

**RESOLUTION NO. 2021-03-09-10**

**RESOLUTION AUTHORIZING PROCEEDING WITH ISSUANCE OF CERTIFICATES OF OBLIGATIONS AND FURTHER DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF ELGIN, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION**

**THE STATE OF TEXAS**

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**COUNTIES OF BASTROP AND TRAVIS**

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**WHEREAS**, the City Council (the "Council") of the City of Elgin, Texas (the "City") has determined it to be in the City's best interest to issue certificates of obligation (the "Certificates") for paying all or a portion of the City's contractual obligations incurred or to be incurred for (i) constructing, improving and equipping City park and recreational facilities; (ii) constructing, improving, extending, expanding, upgrading and/or developing streets, roads, bridges, trails, sidewalks, intersections and related costs including water, wastewater and drainage improvements, utility relocation, signage, landscaping, irrigation and purchasing any necessary rights-of-way including County Line road widening project, constructing and renovating downtown sidewalks and paving downtown alleyways; (iii) constructing, improving, extending, refurbishing, weatherizing and equipping the City's water and wastewater system including the wastewater treatment plant expansion, additional wastewater lines, lift stations and pumps, replacement of water storage facilities, water wells and refurbishment of water storage tanks; (iv) constructing, improving, renovating, demolishing and equipping City buildings/facilities including a new City Hall Annex located close to or in proximity to the current City Hall, renovation and expansion of current police station, renovation of the building located at 202 Depot Street and demolition of the building located at 202A Depot Street; and (v) professional services including fiscal, engineering, architectural and legal fees and such other costs incurred in connection therewith including the costs of issuing the Certificates (collectively the "Project"); and

**WHEREAS**, the Council has deemed it advisable to give notice of intention to issue the Certificates in a maximum aggregate principal amount not to exceed **\$25,890,000.00** pursuant to the provisions of the Certificate of Obligation Act of 1971, Section 271.041 et seq., Local Government Code, as amended (the "Act"), for the purpose of financing the Project; and

**WHEREAS**, prior to the issuance of the Certificates, the Council is required under Section 271.041 et seq., Local Government Code to publish notice of its intention to issue the Certificates in a newspaper of general circulation in the City, the notice stating: (i) the time and place tentatively set for the passage of the order authorizing the issuance of the Certificates, (ii) the maximum amount and purpose of the Certificates to be authorized; and (iii) the manner in which the Certificates will be paid; and

**WHEREAS**, the meeting at which this Resolution is adopted was open to the public and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Government Code, as amended.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ELGIN, TEXAS:**

1. Attached hereto as Exhibit "A" is a form of the Notice of Intention (the "Notice") to Issue the Certificates, the form and substance of which is hereby adopted and approved with such changes as approved by the City Manager.

2. Bond Counsel for the City shall cause the Notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the City, on the same day in each of two consecutive weeks, the date of the first publication to be at least 46 days prior to the time set for the final passage of the order authorizing issuance of the Certificates as shown in the Notice.

The Director of Finance to the City shall cause the Notice to be published on the City's website at least 46 days prior to the time set for the final passage of the order authorizing issuance of the Certificates and continuously until the final passage of the order authorizing issuance of the Certificates.

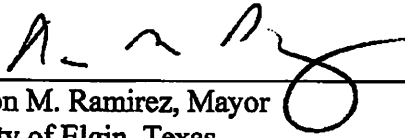
3. The Director of Finance, Financial Advisor and Bond Counsel to the City are authorized to proceed with preparing the necessary bond and offering documents to effectuate the sale of the Certificates, including making application to appropriate rating agencies and bond insurers, if applicable.

4. This Resolution shall become effective immediately upon adoption. The City Secretary is hereby authorized and directed to execute the certificate to which this Resolution is attached on behalf of the City and the Mayor, City Secretary, the City Manager and Director of Finance are further authorized to do any and all things proper and necessary to carry out the intent of this Resolution including approving appropriate changes to the Notice and approving the final form of any Preliminary Official Statement for distribution to the market in connection with the sale of the Certificates.


5. The City hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of each series of the obligations being issued or (ii) \$9,500 per series, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code. The appropriate member of the City's staff is hereby instructed to take the necessary measures to make this payment. The City is also authorized to reimburse the appropriate City funds for such payment from proceeds of the obligations.

[Execution Page Follows]

**PASSED, APPROVED AND EFFECTIVE THIS MARCH 9, 2021.**

  
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Ron M. Ramirez, Mayor  
City of Elgin, Texas

**ATTEST:**

  
\_\_\_\_\_  
Amelia Sanchez, City Secretary  
City of Elgin, Texas

[SEAL]



[Signature Page]



## EXHIBIT "A"

### NOTICE OF INTENTION REGARDING THE ISSUANCE OF ONE OR MORE SERIES OF THE CITY OF ELGIN, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

**NOTICE** is hereby given that it is the intention of the City Council of the City of Elgin, Texas to issue one or more series of interest bearing certificates of obligation of the City entitled "City of Elgin, Texas Combination Tax and Revenue Certificates of Obligation" (the "Certificates") for the purpose of providing funds for paying contractual obligations incurred or to be incurred by the City for: (i) constructing, improving and equipping City park and recreational facilities; (ii) constructing, improving, extending, expanding, upgrading and/or developing streets, roads, bridges, trails, sidewalks, intersections and related costs including water, wastewater and drainage improvements, utility relocation, signage, landscaping, irrigation and purchasing any necessary rights-of-way including County Line road widening project, constructing and renovating downtown sidewalks and paving downtown alleyways; (iii) constructing, improving, extending, refurbishing, weatherizing and equipping the City's water and wastewater system including the wastewater treatment plant expansion, additional wastewater lines, lift stations and pumps, replacement of water storage facilities, water wells and refurbishment of water storage tanks; (iv) constructing, improving, renovating, demolishing and equipping City buildings/facilities including a new City Hall Annex located close to or in proximity to the current City Hall, renovation and expansion of current police station, renovation of the building located at 202 Depot Street and demolition of the building located at 202A Depot Street; and (v) professional services including fiscal, engineering, architectural and legal fees and such other costs incurred in connection therewith including the costs of issuing the Certificates. The City Council tentatively proposes to consider for first and final reading at a meeting to commence at 7:00 p.m. on the 18th day of May, 2021 at its regular meeting place in City Hall, 310 North Main Street, Elgin, Texas, the passage of an ordinance authorizing the issuance of the Certificates. The maximum amount of the Certificates that may be authorized for such purpose is \$25,890,000. The City Council presently proposes to provide for the payment of such Certificates from the levy and collection of ad valorem taxes upon all taxable property within the City as provided by law and from the surplus revenues of the City's utility system in an amount not to exceed \$1,000, remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding) which are payable from all or any part of the net revenues of the City's utility system. The following information is required pursuant to Texas Local Government Code, Section 271.049(b)(4): As of March 9, 2021, principal of all outstanding debt obligations of the City is \$38,215,000. As of March 9, 2021, combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$53,828,501.27. The maximum principal amount of the Certificates to be authorized is \$25,890,000.00. The estimated combined principal and interest required to pay the Certificates to be authorized on time and in full is \$50,753,354.17. The estimated interest rate for the Certificates to be authorized is 5%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such estimated maximum interest rate is provided as a matter of information but is not a limitation on the interest rate at which the certificates, of any series thereof, may be sold. The maximum maturity date of the Certificates to be authorized is July 15, 2051.

**CITY OF ELGIN, TEXAS**