

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS AUTHORIZING THE CITY STAFF AND ITS COUNCIL TO MOVE FORWARD WITH THE SALE OF OBLIGATIONS DESIGNATED AS “CITY OF SEGUIN, TEXAS UTILITY SYSTEM REVENUE BONDS, SERIES 2017”; AUTHORIZING CITY STAFF AND CONSULTANTS TO PROCEED WITH MATTERS RELATING TO THIS FINANCING; AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Council (the *Council*) of the City of Seguin, Texas (the *City*) has the legal authority pursuant to laws of the State of Texas to issue revenue bonds for various purposes, including making utility system capital infrastructure improvements, to purchase equipment, and to acquire real property interests, and to repay the debt service requirements on these revenue bonds from the lien on and pledge of the net revenues of the City’s utility system; and

WHEREAS, the City has previously retained SAMCO Capital Markets, Inc., San Antonio, Texas (the *Financial Advisors*), and Norton Rose Fulbright US LLP, San Antonio, Texas (*Bond Counsel*), as its financial advisor and bond counsel, respectively, relating to the proposed issuance of any debt; and

WHEREAS, the Council authorizes the Mayor, Mayor Pro Tem, City Manager, Director of Finance, City Secretary, and the City Attorney, as appropriate, or their designees, to consult and assist the Financial Advisors and Bond Counsel in the preparation of the required financing documents relating to the public sale of the Bonds (competitive or negotiated), including a preliminary official statement in the principal amount of approximately \$8,500,000 (the *Bonds*); and

WHEREAS, the Council hereby finds and determines that the adoption of this Resolution is in the best interests of the residents of the City; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEGUIN, TEXAS THAT:

SECTION 1. The Council provides its direction to move forward with the public sale of these Bonds (competitive or negotiated) in accordance with the timetable recommended by the Financial Advisors.

SECTION 2. The Financial Advisors will also coordinate the sale of the Bonds with the national rating services and bond insurance companies, if any, and will otherwise coordinate the financial aspects relating to this transaction to ensure that the City receives the lowest possible interest rate on the Bonds and complies with all regulations and rules promulgated by the United States Securities and Exchange Commission and the Municipal Securities Rule Making Board.

SECTION 3. The Financial Advisors and Bond Counsel will assist the City in the preparation of a preliminary official statement and coordinate the public sale of the Bonds (competitive or negotiated) and to otherwise comply with all regulations and rules promulgated by the Municipal Securities Rule Making Board.

SECTION 4. The Mayor, Mayor Pro Tem, City Manager, Director of Finance, City Secretary, and City Attorney, as appropriate, are authorized to consult and assist the Financial Advisors and Bond Counsel in the preparation of the required financing documents, including an ordinance authorizing the issuance of the Bonds and approving a preliminary official statement, such ordinance to be formally approved at a future meeting of the Council.

SECTION 5. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 6. All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 7. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 8. If any provision of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 9. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 10. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

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PASSED, ADOPTED AND APPROVED on this the 6th day of December, 2016.

CITY OF SEGUIN, TEXAS

Mayor

ATTEST:

City Secretary

(CITY SEAL)