



**SPECIAL CITY COUNCIL AGENDA**

City Hall - Midwest City Council Conference Room - Second Floor 100 N. Midwest Boulevard  
and via conference call at 405-869-8699 ID:481 PW:481

May 27, 2021 – 11:00 AM

Presiding members: Mayor Matt Dukes - In person

Ward 1 Susan Eads - phone

Ward 4 Sean Reed - phone

City Manager Tim Lyon

Ward 2 Pat Byrne - In person

Ward 5 Christine Allen - phone

City Clerk Sara Hancock

Ward 3 Española Bowen - In person

Ward 6 Rick Favors - phone

City Attorney Don Maisch

A. CALL TO ORDER.

B. DISCUSSION ITEMS.

1. Discussion and consideration to award the sale of the \$9,055,000 City of Midwest City General Obligation Bonds, Series 2021A to the lowest bidder. (City Clerk - S. Hancock)
2. Discussion and consideration for adoption, including any possible amendment, of Ordinance 3446 providing for the issuance of General Obligation Bonds in the sum of Nine Million Fifty Five Thousand and no/100s dollars (\$9,055,000.00) by the City of Midwest City, Oklahoma authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing for a system of registration for uncertificated registered public obligations; providing levy of an annual tax for payment of principal and interest on the same; fixing other details of the issue; and declaring an emergency. (City Clerk - S. Hancock)

C. ADJOURNMENT.



**City Clerk**  
[shancock@midwestcityok.org](mailto:shancock@midwestcityok.org)  
100 N. Midwest Blvd,  
Midwest City, Oklahoma 73110  
O: 405-739-1207  
[www.midwestcityok.org](http://www.midwestcityok.org)

MEMORANDUM

TO: Honorable Mayor and Council

FROM: Sara Hancock, City Clerk

DATE: May 27, 2021

SUBJECT: Discussion and consideration to award the sale of the \$9,055,000 City of Midwest City General Obligation Bonds, Series 2021A to the lowest bidder.

---

In accordance with Title 62, Oklahoma Statutes, 2011, Sections 353 and 354, Article X, Section 27, notice was given that the City of Midwest City, Oklahoma (the "Issuer") would receive sealed written bids and electronic bids on Tuesday, May 25, 2021 at 11:30 a.m., local time at the Office of the City Clerk, City Hall, 100 North Midwest Boulevard, Midwest City, Oklahoma for the sale of all, but not less than all of \$9,055,000 aggregate principal amount of its General Obligation Bonds, Series 2021A (the "Series 2021A Bonds").

Action is necessary to sale the bonds.

Staff recommends approval.

*Sara Hancock*  
City Clerk

**THE CITY COUNCIL OF THE CITY OF MIDWEST CITY, STATE OF OKLAHOMA, MET IN SPECIAL SESSION VIA IN PERSON AND TELECONFERENCE IN THE COUNCIL CONFERENCE ROOM AT THE CITY HALL, 100 NORTH MIDWEST BOULEVARD, IN SAID CITY ON THE 27TH DAY OF MAY, 2021, AT 11:00 O'CLOCK A.M.**

PRESENT:

ABSENT:

Notice of this special meeting via in person and teleconference of the City Council having been given in writing to the City Clerk of Midwest City, Oklahoma at least forty eight (48) hours prior to said meeting, and public notice having been posted in prominent public view at the City Hall, 100 North Midwest Boulevard, Midwest City, Oklahoma, twenty-four (24) hours prior to this meeting, excluding Saturdays, Sundays and legal holidays, all in compliance with the Oklahoma Open Meeting Act. Notice of said meeting and agenda have also been posted on the City's website in accordance with Title 74, Oklahoma Statutes, Section 3106.2.

