

RESOLUTION NO. R2022-48

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BURNET,
TEXAS, AUTHORIZING PROCEEDING WITH THE ISSUANCE OF CITY
OF BURNET, TEXAS CERTIFICATES OF OBLIGATION; DIRECTING
PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES
OF OBLIGATION; AND OTHER RELATED MATTERS**

**THE STATE OF TEXAS §
COUNTY OF BURNET §
CITY OF BURNET §**

WHEREAS, the City Council (the "Council") of the City of Burnet, Texas (the " City ") has determined it to be in the City 's best interest to issue certificates of obligation for paying all or a portion of the City's contractual obligations incurred or to be incurred for (i) street construction and improvements including related drainage, sidewalks, traffic improvements and lighting; and (ii) constructing, improving and extending the City's water and waste water system including acquiring equipment; and, (iii) 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 \$6,000,000 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, 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; 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, Government Code, as amended.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BURNET, 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.

3. This Resolution shall become effective immediately upon adoption. The City Secretary is hereby authorized and directed to execute the certificate to which this Resolution is attached on behalf of the City and the Mayor, City Secretary, the City Manager and Director of Finance are further authorized to do any and all things proper and necessary to carry out the intent of this Resolution including approving appropriate changes to the notice and approving the final form of any Preliminary Official Statement for distribution to the market in connection with the sale of the Certificates.

4. 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.

[Execution Page Follows]

PASSED, APPROVED AND EFFECTIVE THIS JUNE 14, 2022.

Kacey Dax

City Secretary, City of Burnet, Texas

Richard B. Bly

Mayor, City of Burnet, Texas

[SEAL]



**NOTICE OF INTENTION TO ISSUE
CITY OF BURNET, TEXAS
COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION,
SERIES 2022**

NOTICE is hereby given that it is the intention of the City Council of the City of Burnet, Texas to issue Certificates of Obligation (the "Certificates") of the City in one or more series for the purpose of providing funds for paying contractual obligations incurred or to be incurred for: (i) street construction and improvements including related drainage, sidewalks, traffic improvements and lighting; and (ii) constructing, improving and extending the City's water and waste water system including acquiring equipment; and, (iii) 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 at its regular meeting place in the City Hall, 1001 Buchanan Drive, Burnet, Texas to be commenced at 6:00 p.m., on the 23rd day of August, 2022. The maximum principal amount of Certificates that may be authorized for the above listed purposes is \$6,000,000. The City Council presently proposes to provide for the security and payment of the Certificates by a pledge of ad valorem taxes upon all taxable property within the City within the limits allowed by law and from a limited pledge of the City's surplus water and sewer system revenues not to exceed \$1,000.

Due to the ongoing public health concerns regarding the COVID 19 virus, and as may be authorized by Executive Order of the Governor of Texas, such meeting on August 23, 2022, may be conducted via a free public video conference or other lawful electronic means. In such event, information regarding how to access the meeting and public participation in the meeting will be available on the City's website and in the agenda posted no less than 72 hours before the August 23, 2022, meeting at the following internet address: <https://www.cityofburnet.com/meetings>.

The following information is required pursuant to Texas Local Government Code, Section 271.049(b)(4): As of June 14, 2022 principal of all outstanding debt obligations of the City is \$25,440,000.00. As of June 14, 2022 combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$28,513,660.23. The maximum principal amount of the Certificates to be authorized is \$6,000,000.00. The estimated combined principal and interest required to pay the Certificates to be authorized on time and in full is \$9,573,066.67. The estimated interest rate for the Certificates to be authorized is 4.00%. 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 15, 2047.