

RESOLUTION 2024 – 03 – 05

**RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE
CERTIFICATES OF OBLIGATION; AND RESOLVING OTHER MATTERS
RELATING TO THE SUBJECT**

**THE STATE OF TEXAS
COUNTY OF HUNT
CITY OF COMMERCE**

WHEREAS, the City Council of the City of Commerce, Texas (the "City"), deems it advisable to give notice of intention to issue certificates of obligation of the City (the "Certificates of Obligation"), as hereinafter provided; and

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code;

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

Section 1. Attached hereto and marked **Exhibit A** is the form of Notice of Intention to Issue Certificates of Obligation of the City (the "Notice"), the form and substance of which are hereby passed and approved.

Section 2. The City Secretary shall cause the Notice, in substantially the form attached hereto, to be published in a newspaper of general circulation in the City and published in the City, once a week for two consecutive weeks, the date of the first publication thereof to be before the forty-fifth (45th) day before the date tentatively set for the passage of the ordinance or ordinances authorizing the issuance of the Certificates of Obligation (the "Ordinance").

Section 3. The City Secretary shall cause the Notice, in substantially the form attached hereto, to be posted continuously on the City's Internet website for at least forty-five (45) days before the date tentatively set for the passage of the Ordinance. The City Secretary's act in causing the first publication of the Notice is hereby ratified by the Council, and is deemed to have been performed with full permission and direction from the Council.

Section 4. Attached hereto as **Schedule I** is a list of outstanding debt obligations of the City which the City hereby designates as self-supporting debt for purposes of Texas Local Government Code, Subchapter C of Chapter 271, as amended.

Section 5. All costs to be reimbursed pursuant to the Ordinance will be capital expenditures; the proposed Certificates of Obligation shall be issued within 18 months of the later of (i) the date the expenditures are paid or (ii) the date on which the property, with respect to which such expenditures were made, is placed in service; and the foregoing notwithstanding, the Certificates of Obligation will not be issued pursuant to the Ordinance on a date that is more than three years after the date any expenditure which is to be reimbursed is paid.

Section 5. This Resolution shall be effective immediately upon adoption.

Schedule I

CITY OF COMMERCE, TEXAS Self-Supporting Debt

The City designates all or a portion of the following outstanding debt obligations of the City as self-supporting debt for purposes of Texas Local Government Code, Subchapter C of Chapter 271, as amended.

Combination Tax and Revenue Certificates of Obligation, Series 2007

Combination Tax and Revenue Certificates of Obligation, Series 2010A

Combination Tax and Revenue Certificates of Obligation, Taxable Series 2010B

Combination Tax and Revenue Certificates of Obligation, Series 2010C

General Obligation Refunding Bonds, Series 2017

Combination Tax and Revenue Certificates of Obligation, Series 2021

Combination Tax and Revenue Certificates of Obligation, Series 2022

Combination Tax and Revenue Certificates of Obligation, Series 2023



NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION OF THE CITY OF COMMERCE, TEXAS

NOTICE IS HEREBY GIVEN that the City Council of the City of Commerce, Texas (the "City"), at its meeting to commence at 6:00 p.m. on May 21, 2024, in the City Council Chamber at City Hall, 1119 Alamo Street, Commerce, Texas, tentatively proposes to adopt one or more ordinances authorizing the issuance of interest-bearing certificates of obligation, in one or more series, in an amount not to exceed \$7,350,000, for the purpose of paying all or a portion of the City's contractual obligations incurred in connection with (i) constructing, improving, extending, expanding and upgrading the City's water and sewer system (the "System"); (ii) constructing and improving streets, roads and parking facilities, including related drainage, signalization, landscaping, sidewalks, lighting, utility relocation and replacement, bridges, signage and streetscape improvements; (iii) designing, constructing, improving and equipping a municipal animal shelter; (iv) designing, constructing, improving and equipping an administrative office building housing the governmental functions of the City to serve as a City Hall Annex and (v) paying legal, fiscal and engineering fees in connection with such projects. The City proposes to provide for the payment of such certificates of obligation from the levy and collection of ad valorem taxes in the City as provided by law and from a pledge of the surplus revenues of the System that remain after payment of all operation and maintenance expenses thereof, and after all debt service, reserve and other requirements in connection with all revenue bonds or other obligations (now or hereafter outstanding) of the City have been met, to the extent that such obligations are payable from all or any part of the net revenues of the System. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271.

The following information is provided to comply with Tex. H.B. 477, 86 Leg., R.S. (2019): (i) the current principal of all outstanding debt obligations of the City is \$16,055,955; (ii) the current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$21,508,352 (clauses (i) and (ii) exclude debt service for \$10,775,000 principal amount of outstanding debt obligations the City has designated as self-supporting and which the City reasonably expects to pay from revenue sources other than ad valorem taxes; provided, however, that in the event such self-supporting revenue sources are insufficient to pay debt service, the City is obligated to levy ad valorem taxes to pay such debt obligations); (iii) the maximum principal amount of the certificates of obligation to be authorized is \$7,350,000; (iv) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is \$10,750,215; (v) the maximum interest rate for the certificates of obligation may not exceed the maximum legal interest rate; and (vi) the maximum maturity date of the certificates of obligation to be authorized is February 15, 2044.

CITY OF COMMERCE, TEXAS

CERTIFICATE FOR RESOLUTION 2024 – 03 – 05

THE STATE OF TEXAS
COUNTY OF HUNT
CITY OF COMMERCE

We, the undersigned officers of the City of Commerce, Texas (the "City"), hereby certify as follows:

1. The City Council of the City (the "Council") convened in a regular meeting on March 19, 2024, at the designated meeting place, and the roll was called of the duly constituted officers and members of the Council, to wit:

Teddy Reel, Mayor
Anthony Henry, Mayor Pro Tem
Beckey Thompson, Councilmember
Stephanie Muller, Councilmember
Jim Ayers, Councilmember

Molly Jacobsen, City Secretary

and all of said persons were present except none, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

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was duly introduced for the consideration of the Council. It was then duly moved and seconded that said Resolution be adopted and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried with all members present voting "AYE" except the following:

NAY: 0

ABSTAIN: 0

2. A true, full and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in the Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the Council's minutes of said meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the Council as indicated therein; that each of the officers and members of the Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid meeting, and that said Resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose, and that said meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

3. The Council has approved and hereby approves the aforesaid Resolution; and the Mayor and the City Secretary of the City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

SIGNED AND SEALED THIS MARCH 19, 2024.



City Secretary
City of Commerce, Texas

(City Seal)



Mayor
City of Commerce, Texas