

RESOLUTION NO. 2021-_____

**RESOLUTION AUTHORIZING PROCEEDING WITH ISSUANCE OF ONE OR MORE
SERIES OF THE CITY OF TEMPLE, TEXAS COMBINATION TAX AND REVENUE
CERTIFICATES OF OBLIGATION AND FURTHER DIRECTING THE
PUBLICATION OF NOTICE OF INTENTION TO ISSUE SUCH CERTIFICATES OF
OBLIGATION; AND OTHER MATTERS RELATED THERETO**

THE STATE OF TEXAS '
COUNTY OF BELL '
CITY OF TEMPLE '

WHEREAS, the City Council of the City of Temple, Texas (the "City") finds that the payment in whole or in part of contractual obligations incurred or to be incurred for the purposes set forth in Exhibit "A" attached hereto (the "Contractual Obligations") would be beneficial to the inhabitants of the City and are needed to perform essential City functions; and

WHEREAS, the Council has deemed it advisable to give notice of intention to issue certificates of obligation in a maximum principal amount not to exceed \$54,930,000 (the "Certificates") pursuant to the provisions of the Certificate of Obligation Act of 1971, Section 271.041 et seq., Local Government Code (the "Act") for the purpose of financing the Contractual Obligations; and

WHEREAS, prior to the issuance of the Certificates, the City is required under the Act to publish notice of its intention to issue the Certificates in a newspaper of general circulation in the City and on the City's website, the notice stating: (i) the time and place tentatively set for the passage of the ordinance authorizing the issuance of the Certificates, (ii) the maximum amount and purpose of the Certificates to be authorized, and (iii) the manner in which the Certificates will be paid; and

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

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

1. Attached hereto as Exhibit "A" is a form of the Notice of Intention (the "Notice") to issue the Certificates, the form and substance of which is hereby adopted and approved.

2. Bond Counsel to the City shall cause the Notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least 46 days prior to the time set for the final passage of the ordinance authorizing issuance of the Certificates as shown in the notice.

The Director of Finance to the City shall cause the Notice to be published on the City's website at least 46 days prior to the time set for the final passage of the ordinance authorizing issuance of the Certificates and continuously until the final passage of the ordinance authorizing issuance of the Certificates.

3. The Director of Finance, Financial Advisor and Bond Counsel to the City are authorized to proceed with preparing the necessary bond and offering documents to effectuate the sale of the Certificates, including making application to appropriate rating agencies and bond insurers, if applicable.

4. This Resolution shall become effective immediately upon adoption. The Mayor and City Secretary are hereby authorized and directed to execute the certificate to which this Resolution is attached on behalf of the City and the Mayor, City Secretary and City Manager are further authorized to do any and all things proper and necessary to carry out the intent of this Resolution.

5. The City hereby authorizes the disbursement of a fee equal to the lesser of (i) one-tenth of one percent of the principal amount of each series of the Certificates being issued or (ii) \$9,500 per series, provided that such fee shall not be less than \$750, to the Attorney General of Texas Public Finance Division for payment of the examination fee charged by the State of Texas for the Attorney General's review and approval of public securities and credit agreements, as required by Section 1202.004 of the Texas Government Code. The appropriate member of the City's staff is hereby instructed to take the necessary measures to make this payment. The City is also authorized to reimburse the appropriate City funds for such payment from proceeds of the Certificates.

RESOLVED this 6th day of May, 2021.

ATTEST:

CITY OF TEMPLE, TEXAS

Jana Lewellen, City Secretary

Timothy Davis, Mayor

APPROVED AS TO FORM:

Kathryn Davis, City Attorney

[Signature Page]

EXHIBIT "A"

NOTICE OF INTENTION REGARDING THE ISSUANCE OF ONE OR MORE SERIES OF THE CITY OF TEMPLE, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that it is the intention of the City Council of the City of Temple, Texas, to issue one or more series of interest bearing certificates of obligation of the City entitled "City of Temple, Texas Combination Tax and Revenue Certificates of Obligation" (the "Certificates") for the purpose of paying contractual obligations incurred or to be incurred by the City for: (i) constructing, improving, extending, expanding, upgrading and/or developing streets, roads, bridges, trails, sidewalks, intersections, traffic signalization and other transportation improvement projects including related water, wastewater and drainage improvements, signage landscaping, irrigation, purchasing any necessary rights-of-way and other related transportation costs including the Outer Loop project, the North and South Pea Ridge Roads projects and Hartrick Bluff Road reconstruction project; (ii) constructing City drainage improvements; (iii) constructing, renovating, repairing, demolishing and equipping City buildings including roof and HVAC repairs and replacements, constructing a new solid waste and recycling facility, expansion and site rehabilitation for the City Service Center and City Hall improvements; (iv) designing, constructing and equipping an expansion to the animal shelter; (v) designing, constructing and equipping a public safety training campus on existing City property near the airport; and (vi) professional services including fiscal, engineering, architectural and legal fees and other such costs incurred in connection therewith including the costs of issuing the Certificates. The City Council tentatively proposes to consider for first and final reading at a meeting to commence at 5:00 p.m. on the 1st day of July, 2021 at Council Chambers, 2 North Main Street, Temple, Texas, 76501, the passage of an ordinance authorizing the issuance of the Certificates. The maximum amount of the Certificates that may be authorized for such purpose is \$54,930,000. The City Council presently proposes to provide for the payment of such Certificates from the levy and collection of ad valorem taxes in the City as provided by law and from the surplus revenues of the City's utility system in an amount not to exceed \$10,000, remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve and other requirements in connection with all of the City's revenue bonds or other obligations (now or hereafter outstanding) which are payable from all or any part of the net revenues of the City's utility system. The following information is required pursuant to Texas Local Government Code, Section 271.049(b)(4): As of May 6, 2021, principal of all outstanding debt obligations of the City is \$ _____. As of May 6, 2021, combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$ _____. The maximum principal amount of the Certificates to be authorized is \$ _____. The estimated combined principal and interest required to pay the Certificates to be authorized on time and in full is \$ _____. The estimated interest rate for the Certificates to be authorized is 3.0%. Such estimate takes into account a number of factors, including the issuance schedule, maturity schedule and the expected bond ratings of the proposed bonds. Such estimated maximum interest rate is provided as a matter of information, but is not a limitation on the interest rate at which the certificates, of any series thereof, may be sold. The maximum maturity date of the Certificates to be authorized is August 1, 2041.

CITY OF TEMPLE, TEXAS