

RESOLUTION NO. 2021-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF ONE OR MORE PRELIMINARY OFFICIAL STATEMENTS; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF

WHEREAS, the City Council of the City of Deer Park, Texas (the “City”), deems it advisable to issue certificates of obligation (the “Certificates”) of the City in accordance with the notice hereinafter set forth;

WHEREAS, concurrently with the issuance of the Certificates the City intends to issue a series of general obligation bonds (the “GO Bonds”) utilizing voted authority from the May 1, 2021 election; and

WHEREAS, the City desires to approve the preparation of one or more preliminary official statements (each a “Preliminary Official Statement”) in anticipation of its issuance of the Certificates; NOW, THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEER PARK, TEXAS:

Section 1. The findings, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by City Council of the City (the “City Council”) and made a part hereof for all purposes.

Section 2. The City Secretary is hereby authorized and directed to cause to be published and posted in the manner required by law and in substantially the form attached hereto as Exhibit A, notice of the City’s intention to issue the Certificates (the “Notice”).

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper that is of general circulation in the City, the date of the first publication to be at least forty-six (46) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates. In addition, the Notice shall be posted continuously on the City’s website for at least forty-five (45) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates.

Section 4. For the purposes of the Notice, the City hereby designates as self-supporting those public securities listed in the attached Exhibit B, the debt service on which the City currently pays from sources other than ad valorem tax collections. The City plans to continue to pay these public securities based on this practice; however, there is no guarantee this practice will continue in future years.

Section 5. For purposes of section 1.150-2(d) of the Treasury Regulations, this Resolution and the Notice serve as the City’s official declaration of intent to reimburse itself from proceeds of the Certificates in the maximum principal amount and for expenditures paid in connection with the projects, each as set forth in Exhibit A hereof. Any such reimbursement will only be made (i) for an original expenditure paid no earlier than 60 days prior to the date hereof

and (ii) not later than 18 months after the later of (A) the date the original expenditure is paid or (B) the date of which the project to which such expenditure relates is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

Section 6. The Mayor, City Manager, Assistant City Manager, Finance Director and other appropriate officials of the City, the City's financial advisor, BOK Financial Securities, Inc., and bond counsel, Bracewell LLP, are authorized and directed to proceed with the preparation of one or more Preliminary Official Statements and to make other necessary arrangements for the sale of the Certificates and GO Bonds at a future meeting of the City Council.

Section 7. The City hereby authorizes the preparation and distribution of one or more Preliminary Official Statements relating to the Certificates and the GO Bonds and authorizes the Finance Director, Assistant City Manager or City Manager to approve the final form of and deem final each such Preliminary Official Statement within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 of the United States Securities and Exchange Commission.

Section 8. The Mayor, City Manager, Assistant City Manager, Finance Director, City Secretary and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

Section 9. This resolution shall take effect immediately from and after its passage by the City Council.

(Signature page follows)

INTRODUCED, READ AND PASSED by the affirmative vote of the City Council of the City of Deer Park, Texas this 1st day of June, 2021.

City Secretary
City of Deer Park, Texas

Mayor
City of Deer Park, Texas

[SEAL]

DRAFT

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Deer Park, Texas (the “City”), will meet at City Hall, 710 East San Augustine Street, Deer Park, Texas, 77536 at 7:30 p.m. on the 17th of August, 2021, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City’s certificates of obligation (the “Certificates”), in the maximum aggregate principal amount not to exceed \$25,225,000, payable from ad valorem taxes and from a limited pledge of a subordinate lien on the net revenues of the City’s waterworks and sanitary sewer system, bearing interest at any rate or rates not to exceed the maximum interest rate authorized by law, as shall be determined within the discretion of the City Council of the City at the time of issuance of the Certificates, and maturing over a period not to exceed forty (40) years from the date of issuance, for the purposes of evidencing the indebtedness of the City for all or any part of the costs associated with the (i) the design, construction, improvement and equipment of parks and recreational facilities, including: (a) a community and recreation center and (b) youth recreational sports complex improvements, including parking and lighting for such facilities, and (ii) the costs of professional services related thereto. The estimated combined principal and interest required to pay the Certificates on time and in full is \$35,538,122. Such estimate is provided for illustrative purposes only, and is based on an assumed interest rate of 2.90%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting in **Resolution No. 2021- [●]**, dated June 1, 2021, which resolution is available from the City upon request) is \$26,269,680, and based on the City’s expectations, as of the date of this notice the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting) on time and in full is \$31,814,999.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 1st day of June, 2021.

Shannon Bennett
City Secretary
City of Deer Park, Texas

EXHIBIT B

SELF-SUPPORTING DEBT

Principal Amount Designated as Self Supporting	Series Designation
\$ 420,000	General Obligation Refunding Bonds, Series 2011
4,552,500	Certificates of Obligation, Series 2013
3,780,000	Certificates of Obligation, Series 2014
746,570	General Obligation and Refunding Bonds, Series 2014
4,376,250	Certificates of Obligation, Series 2015-A
3,615,000	Certificates of Obligation, Series 2016
4,488,750	Certificates of Obligation, Series 2016-A
1,360,000	Certificates of Obligation, Series 2017
3,375,000	Certificates of Obligation, Series 2017-A
4,331,250	Certificates of Obligation, Series 2018
2,936,250	Certificates of Obligation, Series 2019
3,963,750	Limited Tax Refunding Bonds, Series 2020
3,630,000	Certificates of Obligation, Series 2020
\$ 41,575,320	Total Principal Amount Designated as Self-Supporting

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF HARRIS §

I, the undersigned officer of the City Council of the City of Deer Park, Texas, hereby certify as follows:

1. The City Council of the City of Deer Park, Texas, convened in a regular meeting on the 1st day of June, 2021, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Jerry Mouton, Jr.	Mayor
Sherry Garrison	Council Member, Position 1
TJ Haight	Council Member, Position 2
Tommy Ginn	Council Member, Position 3
Bill Patterson	Council Member, Position 4
Ron Martin	Council Member, Position 5
Rae A. Sinor	Council Member, Position 6

and all of said persons were present, except the following absentee(s): _____, 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 said City 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 by the following vote:

_____ Member(s) of City Council shown present voted "Aye."

_____ Member(s) of City Council shown present voted "No."

_____ Member(s) of City Council abstained from voting.

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 said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City 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 said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, 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; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 1st day of June, 2021.

City Secretary
City of Deer Park, Texas

[SEAL]