**(OTHER PROCEEDINGS)**

It appearing that due and legal notice had been given that the City of Midwest City, Oklahoma, would offer for sale on May 25, 2021 at 11:30 a.m. and at this place its \$9,055,000.00 of General Obligation Bonds, Series 2021A, maturing \$375,000.00 in two years from their date and \$375,000.00 annually each year thereafter until paid, except that the last installment shall be \$430,000.00, the governing body of the City proceeded to consider the bids received for the purchase of said Bonds. The following bids were received and considered by the governing body of the City:

<u>BIDDERS</u>	<u>TRUE INTEREST RATE BID</u>	<u>PREMIUM</u>
Robert W. Baird & Co., Inc.	2.068463%	\$ 41,851.50
D.A. Davidson & Co.	2.195506%	\$ 793.15

The governing body of the City required each bidder to submit a sum in cash or its equivalent equal to two percent of his bid, and after due consideration of all bids received by the governing body, a motion was made by \_\_\_\_\_ that the bonds were awarded, sold, and delivered to Robert W. Baird & Co., Inc., upon fulfillment of the terms set out in said contract and bid for the purchase of said Bonds. Said motion was seconded by \_\_\_\_\_, and was adopted by the following vote:

AYE:

.

NAY:

**ADOPTED AND APPROVED** this 27th day of May, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
SARA HANCOCK, City Clerk

(SEAL)

APPROVED as to form and legality this 27th day of May, 2021.

\_\_\_\_\_  
DONALD MAISCH, City Attorney

I, the undersigned, the duly qualified and acting Clerk of the City of Midwest City, Oklahoma hereby certify that the foregoing is a true and complete copy of the proceedings of the governing body of said City at the time bids were reviewed and considered for the sale of its general obligation bonds, taken at a special meeting thereof duly held on the date therein set out, as the same appears of record in my office.

I hereby certify that a true and complete copy of the public notice, attached hereto as Exhibit "A", was filed in the office of the City Clerk of Midwest City, Oklahoma, at least forty eight (48) hours prior to said meeting and a true and complete copy of the agenda attached hereto as Exhibit "B" was posted in prominent public view at the City Hall, 100 North Midwest Boulevard, Midwest City, Oklahoma, at least twenty-four (24) hours prior to the date of the meeting therein described, excluding Saturdays, Sundays and legal holidays all as proscribed by law and in accordance with the Oklahoma Open Meeting Act.

**WITNESS** my hand and seal this 27th day of May, 2021.

---

City Clerk

(SEAL)



**City Clerk**  
[shancock@midwestcityok.org](mailto:shancock@midwestcityok.org)  
100 N. Midwest Blvd,  
Midwest City, Oklahoma 73110  
O: 405-739-1207  
[www.midwestcityok.org](http://www.midwestcityok.org)

MEMORANDUM

TO: Honorable Mayor and Council

FROM: Sara Hancock, City Clerk

DATE: May 27, 2021

SUBJECT: Discussion and consideration for adoption, including any possible amendment, of Ordinance 3446 providing for the issuance of General Obligation Bonds in the sum of Nine Million Fifty Five Thousand and no/100s dollars (\$9,055,000.00) by the City of Midwest City, Oklahoma authorized at an election duly called and held for such purpose; prescribing form of bonds; providing for registration thereof; providing for a system of registration for uncertificated registered public obligations; providing levy of an annual tax for payment of principal and interest on the same; fixing other details of the issue; and declaring an emergency.

---

Action is needed to issue the bonds.

Staff recommends approval.

*Sara Hancock*  
City Clerk

**THE CITY COUNCIL OF THE CITY OF MIDWEST CITY, STATE OF OKLAHOMA, MET IN SPECIAL SESSION VIA IN PERSON AND TELECONFERENCE IN THE COUNCIL CONFERENCE ROOM AT THE CITY HALL, 100 NORTH MIDWEST BOULEVARD, IN SAID CITY ON THE 27TH DAY OF MAY, 2021, AT 11:00 O'CLOCK A.M.**

PRESENT:

ABSENT:

Notice of this special meeting via in person and teleconference of the City Council having been given in writing to the City Clerk of Midwest City, Oklahoma at least forty eight (48) hours prior to said meeting, and public notice having been posted in prominent public view at the City Hall, 100 North Midwest Boulevard, Midwest City, Oklahoma, twenty-four (24) hours prior to this meeting, excluding Saturdays, Sundays and legal holidays, all in compliance with the Oklahoma Open Meeting Act. Notice of said meeting and agenda have also been posted on the City's website in accordance with Title 74, Oklahoma Statutes, Section 3106.2.

