

RESOLUTION NO. RE-\_\_\_\_-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO REPURPOSE THE USE OF PROCEEDS OF THE CITY'S COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020 AND TO AMEND ORDINANCE NO. 2162-20; AND PROVIDING FOR THE EFFECTIVE DATE THEREOF

WHEREAS, pursuant to the provision of Chapter 271, Texas Local Government Code, as amended, the City Council (the "City Council") of the City of Mansfield, Texas (the "City"), previously authorized and approved the issuance of the City's \$24,245,000 Combination Tax and Revenue Certificates of Obligation, Series 2020 (the "2020 Certificates");

WHEREAS, the 2020 Certificates were delivered and the City received the proceeds of the 2020 Certificates on February 19, 2020;

WHEREAS, the City Council has determined it is necessary to amend Ordinance No. 2162-20 authorizing the 2020 Certificates (the "2020 Certificate Ordinance") to (i) repurpose the project described as "designing new police facilities" to provide for "designing, constructing, renovating, improving and equipping of existing police facilities" and for "designing, constructing and equipping of a joint public safety training facility" and (ii) add an additional project providing for "designing, constructing, improving and equipping of park and recreation facilities, including the Mansfield Linear Park project";

WHEREAS, the City Council has found and determined that a notice of intention to amend the 2020 Certificate Ordinance to repurpose the use of the proceeds of the 2020 Certificates and to add an additional project as described above should be published in accordance with the requirements of applicable law; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, 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 and made a part hereof for all purposes.

Section 2. The City Secretary is hereby authorized and directed to cause to be published in substantially the form attached hereto as Exhibit A, a notice of the City's intention to amend the 2020 Certificate Ordinance to (i) repurpose the project described as "designing new

police facilities” to provide for “designing, constructing, renovating, improving and equipping of existing police facilities” and for “designing, constructing and equipping of a joint public safety training facility” and (ii) add an additional project providing for “designing, constructing, improving and equipping of park and recreation facilities, including the Mansfield Linear Park project” (the “Notice”).

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper which 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 amendment of the 2020 Certificate Ordinance. 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 amendment of the 2020 Certificate Ordinance.

Section 4. For purposes of section 1.150-2(d) of the Treasury Regulations, this Notice serves as the City’s official declaration of intent to use proceeds of the 2020 Certificates previously issued or certificates to be issued in the future to reimburse itself from the 2020 Certificates or from future certificates to be issued in a maximum principal amount of not to exceed \$7,500,000 for expenditures paid in connection with the new and repurposed 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 with the project to which such expenditure relates is placed in service or abandoned, but in to event more than three years after the original expenditure is paid.

Section 5. The Mayor, Interim City Manager, the Deputy City Manager/Chief Financial Officer, 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 6. This resolution shall take effect immediately from and after its passage by the City Council of the City.

(Signature page follows)

INTRODUCED, READ AND PASSED by the affirmative vote of the City Council of the City of Mansfield, Texas this 27th day of July, 2020.

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Mayor

ATTEST:

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City Secretary

[SEAL]

APPROVED AS TO FORM

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City Attorney

## EXHIBIT A

### NOTICE OF INTENTION TO AMEND ORDINANCE NO. 2162-20 ISSUING CITY OF MANSFIELD COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2020 TO REPURPOSE THE USE OF PROCEEDS

NOTICE IS HEREBY GIVEN that the City Council of the City of Mansfield, Texas (the “City”), will meet in the Council Chambers at the City Hall, 1200 East Broad Street, Mansfield, Texas, the regular meeting place of the City Council, at 7:00 p.m. on the 14th day of September, 2020 (unless alternative meeting arrangements are required to address public health concerns, which meeting arrangements will be specified in the notice of such meeting posted in accordance with applicable law), which is the time and place tentatively set for the passage of an ordinance amending Ordinance No. 2162-20 that authorized the issuance of City of Mansfield, Texas Combination Tax and Revenue Certificates of Obligation, Series 2020 (the “Certificates”) for the purpose of paying contractual obligations to be incurred with respect to the projects described in Ordinance No. 2162-20. The ordinance amending Ordinance No. 2162-20 will (i) repurpose the project described as “designing new police facilities” to provide for “designing, constructing, renovating, improving and equipping of existing police facilities” and for “designing, constructing and equipping of a joint public safety training facility” and (ii) add an additional project providing for “designing, constructing, improving and equipping of park and recreation facilities, including the Mansfield Linear Park project.” The Certificates were delivered and the City received the proceeds of the Certificates on February 19, 2020. Said Certificates are payable from the levy of a direct and continuing ad valorem tax against all taxable property within the City sufficient to pay the interest on this series of Certificates as due and to provide for the payment of the principal thereof as the same matures, as authorized by Chapter 271, Subchapter C, Texas Local Government Code, as amended, and from all or a part of the surplus revenues of the City’s waterworks and sewer system, such pledge of surplus revenues being limited to \$1,000.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 28th day of July, 2020.

/s/Susan Marin, City Secretary  
City of Mansfield, Texas