

CERTIFICATE FOR RESOLUTION

STATE OF TEXAS
COUNTY OF BELL

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We, the undersigned members of the City Council of the City of Killeen, Texas (the "City"), hereby certify as follows:

1. The City Council of the City convened in REGULAR MEETING ON THE _____ DAY OF _____, 2024, at the regular meeting place thereof (the "Meeting"), and the roll was called of the duly constituted officers and members of the City Council, to-wit:

Debbie Nash-King	Mayor
Jessica Gonzalez	Mayor Pro Tem – District #1
Jose L. Segarra	Councilmember at Large
Ramon Alvarez	Councilmember at Large
Nina Cobb	Councilmember – District #3
Joseph Solomon	Councilmember – District #2
Michael Boyd	Councilmember – District #4
Riakos Adams	Councilmember at Large

and all of the persons were present, except the following absentees: _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at the Meeting: a written

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KILLEEN,
TEXAS APPROVING A FINANCING BY THE OGLESBY CULTURAL
FACILITIES CORPORATION FOR THE BENEFIT OF HEART OF TEXAS
GOODWILL INDUSTRIES, INC.

was duly introduced for the consideration of the City Council. It was then duly moved and seconded that the Resolution be passed; and, after due discussion, said motion carrying with it the passage of the Resolution, prevailed and carried by the following vote:

AYES: _____

NOES: _____

ABSTENTIONS: _____

2. A true, full and correct copy of the Resolution passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that the Resolution has been duly recorded in the City Council' minutes of the Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the City Council' minutes of the Meeting pertaining to the passage of the Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City Council as indicated therein; that each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of

the time, place and purpose of the Meeting, and that the Resolution would be introduced and considered for passage at the Meeting, and that the Meeting 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*.

3. The Mayor of the City has approved and hereby approves the Resolution; that the Mayor of the City and the City Secretary of the City have duly signed the Resolution; and that the Mayor of the City and the City Secretary of the City hereby declare that their signing of this certificate shall constitute the signing of the attached and following copy of the Resolution for all purposes.

SIGNED as of the _____ day of _____, 2024.

City Secretary

Mayor

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KILLEEN, TEXAS,
APPROVING THE ISSUANCE OF A TAX EXEMPT NOTE BY THE OGLESBY
CULTURAL FACILITIES CORPORATION FOR HEART OF TEXAS GOODWILL
INDUSTRIES, INC.; AND PROVIDING AN EFFECTIVE DATE**

WHEREAS, Heart of Texas Goodwill Industries, Inc. ("Goodwill"), desires to finance the costs to construct and equip a Goodwill store, warehouse and community center space to be located at 4901 Stan Schlueter Loop, Killeen, Texas (the "Project"), with the Project to be owned and operated by Goodwill; and

WHEREAS, Goodwill desires to finance the Project in part through the issuance of a tax exempt note (the "Note") to be issued by the Oglesby Cultural Facilities Corporation (the "Oglesby Corporation"), in an aggregate maximum principal amount not to exceed \$7,000,000, with the proceeds of such Note to be loaned to Goodwill to construct and equip the Project; and

WHEREAS, Mr. Andrew Clark, designated hearing officer of the Oglesby Corporation held a public hearing regarding this financing and the Project at 10:00 a.m. on May 23, 2024 by toll free conference call , following publication of notice of such hearing as required by Section 147(f) of the Internal Revenue Code; and

WHEREAS, Goodwill has requested the City of Killeen, Texas (the "City") to give its approval with regard to the issuance of the Note solely for the purpose of satisfying (i) the provisions of Section 147(f) of the Internal Revenue Code of 1986 as amended (which requires for tax purposes that the Note be approved by a jurisdiction in which the Project is located) and (ii) the requirements of Section 221.030(a)(1)(B) of the *Texas Health and Safety Code* (which requires the permission of the City for the Oglesby Corporation to exercise its powers for a project located within the City); and

WHEREAS, the City is willing to consider Goodwill's request that the Note may be issued; and

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

1. Solely for the purpose of satisfying the provisions of Section 147(f) of the Internal Revenue Code of 1986 as amended, and to give the consent required by Section 221.030(a)(1)(B) of the *Texas Health and Safety Code*, the City hereby approves the Project and the issuance of the Note by the Oglesby Corporation to finance the Project as defined above. The owner and user of the Project shall be Heart of Texas Goodwill Industries, Inc. and the maximum principal amount of the Note shall be \$7,000,000.

2. This approval is given by the City Council of the City of Killeen solely to satisfy the requirements of Section 147(f) of the Internal Revenue Code and Section 221.030(a)(1)(B) of the *Texas Health and Safety Code* and for no other purpose. In particular, this approval does not grant a building permit, approve the zoning for the Project, or give any other approval which may be required by the City for the Project.

3. This Resolution is passed based on the express understanding and representation by Goodwill that the Note and related financing does not and will not constitute in any way a liability or obligation of the City of Killeen, Texas or Bell County, Texas in any manner whatsoever, and that the City of Killeen, Texas and Bell County, Texas shall have no liability whatsoever for the Note or the Project.

4. That it is officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and that notice of the time, place and subject matter of this meeting has been given in the manner required by law.

5. That this Resolution is effective immediately upon adoption.

PASSED AND APPROVED this _____ day of _____, 2024.

Mayor
City of Killeen, Texas

ATTEST:

City Secretary
City of Killeen, Texas