**(OTHER PROCEEDINGS)**

**THEREUPON**, an Ordinance was introduced which was read in full by the Clerk and considered by sections. Upon motion by \_\_\_\_\_, seconded by the Ordinance was finally passed with the following vote:

**AYE:**

**NAY:**

And upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, the question of the emergency was ruled upon separately and approved by the following vote.

**AYE:**

**NAY:**

**THEREUPON**, the Ordinance was signed by the Mayor, attested by the Clerk, sealed with the seal of said municipality and is as follows:

**ORDINANCE NUMBER 3446**

**AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE SUM OF NINE MILLION FIFTY FIVE THOUSAND AND NO/100S DOLLARS (\$9,055,000.00) BY THE CITY OF MIDWEST CITY, OKLAHOMA AUTHORIZED AT AN ELECTION DULY CALLED AND HELD FOR SUCH PURPOSE; PRESCRIBING FORM OF BONDS; PROVIDING FOR REGISTRATION THEREOF; PROVIDING FOR A SYSTEM OF REGISTRATION FOR UNCERTIFICATED REGISTERED PUBLIC OBLIGATIONS; PROVIDING LEVY OF AN ANNUAL TAX FOR PAYMENT OF PRINCIPAL AND INTEREST ON THE SAME; FIXING OTHER DETAILS OF THE ISSUE; AND DECLARING AN EMERGENCY.**

**WHEREAS**, on the 28th day of August, 2018, pursuant to notice duly given, an election was held in the City of Midwest City, State of Oklahoma, for the purpose of submitting to the registered, qualified electors of said City the question of the issuance of the bonds of said City in the following amounts:

\$15,965,000.00 of General Obligation Bonds by the City of Midwest City, Oklahoma, to provide funds (either with or without state or federal aid) for the purpose of constructing, reconstructing, improving, and repairing streets within said City, as authorized by Section 27, Article X of the Constitution and Statutes of the State of Oklahoma, and acts complementary, supplementary and enacted pursuant thereto; and

\$21,635,000.00 of General Obligation Bonds by the City of Midwest City, Oklahoma, to provide funds (either with or without state or federal aid) for the purpose of purchasing, constructing, equipping, improving, extending, renovating, repairing and beautifying public parks and parklands, cultural and recreational facilities, all to be owned exclusively by said City, as authorized by Section 27, Article X of the Constitution and Statutes of the State of Oklahoma, and acts complementary, supplementary and enacted pursuant thereto; and

\$5,560,000.00 of General Obligation Bonds by the City of Midwest City, Oklahoma, to provide funds (either with or without state or federal aid) for the purpose of acquiring, constructing, reconstructing, extending, enlarging, improving, and repairing the municipal water system within the City, all to be owned exclusively by said City, as authorized by Section 27, Article X of the Constitution and Statutes of the State of Oklahoma, and acts complementary, supplementary and enacted pursuant thereto; and

**WHEREAS**, as shown by the canvass of the returns by the County Election Board of Oklahoma County, Oklahoma, at said August 28, 2018 election there were cast by the registered, qualified electors of said City:

On the question of the issuance of said streets bonds, 7075 votes, of which 4,425 were in favor of and 2,650 were cast against the issuance of said bonds, and 0 were mutilated, spoiled or not voted ballots; and



On the question of the issuance of said parks bonds, 7065 votes, of which 3,580 were in favor of and 3,485 were cast against the issuance of said bonds, and 0 were mutilated, spoiled or not voted ballots; and

On the question of the issuance of said municipal water system bonds, 7090 votes, of which 4,665 were in favor of and 2,425 were cast against the issuance of said bonds, and 0 were mutilated, spoiled or not voted ballots; and

