

RESOLUTION NO. 90

This Resolution, made this 6th day of November, 2001, by the City Council of the City of Tontitown:

WITNESSETH:

WHEREAS, the City of Tontitown is a member of the Osage Basin Wastewater District ("District"), established on January 7, 2000, with member municipalities being Elm Springs, Cave Springs, Highfill, and Tontitown, Arkansas ("Members"); and

WHEREAS, the District contemplates receiving a grant in the amount of Four-Hundred and Thirty-Thousand Dollars (\$430,000.00), said grant to be appropriated to the District by the Arkansas State Legislature pursuant to Acts 416 and 1109 of 2001, and payable to the District over a two-year period in two separate installments, one such installment to be paid during the 2001 calendar year, and the other to be paid during the 2002 calendar year; and

WHEREAS, the grant as described above will not be sufficient to meet all costs associated with land purchases, environmental studies, and engineering fees which will necessarily be incurred by the District for its projects;

NOW, THEREFORE, BE IT RESOLVED that the City of Tontitown, as a Member of the Osage Basin Wastewater District, hereby pledges to the District, the amount of Eighty-Five Thousand Dollars (\$85,000.00), to be paid as follows: Forty-Five Thousand Dollars (\$45,000.00) by the end of the calendar year of 2001, and Forty-Thousand Dollars (\$40,000.00) by the end of the calendar year of 2002. Nothing contained herein shall prevent the City of Tontitown from paying said amounts before the end of each or either calendar year as set forth herein, if, in the discretion of the City Council of the City of Tontitown, it is economically feasible to do so. However, nothing contained herein shall be interpreted to require payment before the end of each or either calendar year as described herein, even if such funds are available.

BE IT FURTHER RESOLVED and acknowledged that the above pledge is contingent upon the award of the grant money as set forth above. In the event the District does not receive the yearly amount of the grant money as proposed, either in whole or in part, then the City of Tontitown's pledge as set forth in this Resolution shall be deemed null, void, and of no effect for the particular year in which the grant money, or any part thereof, is not received;

BE IT FURTHER RESOLVED that the funds pledged by way of this Resolution shall be designated and applied as a credit to any connection fees the District chooses to charge the Members;

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized to execute and deliver such documents and applications as may be required to carry out the terms of this Resolution, and to do all other acts necessary to effectuate the terms of this Resolution.

This Resolution passed this 6th day of November, 2001.

Daniel S. Watson
Mayor

Attest:

Frances Franco
City Clerk