

## RESOLUTION NO. R-2022-89

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AUTHORIZING PROCEEDING WITH THE ISSUANCE OF CITY OF BASTROP, TEXAS CERTIFICATES OF OBLIGATION; DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF BASTROP, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION; AND OTHER RELATED MATTERS**

**WHEREAS**, the City Council (the "Council") of the City of Bastrop, Texas (the "City ") has determined it to be in the City 's best interest to issue certificates of obligation for paying all or a portion of the City's contractual obligations incurred or to be incurred for constructing, improving, designing, acquiring, including acquiring land, easements and right of way, and equipping the City's: (1) water and waste water system; (2) streets including related drainage, sidewalks, traffic improvements, lighting and acquisition of land; (3) public safety improvements including acquisition of land for a future fire station, and (4) payment of professional services in connection therewith including legal, engineering, architectural and fiscal fees and 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 principal amount not to exceed \$57,000,000 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 and on the City's internet website, 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.

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

**SECTION 1. Form of Notice.** Attached hereto is a form of "Notice of Intention to Issue Certificates of Obligation," (the "Notice") the form and substance of which are hereby adopted and approved.

**SECTION 2. Publication of Notice.** The Notice shall be published, in substantially the form attached hereto, in a newspaper, as defined in Tex. Gov't Code Ann. §2051.044,

of general circulation in the City, once a week for two consecutive weeks, the date of the first publication thereof to be before the 45th day before the date tentatively set for passage of the ordinance authorizing the issuance of such Certificates. Further, said notice shall be continuously published in substantially the form attached hereto on the City's website for at least 45 days before the date tentatively set for passage of the ordinance authorizing the issuance of the Certificates.

**SECTION 3. Attorney General Fee.** The City Council 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 obligations being issued or (ii) \$9,500 for each 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 Certificates and general obligation bonds, respectively.

**SECTION 4. Effective Date.** 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.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 11<sup>th</sup>, day of October 2022.

APPROVED:

\_\_\_\_\_  
Connie Schroeder, Mayor

ATTEST:

\_\_\_\_\_  
Ann Franklin, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Alan Bojorquez, City Attorney

**NOTICE OF INTENTION TO ISSUE  
CITY OF BASTROP, 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 Bastrop, Texas to issue Certificates of Obligation (the "Certificates") of the City in one or more series for the purpose of providing funds for paying contractual obligations incurred or to be incurred for constructing, improving, designing, acquiring, including acquiring land, easements and right of way, and equipping the City's: (1) water and waste water system; (2) streets including related drainage, sidewalks, traffic improvements, lighting and acquisition of land; (3) public safety improvements including acquisition of land for a future fire station,, and (4) payment of professional services in connection therewith including legal, engineering, architectural and fiscal fees and the costs of issuing the Certificates. The City Council tentatively proposes to authorize the issuance of the Certificates at its regular meeting place in the City Hall, 1311 Chestnut Street, Bastrop, Texas to be commenced at 6:30 p.m., on the 13th day of December 2022. The maximum principal amount of Certificates that may be authorized for the above listed purposes is \$57,000,000. The City Council presently proposes to provide for the security and payment of the Certificates by a pledge of ad valorem taxes upon all taxable property within the City within the limits allowed by law and from a limited pledge of the City's surplus water and sewer system revenues not to exceed \$1,000.

The following information is required pursuant to Texas Local Government Code, Section 271.049(b)(4): As of October 11, 2022 principal of all outstanding debt obligations of the City is \$70,965,000. As of October 11, 2022 combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$91,507,137. The maximum principal amount of the Certificates to be authorized is \$57,000,000. The estimated combined principal and interest required to pay the Certificates to be authorized on time and in full is \$113,318,750. The estimated interest rate for the Certificates to be authorized is 5.0%. 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 bonds, or any series thereof, may be sold. The maximum maturity date of the Certificates to be authorized is August 1, 2052.