**WHEREAS**, a lawful majority of the registered, qualified electors voting on such Propositions cast their ballots in favor of the issuance of all of said bonds and the issuance thereof has been duly authorized; and

**WHEREAS**, the City of Midwest City, Oklahoma has previously issued general obligation bonds for the above propositions consisting of the following:

Of the \$15,965,000.00 of General Obligation Bonds by the City of Midwest City, Oklahoma, to provide funds (either with or without state or federal aid) for the purpose of constructing, reconstructing, improving, and repairing streets within said City, as authorized by Section 27, Article X of the Constitution and Statutes of the State of Oklahoma, and acts complementary, supplementary and enacted pursuant thereto, the City has previously issued bonds in the amount of \$7,945,000.00 in its April 1, 2019 issue, leaving \$8,020,000.00 available; and

Of the \$21,635,000.00 of General Obligation Bonds by the City of Midwest City, Oklahoma, to provide funds (either with or without state or federal aid) for the purpose of purchasing, constructing, equipping, improving, extending, renovating, repairing and beautifying public parks and parklands, cultural and recreational facilities, all to be owned exclusively by said City, as authorized by Section 27, Article X of the Constitution and Statutes of the State of Oklahoma, and acts complementary, supplementary and enacted pursuant thereto, the City has previously issued bonds in the amount of \$4,345,000.00 in its April 1, 2019 issue, bonds in the amount of \$10,740,000.00 in its June 1, 2019 issue, and bonds in the amount of \$5,520,000.00 in its June 1, 2020 issue for a total of \$20,605,000.00, leaving \$1,030,000.00 available; and

Of the \$5,560,000.00 of General Obligation Bonds by the City of Midwest City, Oklahoma, to provide funds (either with or without state or federal aid) for the purpose of acquiring, constructing, reconstructing, extending, enlarging, improving, and repairing the municipal water system within the City, all to be owned exclusively by said City, as authorized by Section 27, Article X of the Constitution and Statutes of the State of Oklahoma, and acts complementary, supplementary and enacted pursuant thereto; the City has previously issued bonds in the amount of \$5,555,000.00 in its June 1, 2019 issue, leaving \$5,000.00 available; and

**WHEREAS**, The Council of the City of Midwest City, Oklahoma, pursuant to Title 62, Oklahoma Statutes 2011, Section 354, desires to issue at this time \$9,055,000.00 in General Obligation Bonds authorized at the August 28, 2018 election consisting of a combined issue of \$8,020,000.00 bonds for the purpose of constructing, reconstructing, improving, and repairing streets within said City; \$1,030,000.00 of bonds for the purpose of purchasing, constructing, equipping, improving, extending, renovating, repairing and beautifying public parks and parklands,

cultural and recreational facilities, all to be owned exclusively by said City; and \$5,000.00 bonds for the purpose of acquiring, constructing, reconstructing, extending, enlarging, improving, and repairing the municipal water system within the City, all to be owned exclusively by said City.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:**

**SECTION 1.** That there are hereby ordered and directed to be issued the bonds of said City, in accordance with the form as hereinafter set out, in the aggregate amount of Nine Million Fifty Five Thousand and No/100s Dollars (\$9,055,000.00), which Bonds shall be designated "General Obligation Bonds, Series 2021A" (the "Bonds"), shall be dated June 1, 2021, and shall become due and payable and shall bear interest from their date until paid as follows:

<b><u>Maturing June 1</u></b>	<b><u>Principal Amount</u></b>	<b><u>Interest Rate</u></b>
2023	\$375,000.00	2.000%
2024	\$375,000.00	2.000%
2025	\$375,000.00	2.000%
2026	\$375,000.00	2.000%
2027	\$375,000.00	2.000%
2028	\$375,000.00	2.000%
2029	\$375,000.00	2.000%
2030	\$375,000.00	2.000%
2031	\$375,000.00	2.000%
2032	\$375,000.00	2.000%
2033	\$375,000.00	2.000%
2034	\$375,000.00	2.000%
2035	\$375,000.00	2.000%
2036	\$375,000.00	2.000%
2037	\$375,000.00	2.000%
2038	\$375,000.00	2.000%
2039	\$375,000.00	2.000%
2040	\$375,000.00	2.125%
2041	\$375,000.00	2.125%
2042	\$375,000.00	2.250%
2043	\$375,000.00	2.250%
2044	\$375,000.00	2.250%
2045	\$375,000.00	2.250%
2046	\$430,000.00	2.375%

