

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY LIMITED OFFERING MEMORANDUM FOR THE CITY OF MESQUITE, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2018 (HEARTLAND TOWN CENTER PUBLIC IMPROVEMENT DISTRICT PHASE #1 PROJECT) AND APPROVING THE FORM AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY LIMITED OFFERING MEMORANDUM FOR THE CITY OF MESQUITE, TEXAS, SPECIAL ASSESSMENT REVENUE BONDS, SERIES 2018 (HEARTLAND TOWN CENTER PUBLIC IMPROVEMENT DISTRICT PHASE #2 MAJOR IMPROVEMENT PROJECT); AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

WHEREAS, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the "PID Act") authorizes the City of Mesquite, Texas (the "City"), to create a public improvement district; and

WHEREAS, pursuant to Resolution No. 80-2017, adopted by the City Council of the City (the "City Council") on December 18, 2017, the City has created the "Heartland Town Center Public Improvement District" (the "PID"); and

WHEREAS, D.R. HORTON – TEXAS, LTD., a Texas limited partnership (the "Developer"), intends to develop property within the PID; and

WHEREAS, the City intends to issue the bonds to be designated "City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2018 (Heartland Town Center Public Improvement District Phase #1 Project) and City of Mesquite, Texas, Special Assessment Revenue Bonds, Series 2018 (Heartland Town Center Public Improvement District Phase #2 Major Improvement Project)" (the "Bonds") to fund certain improvements in the PID as authorized by the PID Act; and

WHEREAS, the City Council has been presented Preliminary Limited Offering Memorandums relating to the Bonds (the "Preliminary Limited Offering Memorandums"); and

WHEREAS, the City Council finds and determines that it is necessary and in the best interests of the City to approve the form and content of the Preliminary Limited Offering Memorandums and authorize the use of the Preliminary Limited Offering Memorandums in the offering and sale of the Bonds by the Underwriter of the Bonds, FMSbonds, Inc., under the conditions outlined herein.

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

SECTION 1. That the form and content of the Preliminary Limited Offering Memorandums are hereby approved with such changes, addenda, supplements or amendments as may be approved by the City Manager.

SECTION 2. That the City hereby authorizes the Preliminary Limited Offering Memorandums to be used by FMSbonds, Inc. (the "Underwriter"), in connection with the initial marketing and sale of the Bonds; provided that such Preliminary Limited Offering Memorandums shall not be released to the public without the approval of the City Manager, which approval shall be made in consultation with Hilltop Securities, Inc., the City's Financial Advisor, and Bracewell, the City's Bond Counsel.

SECTION 3. That the City Council hereby delegates to the City Manager the authority to approve release of the Preliminary Limited Offering Memorandums to the public for use in marketing the Bonds under the conditions outlined herein.

SECTION 4. That City staff is authorized and directed to do all things proper and necessary to carry out the intent hereof.

SECTION 5. That this Resolution shall become effective from and after its date of passage in accordance with law.


DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 6th day of August, 2018.

Stan Pickett
Mayor

ATTEST:

Sonja Land
City Secretary

APPROVED:



Paula Anderson
Interim City Attorney