

RESOLUTION NO. 30-2022

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS CALLING CERTAIN OUTSTANDING BONDS FOR REDEMPTION; AUTHORIZING THE DEPOSIT OF FUNDS WITH THE PAYING AGENT/REGISTRAR; AND RESOLVING OTHER MATTERS RELATED THERETO.

WHEREAS, the City of Mesquite, Texas (the “**City**”) has previously issued the unlimited tax bonds listed on Schedule I hereto (collectively, the “**Bonds**”); and

WHEREAS, the City desires to defease and redeem a portion of the Bonds from the list of redeemed bond candidates set forth in Schedule I attached hereto, in a total aggregate principal amount not to exceed \$3,665,000 (the “**Redemption Amount**”); and

WHEREAS, the City’s Director of Finance is hereby authorized to determine the principal amount and maturities of the Bonds to be defeased and redeemed (as designated, the “**Redeemed Bonds**”) on the Redemption Date (as defined below) up to the Redemption Amount; and

WHEREAS, the City will have sufficient funds in the Interest & Sinking Funds established for the Redeemed Bonds to fully redeem and defease the Redeemed Bonds on their Redemption Date (as defined below); and

WHEREAS, the City, in accordance with this Resolution, will deposit funds in an amount sufficient to fully pay all principal and interest due and owing on the Redeemed Bonds on the redemption date designated by the City’s Director of Finance and authorized pursuant to the ordinances issuing the Bonds (the “**Redemption Date**”), with the paying agent/registrar for the Redeemed Bonds (the “**Paying Agent**”); and

WHEREAS, the City Council of the City (the “**City Council**”) finds and determines that it is in the best interests of the City to call for redemption and defease the Redeemed Bonds and that the Redeemed Bonds shall be redeemed on the Redemption Date; and

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

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

SECTION 1. Findings. The findings and determinations set forth in the preambles hereto are hereby incorporated by reference for all purposes.

SECTION 2. Deposit of Funds.

(a) The Director of Finance shall determine the Redemption Date in accordance with the Ordinances issuing the Bonds, the principal amounts, series, and maturities of the Redeemed

Bonds from the list of redeemed bond candidates attached hereto as Schedule I, in an aggregate principal amount not to exceed the Redemption Amount, and shall deliver a schedule of Redeemed Bonds to the Paying Agent for the Redeemed Bonds, in the form attached hereto as Exhibit A, on a date that will allow the Paying Agent to give the required thirty-day notice of the redemption of the Bonds before the Redemption Date. Upon delivery of such schedule, the Redeemed Bonds are hereby called for redemption and defeasance.

(b) The transfer and deposit of available City revenues and Interest and Sinking Funds in an amount sufficient to pay, on the Redemption Date, the principal of and interest accrued on such Redeemed Bonds to the redemption date with the Paying Agent for the Redeemed Bonds or the Escrow Agent (as defined below) is hereby authorized, directed and approved.

SECTION 3. Redemption of Redeemed Bonds; Approval of Escrow Agreement; Deposit Agreement.

(a) The Redeemed Bonds shall be paid on the Redemption Date, at a redemption price equal to the principal amount thereof plus interest accrued thereon to the Redemption Date.

(b) The City Secretary and any other officer of the City is hereby authorized and directed to cause a copy of this Resolution to be delivered to the Paying Agent for the Redeemed Bonds, and the Director of Finance shall deliver the schedule of Redeemed Bonds in the form attached as Exhibit A to the Paying Agent for the Redeemed Bonds, the delivery of such documents shall constitute notice of redemption and notice of defeasance to such Paying Agent.

(c) The Director of Finance is hereby authorized to enter into and execute on behalf of the City an escrow agreement (the “**Escrow Agreement**”), if required, with the Paying Agent(s) for the Redeemed Bonds (in such capacity, the “**Escrow Agent**”), in the form and substance as shall be approved by the Director of Finance with such changes as necessary and as approved by the Director of Finance which Escrow Agreement will provide for the payment of the Redeemed Bonds pursuant to the Escrow Agreement.