Interest shall be payable semi-annually on the first day of June and December of each year, commencing on June 1, 2022. The Bonds are issuable as registered Bonds in denominations of \$1,000.00 or any whole multiple thereof.

The Bonds maturing in the years 2023 through 2031, inclusive, shall not be subject to redemption prior to maturity. The Bonds maturing in the years 2032 and thereafter shall be subject

to redemption at the option of the City, in whole or in part, in inverse order of maturity and by lot within a maturity, on any date on or after June 1, 2031, at the principal amount thereof plus accrued interest to the date fixed for redemption.

Notice of any such redemption shall be sent by registered or certified mail not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption to the Registered Holder of each Bond to be redeemed at the address shown on the Registration Books of the City maintained by the Registrar or at such other address as is furnished in writing by such Registered Holder to the Registrar. When so called for redemption, this Bond will cease to bear interest on the specified redemption date, provided funds for redemption are on deposit at the place of payment at that time, and shall not be deemed to be outstanding.

**SECTION 2.** That each of said Bonds and the endorsements and certificates thereon shall be in substantially the following form:

Unless this Bond is presented by an authorized representative of The Depository Trust Company to the Registrar for registration of transfer, exchange or payment and any bond issued is registered in the name of Cede & Co., or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

No. _____	<b>UNITED STATES OF AMERICA</b>	\$ _____
	<b>STATE OF OKLAHOMA</b>	
	<b>CITY OF MIDWEST CITY</b>	
	<b>General Obligation Bond, Series 2021A</b>	
_____ %	Due June 1, _____	CUSIP No.

**KNOW ALL MEN BY THESE PRESENTS:**

That the City of Midwest City, of Oklahoma County, Oklahoma, hereby acknowledges itself indebted to and for value received, promises to pay the principal amount set forth above to the person named below:

\_\_\_\_\_  
CEDE & CO., INC.

or registered assigns, (hereinafter called the "Registered Holder"), for the bond number(s) set forth above, together with interest thereon at the rate specified hereon, from the date hereof until paid, payable semi-annually on the 1st day of June, and the 1st day of December, respectively, in each year, beginning June 1, 2022.

The principal of and interest on this Bond are payable in lawful money of the United States of America which, at the time of payment, shall be legal tender for the payment of public and private

debts. Payments of interest hereon shall be paid by check of BancFirst, Oklahoma City, Oklahoma (herein called the "Bank") payable to the order of the Registered Holder and mailed to the address shown in the Registered Holder on or before the date on which each such payment is due. Payment of principal of this Bond shall be payable only upon surrender of this Bond to the Bank.

**THE FULL FAITH, CREDIT, AND RESOURCES** of said City are hereby irrevocably pledged to the payment of this Bond.

**THIS BOND** is one of an issue of like date and tenor, except as to date of maturity, rate of interest, and denomination, totaling the principal sum of Nine Million Fifty Five Thousand and No/100s Dollars (\$9,055,000.00) consisting of a combined issue of \$8,020,000.00 bonds for the purpose of constructing, reconstructing, improving, and repairing streets within said City; \$1,030,000.00 of bonds for the purpose of purchasing, constructing, equipping, improving, extending, renovating, repairing and beautifying public parks and parklands, cultural and recreational facilities, all to be owned exclusively by said City; and \$5,000.00 bonds for the purpose of acquiring, constructing, reconstructing, extending, enlarging, improving, and repairing the municipal water system within the City, all to be owned exclusively by said City, all as approved at an election held on August 28, 2018; and all pursuant to Section 27, Article X of the Constitution and statutes of the State of Oklahoma, and acts complementary, supplementary, and enacted pursuant thereto.

