

**RESOLUTION AUTHORIZING PROCEEDING WITH ISSUANCE OF
CERTIFICATES OF OBLIGATION FOR VARIOUS PUBLIC IMPROVEMENTS AND
FURTHER DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO ISSUE
CITY OF KILLEEN, TEXAS COMBINATION TAX AND REVENUE CERTIFICATES
OF OBLIGATION**

THE STATE OF TEXAS §
 §
COUNTY OF BELL §

WHEREAS, the City Council (the "Council") of the City of Killeen, Texas (the "City") has determined that it is in the best interest of the City to proceed with the issuance of certificates of obligation for paying all or a portion of the City's contractual obligations incurred or to be incurred for constructing, reconstructing, improving, repairing, and/or upgrading (i) a new fleet services facility for various City departments, including the utility department, parks department, fire department and police department; (ii) City parks, including new park improvements and a parks maintenance facility; (iii) public safety facilities and equipment, including an evidence storage facility and related parking facilities; (iv) the City airport, including a new Skylark Fixed Base Operator building; and, (v) payment of professional services in connection therewith including legal, engineering, architectural and fiscal fees and the costs of issuing the Certificates (collectively the "Project"); 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 \$32,000,000 pursuant to the provisions of the Certificate of Obligation Act of 1971, Section 271.041 et seq., Local Government Code, as amended (the "Act"), for the purpose of financing the Project; and

WHEREAS, prior to the issuance of the Certificates, the Council is required under Section 271.041 et seq., Local Government Code to publish notice of its intention to issue the Certificates in a newspaper of general circulation in the City and on the City's internet website, the notice stating: (i) the time and place tentatively set for the passage of the order authorizing the issuance of the Certificates, (ii) the maximum amount and purpose of the Certificates to be authorized; (iii) the manner in which the Certificates will be paid, (iv) the then-current principal of all outstanding debt obligations of the City; (v) the then-current combined principal and interest required to pay all outstanding debt obligations of the issuer on time and in full; (vi) the maximum principal amount of the Certificates to be authorized; (vii) the estimated combined principal and interest required to pay the Certificates to be authorized on time and in full; (viii) the estimated interest rate for the Certificates to be authorized or that the maximum interest rate for the Certificates may not exceed the maximum legal interest rate; and (ix) the maximum maturity date of the Certificates to be authorized.; 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, Government Code, as amended.

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

1. Attached hereto is a form of the Notice of Intention to Issue the Certificates, the form and substance of which is hereby adopted and approved.

2. The City Secretary shall cause said notice to be published in substantially the form attached hereto, in a newspaper, as defined by Subchapter C, Chapter 2051, Texas Government Code, of general circulation in the area of the City, once a week for two consecutive weeks, the date of the first publication thereof to be before the 45th day before the date tentatively set for the passage of the ordinance authorizing the issuance of the Certificates.

Further, said notice shall be continuously published in substantially the form attached hereto on the City's website for at least 45 days before the date tentatively set for passage of the ordinance authorizing the issuance of the Certificates.

3. The City Manager, City Staff and 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 Council and to do any and all things proper and necessary to carry out the intent of this Resolution including final approval of the form of Notice attached hereto.

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 obligations 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 obligations.

PASSED, APPROVED AND EFFECTIVE THIS APRIL 25, 2023.

Mayor
City of Killeen, Texas

ATTEST:

City Secretary
City of Killeen, Texas

APPROVED AS TO FORM:

City Attorney
City of Killeen, Texas

**NOTICE OF INTENTION TO ISSUE
CITY OF KILLEEN, TEXAS
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION,
SERIES 2023**

NOTICE is hereby given that it is the intention of the City Council of the City of Killeen, Texas to issue Certificates of Obligation of the City in one or more series for the purpose of providing funds for paying contractual obligations incurred or to be incurred for constructing, reconstructing, improving, repairing, and/or upgrading (i) a new fleet services facility for various City departments, including the utility department, parks department, fire department and police department; (ii) City parks, including new park improvements and a parks maintenance facility; (iii) public safety facilities and equipment, including an evidence storage facility and related parking facilities; (iv) the City airport, including a new Skylark Fixed Base Operator building; and, (v) payment of professional services in connection therewith including legal, engineering, architectural and fiscal fees and the costs of issuing the Certificates. The City Council tentatively proposes to authorize the issuance of the Certificates of Obligation at its regular meeting place in the City Hall, 101 North College Street, Killeen, Texas to commence at 5:00 p.m., on the 11th day of July, 2023. The maximum amount of Certificates of Obligation that may be authorized for the above listed purposes is \$32,000,000. The City Council presently proposes to provide for payment of the Certificates of Obligation by a pledge of ad valorem taxes upon all taxable property within the City within the limits allowed by law. The Certificates of Obligation will be additionally payable from a limited pledge of the City's water and wastewater utility system not to exceed \$1,000.

The following information is required pursuant to Texas Local Government Code, Section 271.049(b)(4): As of April 25, 2023 principal of all outstanding debt obligations of the City is \$172,215,000. As of April 25, 2023 combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$207,137,551.03. The maximum principal amount of the Certificates to be authorized is \$32,000,000.00. The estimated combined principal and interest required to pay the Certificates to be authorized on time and in full is \$51,722,343.06. The estimated interest rate for the Certificates to be authorized is 4.75%. 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 bonds, or any series thereof, may be sold. The maximum maturity date of the Certificates to be authorized is August 1, 2048.

City of Killeen, Texas