## RESOLUTION 19- 06

**A RESOLUTION CALLING A PORTION OF THE CITY OF COMMERCE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2006 FOR REDEMPTION PRIOR TO MATURITY; AND ENACTING OTHER PROVISIONS RELATING TO THE SUBJECT**

**WHEREAS,** the City of Commerce, Texas (the "Issuer") has issued, and there are currently outstanding, the Issuer's Combination Tax and Revenue Certificates of Obligation, Series 2006, finally maturing on August 15, 2025, but having remaining principal installments on August 15 in each of the years 2019 through 2025, inclusive, (the "Certificates"); and

**WHEREAS,** in the ordinance that authorized the issuance of the Certificates, as amended (the "Certificate Ordinance"), the Issuer reserved the option to redeem the principal installments of the Certificates due for payment on and after August 15, 2016 before their scheduled maturity, commencing August 15, 2015 or on any date thereafter, in whole or in part at a redemption price equal to 105% of the principal amount thereof to be redeemed plus accrued interest thereon to the date of redemption; and

**WHEREAS**, the Issuer has funds available in an amount sufficient to redeem a portion of the remaining principal installments of the Certificates that may be prepaid in accordance with the terms of the Certificate Ordinance during the Issuer's 2018-2019 fiscal year, and such redemption will reduce future debt payment requirements of the Issuer; and

**WHEREAS**, this City Council finds and determines that it is necessary and in the best interests of the Issuer to apply redeem a principal amount of $40,000.00 of the Certificates, with such amount to be applied to the outstanding Certificates in inverse order of maturity (the "Redemption Amount"), with funds available for such purpose; and

**WHEREAS**, the Redemption Amount shall be shall be supplemented by the sum of $2,000.00, representing the payment of the 5% redemption premium on the redeemed Certificates; and the accrued interest at a rate of 4.06% per annum from the most recent payment date (February 15, 2019) to the date fixed for redemption: March 22, 2019 (the "Redemption Date").

**WHEREAS,** it is officially found, determined and declared that the meeting at which this Resolution has been adopted was open to the public and public notice of the date, hour, place and subject of said meeting, including this Resolution, was given, all as required by the applicable provisions of Tex. Gov't Code Ann. Ch. 551. Now, Therefore

BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF COMMERCE, TEXAS:

**Section 1. Findings.**

The declarations, determinations and findings declared, made and found in the preamble to this Resolution are hereby adopted, restated and made a part of the operative provisions hereof.

**Section 2. Redemption of Certificates.**

The Redeemed Certificates, in the aggregate principal amount of $40,000.00, are hereby called for redemption on the Redemption Date at a redemption price equal to 105% of the principal
amount thereof to be redeemed plus accrued interest thereon to the date of redemption, all as specified in the preambles hereto. Interest on the Redeemed Certificates shall cease to accrue on the Redemption Date. The Redeemed Certificates are further described in Exhibit A hereto.

**Section 3. Authorization of Actions.**

(a) The City Manager, City Secretary or other authorized officer of the Issuer is hereby authorized and directed to issue or cause to be issued the Notice of Redemption of the Redeemed Certificates in the form set forth in Exhibit A attached hereto to the Paying Agent/Registrar for the Redeemed Certificates (which Paying Agent/Registrar is JPMorgan Chase Bank, N.A., Greenville, Texas).

(b) In addition, the Paying Agent/Registrar for the Redeemed Certificates is hereby directed to provide the appropriate notice of redemption as specified by the Certificate Ordinance and is hereby directed to make appropriate arrangements so that the Redeemed Certificates may be redeemed on their redemption date. The Redeemed Certificates shall be presented for redemption at the Paying Agent/Registrar therefore, and shall not bear interest after the date fixed for redemption.

(c) On or before the Redemption Date, the Issuer shall deposit with the Paying Agent/Registrar for the Redeemed Certificates funds in an amount sufficient to provide for the redemption of the Redeemed Certificates. Lawfully available funds of the Issuer are hereby authorized and appropriated in the amounts necessary for such purpose.

(d) The officers and employees of the Issuer are hereby authorized and directed to take such actions and to execute and deliver such documents, orders and receipts, including without limitation material events notices with respect to the Redeemed Certificates, as necessary or appropriate to consummate the transactions authorized by this resolution and to redeem the Redeemed Certificates in accordance with the provisions and requirements of the Certificate Ordinance.

ATTEST:

CITY OF COMMERCE, TEXAS

Molly Jacobsen

Molly Jacobsen, City Secretary

Wyman Williams, Mayor

(Seal)

APPROVED AS TO FORM:

Charles Anderson, City Attorney

I, Molly Jacobsen, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution and that the same has not been repealed and is in full force and effect.

(Seal)

Molly Jacobsen, City Secretary

City of Commerce, Texas

Sworn to and subscribed before me, on this the 20th day of February 2019, to certify which witness my hand and seal of office.

BECKY PATTILLO
Notary Public
STATE OF TEXAS
My Comm. Exp. 05-01-2019

Notary Public, State of Texas