No person shall be entitled to any right or benefit provided in this Bond unless the name of such person is registered by the Bank as the Registrar of the City on the Registration Record. This Bond shall be transferable only upon delivery of this Bond to the Registrar, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the Bank, duly executed by the Registered Holder hereof or his attorney duly authorized in writing, and such transfer registered on the Registration Record. The Registrar shall not be required to make such transfer after the fifteenth (15) day preceding any interest payment date (the "Record Date") until after said interest payment date. The name of the Registered Holder endorsed hereon shall be deemed the correct name of the owner of this Bond for all purposes whatsoever. The Registrar will keep the Registration Record open for registration of ownership of registered Bonds during its business hours. In the event of a change of Registrar for any reason, notice thereof shall be mailed, by registered or certified United States Mail, postage prepaid, to the Registered Holder at the address shown in the Registration Record, and such notice shall be effective on the date of mailing and sufficient as to all persons.

Bonds of the issue of which this Bond is one, maturing in the years 2023 through 2031, inclusive, shall not be subject to redemption prior to maturity. Said Bonds maturing in the years 2032 and thereafter shall be subject to redemption at the option of the City, in whole or in part, in inverse order of maturity and by lot within a maturity, on any date on or after June 1, 2031, at the principal amount thereof plus accrued interest to the date fixed for redemption.

Notice of any such redemption shall be sent by registered or certified mail not less than thirty (30) days nor more than sixty (60) days prior to the date fixed for redemption to the Registered Holder of each Bond to be redeemed at the address shown on the Registration Books of the City maintained by the Registrar or at such other address as is furnished in writing by such Registered Holder to the Registrar. When so called for redemption, this Bond will cease to bear interest on the

specified redemption date, provided funds for redemption are on deposit at the place of payment at that time, and shall not be deemed to be outstanding.

**IT IS HEREBY CERTIFIED AND RECITED** that all acts, conditions and things required to be done, precedent to and in the issuance of this Bond have been properly done, happened and been performed in regular and due form and time as required by law, and that the total indebtedness of said City, including this Bond, and the series of which it forms a part, does not exceed any constitutional or statutory limitation; and that due provision has been made for the collection of an annual tax sufficient to pay the interest on this Bond as it falls due and also to constitute a sinking fund for the payment of the principal hereof at maturity.

**IN WITNESS WHEREOF**, said City has caused this Bond to be signed by the Mayor, attested by its City Clerk, and sealed with the seal thereof this 1st day of June, 2021.

\_\_\_\_\_  
**Mayor of the City of Midwest City, Oklahoma**

Attest:

\_\_\_\_\_  
**City Clerk, City of Midwest City, Oklahoma**  
(Seal)

**AUTHENTICATION CERTIFICATE**

This Bond is one of the Bonds of the issue described in the Transcript of Proceedings prepared for this Bond issue, and is one of the General Obligation Bonds, Series 2021A, of the City of Midwest City, Oklahoma.

Date of Registration and Authentication.

\_\_\_\_\_  
**BancFirst**

By: \_\_\_\_\_  
**Authorized Officer**

**(ENDORSEMENT NO. 1)**

Form of certificate by the District Attorneys and County Clerks to be endorsed on each Bond.

STATE OF OKLAHOMA )  
 ) ss.  
COUNTY OF OKLAHOMA )

We, the undersigned, District Attorney and County Clerk, respectively, of said County, in said State, in which the within named City is situated, hereby certify that the within Bond is one of a series of Bonds issued by the within named City pursuant to law, and that the entire issue of said Bonds is within the debt limit imposed upon said City by the Constitution and laws of the State of Oklahoma.

