

RESOLUTION NO. 22017

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF MARLIN, TEXAS AUTHORIZING AND APPROVING THE CREATION OF THE MARLIN PUBLIC FACILITY CORPORATION; AUTHORIZING AND APPROVING OF THE CERTIFICATE OF FORMATION FOR THE CREATION OF THE PUBLIC FACILITY CORPORATION; AND PROVIDING FOR OPEN MEETINGS, AND EFFECTIVE DATE CLAUSES.

WHEREAS, the City Council for the City of Marlin (City Council”) desires to authorize the creation of a public facility corporation pursuant to Chapter 303 of the Texas Local Government Code to assist the City of Marlin, as its sponsor, in financing, refinancing, or providing public facilities;

WHEREAS, the creation of the Marlin Public Facility Corporation shall further a public purpose of promoting housing programs and to promote the development and construction of more housing within the City to benefit the citizens of the City of Marlin; and

WHEREAS, for the reasons set forth above, the City Council for the City of Marlin has determined that the creation of the Marlin Public Facility Corporation is advisable.

WHEREAS, the City Council for the City of Marlin, who shall serve as the sponsor as authorized under the Public Facility Corporation Act, Chapter 303 of the Texas Local Government Code, has determined that it is in the public interest and to the benefit of the City’s residents and the citizens of this state that a corporation be created to finance, refinance, or provide the costs of public facilities of the sponsor;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MARLIN, TEXAS, that:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Determination of City Council. It is in the public interest and to the benefit of the City’s residents and the citizens of this state that the Corporation be created to finance, refinance, or provide the costs of public facilities of the City as its sponsor.

Section 3. Public Purpose. The creation of the Marlin Public Facility Corporation shall further a public purpose to promote the development and construction of more housing within the City to benefit the citizens of the City of Marlin as well as other purposes as authorized by the Public Facility Corporation Act, Chapter 303 of the Texas Local Government Code. The City Council authorizes the creation of the Corporation to act on the City's behalf to further the public purposes as identified in this resolution and the attached Certificate of Formation.

Section 4. Creation of Public Facility Corporation. The City Council for the City of Marlin, Texas, approves of and authorizes the creation of the Marlin Public Facility Corporation

for the purposes and with the authority and powers as provided under the Public Facility Corporation Act, Chapter 303 of the Texas Local Government Code.

Section 5. Approval of Certificate of Formation. The City Council for the City of Marlin approves of the Certificate of Formation attached to this Resolution as Exhibit "A", approves of the appointment of the initial directors of the Marlin Public Facility Corporation, and authorizes the City Manager to sign the Certificate of Formation as the organizer and to file the Certificate of Formation with the Texas Secretary of State as provided for under Chapter 303 of the Texas Local Government Code. The City Council further authorizes the payment of any required filing fees.

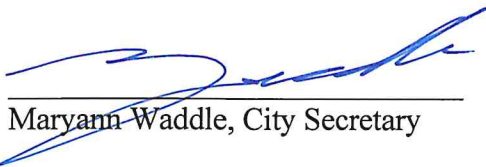
Section 6. Authorization to Further Public Purposes of Corporation. The City Council authorizes the Marlin Public Facility Corporation to act on the City's behalf to further the public purposes of the Corporation as set forth in this Resolution and the Certificate of Formation, subject, however, to the restrictions and approvals required by the Certificate of Formation.

Section 7. Effective Date. This Resolution shall become effective from and after the date of its passage in accordance with the Texas Local Government Code and the City Charter.

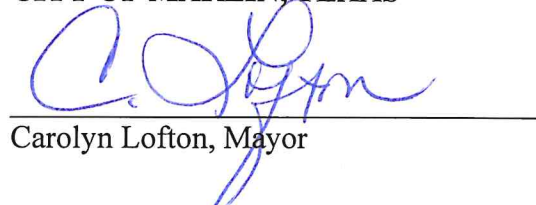
Section 8. Open Meetings. That the City Council has found and determined that the meeting at which this Resolution is considered is open to the public and that notice thereof was given in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551, as amended, and that a quorum of the City Council was present.

RESOLUTION PASSED AND APPROVED on this the 12th day of July, 2022.

ATTEST:


Maryann Waddle, City Secretary

CITY OF MARLIN, TEXAS


Carolyn Lofton, Mayor