

## Perwez Moheet

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**From:** Carol Polumbo <cpolumbo@mphlegal.com>  
**Sent:** Tuesday, September 12, 2017 4:37 PM  
**To:** James Earp  
**Cc:** Kyle Finance Contact; Jennifer Vetrano; Perwez Moheet; gmoore@alliancewater.org; Linda Sharpe; Dan Wegmiller; Jennifer Douglas  
**Subject:** Alliance Regional Water Authority Agenda Item  
**Attachments:** ResApprovingResKyle 9-12-17.docx; Authorizing Resolution Kyle 9-12-17.doc; General Cert of Kyle 9-12-17.docx

James, hope you are doing well. As you know, the Alliance Regional Water Authority is proceeding with the issuance of bonds for the City in connection with the Authority's Phase 1B Improvement Project which bonds will be sold to the Texas Water Development Board (TWDB). According to the current schedule, we currently anticipate receiving interest rates from the TWDB by October 5<sup>th</sup> and will be able to complete the interest rate information in the Bond Resolution and Approval Certificate set forth in item #2 below shortly after receipt of such rates. In accordance with Section 3.1 of the Regional Water Supply Contract between the Authority and the City, attached please find first drafts of the following documents:

- 1) City's Resolution Approving A Resolution by the Board of Directors of the Alliance Regional Water Authority and Approving Other Matters;
- 2) A Resolution by the Board of Directors of the Alliance Regional Water Authority Authorizing the Issuance of Alliance Regional Water Authority Contract Revenue Bonds (Regional Water Supply Contract Project – City of Kyle, Texas), Series 2017B; and Resolving Other Matters Incident and Relating to the Issuance, Payment, Security, Sale and Delivery of Such Bonds with attached Approval Certificate; and
- 3) General Certificate of the City (as required by the Texas Attorney General).

The draft Private Placement Memorandum will be forwarded once available. Please review and let us know if you have any questions or comments. In particular, please let us know who you would like designated as the City Authorized Representative for purposes of signing the Approval Certificate attached to the Bond Resolution in #2 above (right now we have the Mayor and City Manager). Additionally, we need the information regarding revenues and expenses of the City's utility system for the General Certificate. We would appreciate receiving any comments by October 2<sup>nd</sup>.

As discussed, we anticipate the City's Resolution Approving (item #1 above) will be on the **City's October 17<sup>th</sup> agenda**. We certainly defer to you as to how you want the agenda item to read but something to the effect of "Consideration of Resolution Approving a Resolution by the Board of Directors of the Alliance Regional Water Authority and Approving Other Related Matters with respect to Not to Exceed \$8,995,000 Contract Revenue Bonds for the City in Connection with the Regional Water Supply Project." We will have a McCall attorney at the City's meeting on October 17<sup>th</sup> to bring all the appropriate papers for execution and to be available to answer any questions.

Please let us know if for any reason the October 17<sup>th</sup> meeting date is changed. The Board of Directors of the Alliance Regional Water Authority is scheduled to approve the bond resolution on October 15<sup>th</sup> and pursuant to the Regional Water Supply Contract the City must approve the resolution prior to the Alliance Board taking action.

Don't hesitate to contact me. ***Let me know if there are others you would like to review the documents, I will be happy to forward.*** Thanks for your help.

# **MCCALL**

## **PARKHURST & HORTON**

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