**WITNESS** our respective official hands and the seals of said County this 1st day of June, 2021.

\_\_\_\_\_  
**District Attorney**  
District Number 7

\_\_\_\_\_  
**Oklahoma County Clerk**  
(Seal)

**FORM OF ASSIGNMENT**

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

TEN COM-- as tenants in common  
TEN ENT-- as tenants by the entireties  
JT TEN-- as joint tenants with the right of survivorship  
and not as tenants in common

UNIF GIFT MIN ACT-- \_\_\_\_\_ Custodian for \_\_\_\_\_ under Uniform  
(Cust) (Minor)  
Gifts to Minors Act of Oklahoma

Additional abbreviations may also be used though not in above list.

**ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto \_\_\_\_\_

\_\_\_\_\_  
(Please insert Social Security or Taxpayer identification number of assignee) \_\_\_\_\_



**(ENDORSEMENT NO. 3)**

Certificate of approval by the Attorney General to be endorsed on each Bond.

STATE OF OKLAHOMA  
OFFICE OF THE ATTORNEY GENERAL  
BOND DEPARTMENT

\_\_\_\_\_, 2021.

**I HEREBY CERTIFY** that I have examined a certified copy of the record of proceedings taken preliminary to and in the issuance of the within Bond; that such proceedings and such Bond show lawful authority for the issue and are in accordance with the forms and method of procedure prescribed and provided by me for the issuance of Bonds of like kind and that said Bond is a valid and binding obligation, according to its tenor and terms and, under the provisions of Title 62, Oklahoma Statutes 2011, Section 11, 13, and 14, requiring the certificate of the Bond Commissioner of the State of Oklahoma thereon, is incontestable in any court in the State of Oklahoma unless suit thereon shall be brought in a court having jurisdiction of the same within thirty days from the date of this approval of said Bond appearing in the caption hereto.

\_\_\_\_\_  
**Attorney General, Ex-Officio Bond  
Commissioner of the State of Oklahoma**

**SECTION 3.** That each of said Bonds shall be signed by the Mayor and the corporate seal of the City affixed thereto and attested by the City Clerk of the City; that such officers be and hereby are authorized and directed to cause said Bonds to be prepared and to execute the same for and on behalf of the City, have the same registered by the Treasurer, endorsed by the District Attorneys and County Clerks and presented to the Attorney General, Ex-Officio Bond Commissioner, together with a certified transcript of all proceedings had in connection with their issue for his approval and endorsement; that thereafter said Bonds shall be delivered to the purchaser upon payment of the purchase price thereof, which shall not be less than par and accrued interest. The proceeds derived from the sale of said Bonds shall be placed in a special fund and used solely for the purposes set out in the Bond in Section 2 hereof.

**SECTION 4.** Whenever any registered Bond or Bonds shall be exchanged for another registered Bond or Bonds of different denomination, the Registrar shall cancel the Bond or Bonds surrendered in such exchange on the face thereof and on the Registration Record. If the supply of registered Bonds for making exchanges shall have been exhausted, the Registrar shall cause additional registered Bonds to be prepared, at the expense of the City. The City covenants that upon request of the Registrar, its appropriate officers promptly will execute such additional registered Bonds on behalf of the City.



**SECTION 5.** The Registrar for all registered Bonds issued pursuant to this Ordinance shall be BancFirst, Oklahoma City, Oklahoma, which shall maintain a Registration Record for the purpose of registering the name and address of the Registered Holder of each registered Bond. The Registrar will keep the Registration Record open for registrations during its business hours. In the event of a change of Registrar, notice thereof shall be mailed, registered or certified United State Mail, postage prepaid, to the Registered Holder of each registered Bond. The name and address of the Registered Holder as the same appear on the Registration Record shall be conclusive evidence to all persons and for all purposes whatsoever and no person other than the Registered Holder shown on the Registration Record shall be entitled to any right or benefit in relation to the Bond so registered; provided, that the foregoing shall not apply to any successor by operation of law of such Registered Holder. Registered Bonds shall be transferable only upon delivery of such Bonds to the Registrar, duly endorsed or accompanied by a written instrument of transfer in form satisfactory to the Registrar, executed by the Registered Holder thereof or his attorney duly authorized in writing, and such transfer registered on the Registration Record. If the Form of Assignment on such Bonds is exhausted, such Registered Bonds delivered to the Registrar for registration of transfer shall be canceled by the Registrar on the face thereof and the Registrar shall authenticate and deliver to the transferee Bonds in aggregate principal amount equal to the unpaid principal of the surrendered Bonds in new registered Bonds, in denominations of \$1,000.00 or any multiples thereof. The Registrar shall not be required to make such transfer after the fifteenth (15th) day preceding any interest payment date until after said latter date.