(d) The Director of Finance is authorized to make necessary arrangements for and to execute such documents and agreements in connection with the purchase of the Escrow Securities required by and referenced in the Escrow Agreement, if any, as may be necessary for the Escrow Fund and the application for and acquisition of the Escrow Securities (as defined in the Escrow Agreement), if any, is hereby approved, authorized, and ratified.

(e) The Director of Finance is also hereby authorized to enter into a deposit agreement (the “**Deposit Agreement**”) if required, with the Paying Agent for the Redeemed Bonds whereby the City deposits cash with Paying Agent for the Redeemed Bonds to affect their redemption and defeasance, in the form and substance as shall be approved by the Director of Finance with such changes as necessary and as approved by the Director of Finance, which Deposit Agreement will provide for the payment of the Redeemed Bonds pursuant to the Deposit Agreement.

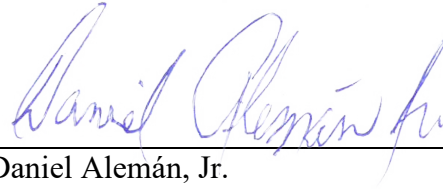
SECTION 4. Notice of Redemption.

(a) The Paying Agent for the Redeemed Bonds is hereby authorized and directed to give notice of such redemption to the owners thereof pursuant to the order authorizing the issuance of the Redeemed Bonds.

(b) The Paying Agent for the Redeemed Bonds is hereby directed to mail the appropriate notice of redemption as required by the order authorizing the issuance of the Bonds and to file the appropriate notice of redemption and defeasance of the Redeemed Bonds on the Electronic Municipal Market Access (“EMMA”) web filing system promulgated by the Municipal Securities Rulemaking Board within ten (10) days of the deposit of funds pursuant Sections 2 and 3 above.

SECTION 5. Execution and Delivery of Documents; Actions to be Taken. The Mayor and City Secretary are each hereby authorized and directed to consent to, accept, execute, attest and affix the City’s seal to such other agreements, assignments, certificates, contracts, documents, instruments, releases, financing statements, letters of instruction, authorizations for the expenditure of funds of the City as may be required, written requests, and other papers, whether or not mentioned herein, as may be necessary or convenient to carry out or assist in carrying out the purposes of this Resolution and to take any and all actions required to be taken to effect the purposes of this Resolution in accordance with this Resolution and the laws of the State of Texas.

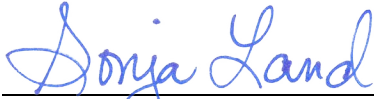
DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 15th day of August 2022.



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Daniel Alemán, Jr.  
Mayor

ATTEST:



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Sonja Land  
City Secretary

APPROVED AS TO LEGAL FORM:



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David Pachall  
City Attorney

**SCHEDULE I**

**DESCRIPTION OF REDEEMED BOND CANDIDATES**

**Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2012**

**General Obligation Refunding Bonds, Series 2012**

Schedule I-1

EXHIBIT A  
FORM OF SCHEDULE OF REDEEMED BONDS

**[General Obligation Refunding Bonds, Series 2012]**

<u>Maturity</u>	<u>Outstanding Principal</u>	<u>Principal Being Redeemed</u>	<u>Interest Rate</u>	<u>Date of Redemption</u>
2/15/20__				_____ at Par
2/15/20__				_____ at Par
2/15/20__				_____ at Par
2/15/20__				_____ at Par

**[Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2012]**

<u>Maturity</u>	<u>Outstanding Principal</u>	<u>Principal Being Redeemed</u>	<u>Interest Rate</u>	<u>Date of Redemption</u>
2/15/20__				_____ at Par
2/15/20__				_____ at Par
2/15/20__				_____ at Par
2/15/20__				_____ at Par

Dated: \_\_\_\_\_, 20\_\_

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Cindy Smith  
Director of Finance, City of Mesquite