

RESOLUTION 13-135B

Commissioner Cymbaluk introduced the following resolution and moved its adoption:

RESOLUTION AUTHORIZING CUSTODIAL AGREEMENT

WHEREAS, the City of Williston is a North Dakota Home Rule Charter City pursuant to Chapter 40-05.1 of the North Dakota Century Code; and

WHEREAS, N.D.C.C. § 40-05.1-06 (2) and (16) authorize North Dakota Home Rule cities to control their finances and fiscal affairs and to levy a sales and use tax; and

WHEREAS, the City of Williston has authorized the levy of a sales and use tax by enactment of Ordinance No. 742, as amended by Ordinances No. 779, 846 and 921, all relating to extending the City of Williston's sales and use tax; and

WHEREAS, the City of Williston, by Resolution No. 13-094, has dedicated a portion of the sales and use tax to the debt service of Sales Tax Revenue Bonds, **Series 2013A** and Sales Tax Revenue Bonds **Series 2013B** (hereinafter the 2013 Sales Tax Bonds); and

WHEREAS, the City Commission, on June 25, 2013, approved a preliminary resolution authorizing the issuance of the 2013 Sales Tax Bonds; and

WHEREAS, as part of the 2013 Sales Tax Bonds transaction, the City must enter into a Custodial Agreement with the Bank of North Dakota.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of Williston, North Dakota, as follows:

1. The City Commission hereby authorizes the President of the Board of City Commissioners and City Auditor to execute said Custodial Agreement by and between the City of Williston and the Bank of North Dakota.

Dated this 24th day of September, 2013.



President of the Board of City
Commissioners

Attest:



City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner Bekkedahl, and upon roll call vote, the following voted in favor thereof: Cymbaluk, Brostuen, Bekkedahl, Klug and Koeser. The following were absent and not voting: none. The following voted against the same: none. Four-fifths of the commissioners having voted aye, the resolution was declared duly passed and adopted.

CERTIFICATE

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF WILLIAMS)

I, John Kautzman, the duly appointed City Auditor of the City of Williston, North Dakota, do hereby certify that attached hereto is a full, true and correct copy of the Resolution adopted by the governing body of the City of Williston at the meeting of the governing body held on September 10, 2013, and that such Resolution is now a part of the permanent records of the City of Williston, North Dakota, as such records are filed in the office of the City Auditor.

Dated this 10th day of September, 2013.



City Auditor