**SECTION 6.** There is hereby created and established a system of registration for uncertificated registered public obligations with respect to the Bonds as provided in the Registered Public Obligations Act of Oklahoma, Title 62, Oklahoma Statutes 2011, Section 582(13)(b), whereby books shall be maintained on behalf of the City by The Depository Trust Company, New York, New York, for the purpose of registration of transfer of the uncertificated registered public obligations with respect to the Bonds which specify the persons entitled to the uncertificated registered public obligations with respect to the Bonds and the rights evidenced thereby and which provide that the transfer of the uncertificated registered public obligations with respect to the Bonds and the rights evidenced thereby shall be registered upon such books, and the Mayor and City Clerk are hereby authorized and directed to execute such documents and instruments as may be required to implement the foregoing system of registration.

**SECTION 7.** That beginning with the year 2021, a continuing annual tax sufficient to pay the interest on said Bonds when due and for the purpose of providing a sinking fund with which to pay the principal of said Bonds when due shall be and is hereby ordered levied upon all taxable property in said City, in addition to all other taxes, said sinking fund to be designated "**GENERAL OBLIGATION BONDS, SERIES 2021A, SINKING FUND.**" Said Tax shall be and is hereby ordered certified, levied and extended upon the rolls and collected by the same officers, in the same manner and at the same time as the taxes for general purposes in each of said years are certified, levied, extended and collected; that all funds derived from said tax shall be placed in said sinking fund which, together with any interest collected on same, shall be irrevocably pledged to the payment of the interest on and principal of said Bonds when and as the same fall due.

**SECTION 8.** The City covenants and agrees that it shall at all times perform all acts and things necessary or appropriate under any valid provision of law to ensure that interest paid on the Bonds shall not be included in gross income of the owners thereof for Federal income tax purposes under the Internal Revenue Code of 1986, as amended.

**SECTION 9.** That by reason of the City of Midwest City being without adequate streets, parks and recreational facilities, and public safety facilities and equipment, it is deemed and hereby declared necessary for the preservation of the public health, peace and safety that this Ordinance shall become operative immediately; wherefore, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately from and after its passage and approval.

**ADOPTED AND APPROVED** this 27th day of May, 2021.

**ADOPTED AND APPROVED** as an emergency measure this 27th day of May, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
SARA HANCOCK, City Clerk

(SEAL)

APPROVED as to form and legality this 27th day of May, 2021.

\_\_\_\_\_  
DONALD MAISCH, City Attorney

I, the undersigned, the duly qualified and acting City Clerk of the City of Midwest City, Oklahoma hereby certify that the foregoing is a true and complete copy of an Ordinance authorizing the issuance of general obligation bonds for the purpose therein set out adopted by the governing body of said City and Transcript of Proceedings of said governing body at a special meeting thereof held on the date therein set out, insofar as the same relates to the introduction, reading and adoption thereof as the same appears of record in my office.

I hereby certify that a true and complete copy of the public notice, attached hereto as Exhibit "A", was filed in the office of the City Clerk of Midwest City, Oklahoma, at least forty eight (48) hours prior to said meeting and a true and complete copy of the agenda attached hereto as Exhibit "B" was posted in prominent public view at the City Hall, 100 North Midwest Boulevard, Midwest City, Oklahoma, at least twenty-four (24) hours prior to the date of the meeting therein described, excluding Saturdays, Sundays and legal holidays all as proscribed by law and in accordance with the Oklahoma Open Meeting Act.

**WITNESS** my hand and seal this 27th day of May, 2021.

---

City Clerk

(SEAL)