RESOLUTION NO. R-2018-5857

RESOLUTION AUTHORIZING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE CITY OF ROUND ROCK, TEXAS COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION AND OTHER MATTERS RELATED THERETO

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THE STATE OF TEXAS COUNTIES OF TRAVIS AND WILLIAMSON CITY OF ROUND ROCK

WHEREAS, the City Council (the "Council") of the City of Round Rock, Texas (the "City") has determined that it is in the best interest of the City to proceed with the issuance of certificates of obligation ("Certificates") to implement certain projects; and

WHEREAS, the City Council of 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, on February 22, 2018, the Council adopted a resolution expressing the official intention of the City to be reimbursed from the proceeds of the Certificates for expenditures incurred by the City in connection with the Contractual Obligations prior to the issuance of the Certificates; and

WHEREAS, the Council has deemed it advisable to give notice of intention to issue the Certificates in a maximum principal amount not to exceed \$7,000,000 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, 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 ROUND ROCK, TEXAS:

1. Attached hereto as <u>Exhibit "A"</u> is a form of the Notice of Intention 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, for two consecutive weeks, the date of the first publication to be at least 31 days before the date tentatively set for passage of the ordinance authorizing the Certificates as shown in the notice.

3. The City's Chief Financial Officer and the City's Deputy Chief Financial Officer along with the City's financial advisor, Specialized Public Finance Inc., and bond counsel are authorized to proceed with preparing the necessary bond and offering documents to effectuate the sale of the Certificates and any other public securities of the City anticipated to be sold at or near the time of the Certificates, including making application to appropriate rating agencies and bond insurers, if applicable.

4. The City hereby authorizes the disbursement of a fee equal to the lesser of (i) onetenth 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.

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

RESOLVED this 13th day of September, 2018.

ATTEST:

CITY OF ROUND ROCK, TEXAS

City Clerk City of Round Rock, Texas

Mayor City of Round Rock, Texas

APPROVED AS TO FORM:

City Attorney City of Round Rock, Texas

EXHIBIT A

NOTICE OF INTENTION REGARDING CITY OF ROUND ROCK, TEXAS COMBINATION TAX AND LIMITED REVENUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that it is the intention of the City Council of the City of Round Rock, Texas, to issue one or more series of interest bearing certificates of obligation of the City entitled "City of Round Rock, Texas Combination Tax and Limited Revenue Certificates of Obligation," (the "Certificates") for the purpose of paying contractual obligations incurred or to be incurred by the City for: (1) constructing, improving and equipping a public works facility for the City's utilities and transportation departments to be located on Luther Peterson Place and related costs, including the acquisition of any necessary easements or land; and (2) 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 6 o'clock, p.m., on the 8th day of November, 2018 at City Hall, 221 East Main Street, Round Rock, Texas, 78664, the passage of an ordinance authorizing the Certificates. The maximum amount of the Certificates that may be authorized for such purpose is \$7,000,000. 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 waterworks, sewer and drainage system in an amount not to exceed \$1,000, 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 such system.

CITY OF ROUND ROCK, TEXAS