

ORDINANCE NO. 1533

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, AUTHORIZING EXECUTION OF THAT CERTAIN AMENDMENT NO. 01 TO LOAN AGREEMENT WITH NEBRASKA DEPARTMENT OF WATER, ENERGY, AND ENVIRONMENT (DWEE PROJECT NO. D311686); REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AUTHORIZING PUBLICATION IN PAMPHLET FORM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of David City, Nebraska, a municipal corporation and city of the second class (the “**City**”) executed that certain Loan Agreement (SRF Project No. D311686) on April 5, 2023 (the “**Loan Agreement**”), with the State of Nebraska, acting by and through the Nebraska Department of Water, Energy, and Environment, a consolidation of the Nebraska Department of Environment and Energy and the Nebraska Department of Natural Resources pursuant to Section 81-1571(1) of the Nebraska Revised Statutes (collectively, the “**Lender**”); and

WHEREAS, under the Loan Agreement, the Lender provided the City with a loan in the original principal amount of Twelve Million and 00/100 Dollars (\$12,000,000.00) (the “**Loan**”) from the State Revolving Fund Program pursuant to Nebraska Revised Statutes Section 71-5318; and

WHEREAS, the City is using the Loan in connection with improving its existing water treatment plant filters, converting from lime softening to reverse osmosis, upgrading chemical feed systems, and providing other general improvement to address Manganese (collectively, the “**Project**”); and

WHEREAS, the City desires to execute that certain Amendment No. 01 to Loan Agreement with Lender to, among other things, increase the Loan by Three Hundred Fifty Thousand and 00/100 Dollars (\$350,000.00), a copy of which is attached hereto and incorporated herein as **Exhibit A** (the “**Amendment**”); and

WHEREAS, the City finds it in the best interest of the City, its residents, and the Project to execute the Amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DAVID CITY, NEBRASKA, as follows:

1. **Amendment.** The City hereby authorizes the Mayor to execute the Amendment in substantially the same form as **Exhibit A**.
2. **Further Authorization.** The City hereby authorizes the Mayor and City Clerk to execute such further documents and to take such further actions as necessary to effectuate the purposes herein.
3. **Conflicting Ordinances.** The City hereby repeals any other ordinances or sections of any ordinance passed and approved prior to the passage, approval, and publication or posting of this Ordinance and in conflict herewith to the extent of the conflict thereof.
4. **Effective Date.** This Ordinance shall be in full force and effect from immediately upon passage and approval and publication in pamphlet form.

PASSED AND APPROVED THIS 8TH DAY OF JULY, 2026.

Jessica Miller, Mayor

ATTEST:

Lori Matchett, City Clerk

APPROVED AS TO FORM:

David C. Levy, Esq., City Attorney

Exhibit A

Form of Amendment

[SEE ATTACHED]