

**RESOLUTION NO. 20220616- 008**

**WHEREAS**, the City of Austin (City) plans to finance certain projects and purchases through the future issuance of tax exempt Certificates of Obligation in the amount of \$16,500,000 as follows:

Certificates of Obligation

\$9,600,000 Waller Creek District improvements;

\$6,900,000 Family Violence Shelter and Protection Facility; and

**WHEREAS**, prior to the issuance of the tax-exempt obligations, the City will make expenditures for the City funded projects from existing funds on hand, and it is the intent of the City to reimburse these funds with the proceeds of sale of tax-exempt obligations to the extent allowed by law; and

**WHEREAS**, under Treas. Reg. Section 1.150-2 (Regulation), an official intent to reimburse expenditures with the proceeds of tax exempt obligations must be made within 60 days of the date of the original expenditure; and

**WHEREAS**, it is found and determined that the meeting at which this Resolution was considered was open to the public, and public notice of the time, place, and purpose of the meeting was given as required by Chapter 551, Texas Government Code; and

**WHEREAS**, the City desires to preserve its ability to reimburse the expenditures with the proceeds of tax exempt obligations; **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City reasonably expects to reimburse capital and other appropriate expenditures with respect to the City funded projects paid with funds on hand from the proceeds of the sale of tax-exempt obligations to be issued, and this resolution shall constitute a declaration of official intent under the Regulation. The maximum principal amount of the tax-exempt obligations expected to be issued for the City

funded projects is \$16,500,000.

Council approves the attached Notice of Intention in substantially the form attached to this Resolution as Exhibit A, to be published as set out below.

Council directs that the City Clerk shall cause the Notice of Intention to be published in the *Austin American Statesman*, a newspaper of general circulation in the City of Austin, Texas, for two consecutive weeks, the date of the first publication to be before the 45<sup>th</sup> day tentatively set for the adoption of the ordinance authorizing the issuance of the Certificates of Obligation as shown in the Notice of Intention.

Council directs the City Clerk to cause the Notice to be posted, in substantially the form attached to this Resolution, continuously on the City's internet website for at least 45 days before the date tentatively set for adoption of the ordinance authorizing the issuance of the Certificates of Obligation as shown in the Notice of Intention.

The facilities and improvements to be financed with proceeds from the proposed Certificates of Obligation are to be used for the purposes described in the attached Notice of Intention.

Attached to this Resolution as Schedule I is a list of outstanding debt obligations of the City which the City designates as self-supporting debt for purposes of Subchapter C of Chapter 271, Texas Local Government Code, as amended.

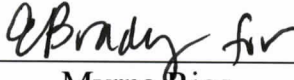
All costs to be reimbursed pursuant to this Resolution will be capital expenditures.

The proposed Certificates of Obligation shall be issued within 18 months of the later of (i) the date the expenditures are paid, or (ii) the date on which the property, with respect to which the expenditures were made, is placed in service.

The Certificates of Obligation will not be issued pursuant to this Resolution

on a date that is more than three years after the date any expenditure which is to be reimbursed is paid.

The Mayor, City Manager, City Clerk, and City Treasurer are authorized to take such actions as may be appropriate to carry out the intent of this Resolution.

**ADOPTED:** June 16, 2022 **ATTEST:**   
Myrna Rios  
City Clerk



NOTICE OF INTENTION TO ISSUE  
CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that it is the intention of the City Council of the City of Austin, Texas, to issue one or more series of interest bearing certificates of obligation of the City to be entitled "City of Austin, Texas Certificates of Obligation", for the purpose of paying contractual obligations to be incurred by the City, to-wit, design and construct improvements of Waterloo Park to include stream restoration/stabilization, trails, bridges, water quality, and utility improvements along Waller Creek from Lady Bird Lake to 4<sup>th</sup> Street; and to fund the acquisition of property within the City to serve as a protective shelter for victims of domestic violence, including related engineering services in connection with the acquisition and use of such property; and the payment of fiscal, engineering and legal fees incurred in connection with such projects.

The City Council tentatively proposes to authorize the issuance of said series (one or more) of certificates of obligation through the adoption of one or more ordinances at its regular meeting place in the City Hall, 301 W. 2<sup>nd</sup> Street, Austin, Texas 78701, at a meeting to commence at 10 o'clock, a.m., on September 1, 2022. In the event the City Council will be unable to meet at City Hall on September 1, 2022, the City will post information on its website for attending the meeting by telephone, teleconference, or other electronic means in accordance with applicable law. The maximum amount of certificates of obligation indebtedness that may be authorized to be sold on said date for such purposes described above is \$16,500,000. The City Council presently proposes to provide for payment of said series (one or more) of certificates of obligation from the levy of taxes and from a limited surplus revenue pledge (not to exceed \$1,000) derived from the operation of the City's solid waste disposal system.

In accordance with the provisions of Subchapter C of Chapter 271, Texas Local Government Code, as amended ("Chapter 271"), the following information set forth in clauses (i) through (vi) below has been provided by the City (excludes \$182,966,097.39 principal amount of outstanding debt obligations the City has designated as self-supporting and which the City reasonably expects to pay from revenue sources other than ad valorem taxes; provided, however, that in the event such self-supporting revenue sources are insufficient to pay debt service, the City is obligated to levy ad valorem taxes to pay such debt obligations): (i) the principal amount of all outstanding debt obligations of the City is \$1,427,658,902.61; (ii) the current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full is \$1,860,668,745.75; (iii) the maximum principal amount of the certificates of obligation to be authorized is \$16,500,000; (iv) the estimated combined principal and interest required to pay the certificates of obligation to be authorized on time and in full is \$26,479,000.00; (v) the maximum interest rate for the certificates of obligation may not exceed the maximum legal interest rate; and (vi) the maximum maturity date of the certificates of obligation to be authorized is September 1, 2042. \$133,785,515.41 of the outstanding debt obligations referred to in clause (i) above by their terms have a scheduled maturity date (payment date) of September 1, 2022 and will no longer be outstanding upon payment. The resolution designating certain outstanding debt obligations of the City as self-supporting for purposes of Chapter 271 is available upon request to the City at the address noted above.

CITY OF AUSTIN, TEXAS

/s/ Steve Adler  
Mayor

**Schedule I**

City of Austin, Texas

**Self-Supporting Debt**

The City designates all or a portion of the following outstanding debt obligations of the City as self-supporting debt for purposes of Subchapter C of Chapter 271, Texas Local Government Code, as amended.

Public Improvement Refunding Bonds, Series 2010

Public Improvement Refunding Bonds, Series 2011A

Certificates of Obligation, Series 2012

Certificates of Obligation, Series 2013

Public Improvement Refunding Bonds, Series 2013A

Certificates of Obligation, Series 2014

Public Property Finance Contractual Obligations, Series 2014

Public Improvement Refunding Bonds, Series 2015

Certificates of Obligation, Series 2015

Public Property Finance Contractual Obligations, Series 2015

Certificates of Obligation, Taxable Series 2016

Public Property Finance Contractual Obligations, Series 2017

Public Property Finance Contractual Obligations, Series 2018

Public Improvement and Refunding Bonds, Series 2019

Public Property Finance Contractual Obligations, Series 2019

Certificates of Obligation, Taxable Series 2019

Public Improvement and Refunding Bonds, Series 2020

Public Property Finance Contractual Obligations, Series 2020

Certificates of Obligation, Taxable Series 2021

Public Improvement and Refunding Bonds, Series 2021