

H. H. H.

ORDINANCE NO A-540

AN ORDINANCE AMENDING ORDINANCES NOS. A-538 AND A-539 OF THE ORDINANCES OF THE CITY OF CONWAY, ARKANSAS, AND A RESOLUTION OF THE CITY REQUESTING THE DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY OF THE STATE OF ARKANSAS TO ISSUE POLLUTION CONTROL, REVENUE BONDS, ALL ADOPTED AND APPROVED FEBRUARY 8, 1972, FOR THE PURPOSE OF OBTAINING AN INCREASE IN THE GRANT TO THE CITY FROM THE DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Conway, Arkansas (the "City"), has applied to the Department of Pollution Control and Ecology of the State of Arkansas (the "Department") for a State Grant in the amount of \$7,000 to finance a portion of the costs of a Water Pollution Control Project for the City: and

WHEREAS, the City Council of the City, in furtherance of obtaining the State Grant, on February 8, 1972 adopted Ordinance A-538 (designating a Water Quality Control Charge for the services of the sewer system of the City, providing for the collection and application of the revenues therefrom and matters relating thereto), Ordinance No. A-539 (authorizing an agreement between the City and the Department relative to the State Grant) and a Resolution (the "Resolution") entitled:

"A RESOLUTION REQUESTING AND RECOMMENDING THAT THE DEPARTMENT OF POLLUTION CONTROL AND ECOLOGY OF THE STATE OF ARKANSAS SELL AND ISSUE POLLUTION CONTROL REVENUE BONDS OF THE DEPARTMENT; PRESCRIBING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY";

and

WHEREAS, the provisions in said Ordinances and the Resolution requested and covenanted concerning a State Grant in the amount of \$7,000; and

WHEREAS, it has developed since the passage of said Ordinances and the Resolution that, in order to obtain the maximum federal assistance it will be necessary that the State Grant be increased to \$7,400, and the purpose of this Ordinance is to make the necessary amendments to Ordinances Nos. **A-538** and **A-539** and the Resolution to comply with the requirements for obtaining the increased State Grant;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Conway, Arkansas:

~~Section 1.~~ Ordinance No. A-538 is hereby amended by deleting the figure "\$7,000" from the seventh recital and inseting in its place the figure "\$7,400. "

Section 2. Ordinance No. A-539 is hereby amended by deleting from the second recital of the form of agreement therein the figure "\$27,350.24" and by inserting in its place the figure "\$29,600," and by deleting from the third recital of said agreement the figure "\$7,000" and by Inserting in its place the figure "\$7,400. "

Section 3. That the Resolution is hereby amended by deleting from the seventh recital the figure "\$7,000" and by inserting in Its place the figure "\$7,400." The Mayor is hereby authorized to enter into a new underwriting agreement in the form of Exhibit A to the Resolution, but with the amount 04 the bonds being increased to \$7,400.

Section 4. That Ordinances Nos. **A-538** and A-539 and the Resolution, as amended hereby, shall continue in full force and effect.

Section 5. That it is hereby found and declared that the accomplishment of the Water Pollution Project contemplated by Ordinances Nos, **A-538** and **A-539** and the Resolution is essential to the health and safety of the inhabitants of the City and that it should be accomplished without delay. The

only means by which the Project can be financed (and thereby accomplished) without delay is by the obtaining of a State Grant in the amount of \$7,400 and the amendments set forth in this Ordinance are necessary to the obtaining of the State Grant. Therefore, an emergency is declared to exist and this Ordinance being necessary for the public peace, health and safety shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED this 22 day of February, 1972.

APPROVED:

ATTEST:

City Clerk

Mayor

(SEAL)