fifteenth (15th) anniversary of the date of issuance without premium and will be sold only after the taking of public bids therefor, and none of such bonds, other than refunding bonds, will be sold for less than 95% of par; provided that the net effective interest rate on bonds so sold, taking into account any discount or premium as well as the interest rate borne by such bonds, will not exceed two percent (2%) above the highest average interest rate reported by the Daily Bond Buyer in its weekly "20 Bond Index" during the one-month period next preceding the date notice of the sale of such bonds is given, and that bids for the bonds will be received not more than forty-five (45) days after notice of sale of the bonds is given. To the extent authorized by law, the District will issue bonds only for the purpose of purchasing, constructing, or otherwise acquiring waterworks systems, sanitary systems, storm sewer systems, drainage facilities, recreational facilities, road construction, road facilities, or parts of such systems or facilities, and to make any and all necessary purchases, construction, improvements, extensions, additions, and repairs thereto, and