

RESOLUTION NO. _____

**RESOLUTION DIRECTING THE PUBLICATION OF NOTICE OF INTENTION TO
ISSUE CITY OF PFLUGERVILLE, TEXAS COMBINATION TAX AND REVENUE
CERTIFICATES OF OBLIGATION AND OTHER MATTERS RELATED THERETO**

THE STATE OF TEXAS §
COUNTIES OF TRAVIS AND WILLIAMSON §
CITY OF PFLUGERVILLE §

WHEREAS, the City Council (the "Council") of the City of Pflugerville, Texas (the "City") finds that the payment in whole or in part of contractual obligations incurred or to be incurred for: (1) constructing, improving, extending, expanding, upgrading and/or developing City streets, intersections, drainage, sidewalk and other traffic improvement projects and related costs and purchasing any necessary right-of-way therefor, including certain portions of Pfluger Pfarm Road, (2) constructing, improving and extending the City's waterworks and sewer system and related costs and the acquisition of any necessary easements or land and (3) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuance in connection with the certificates described below (the "Contractual Obligations") would be beneficial to the inhabitants of the city and are needed to perform essential City functions; and

WHEREAS, the Council has deemed it advisable to give notice of intention to issue certificates of obligation in a maximum principal amount not to exceed \$4,600,000 (the "Certificates") 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 once a week for two consecutive weeks in a newspaper of general circulation in the City with the first publication to be at least 31 days before the date tentatively set for passage of the ordinance authorizing the Certificates, 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.

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

Section 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.

Section 2. The City Secretary or other authorized representatives of the City, shall cause the notice to be published in substantially the form attached hereto, in a newspaper of general circulation in the City, once a week for two consecutive weeks, the date of the first publication to be at least 31 days prior to the time set for the ordinance authorizing the issuance of the Certificates as shown in the notice.

Section 3. The City Council 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 obligations being issued or (ii) \$9,500 for each 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.

Section 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 City and to do any and all things proper and necessary to carry out the intent of this Resolution.

PASSED AND APPROVED THIS 13th day of November, 2012.

Mayor, City of Pflugerville

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that it is the intention of the City Council of the City of Pflugerville, Texas, to issue interest bearing Certificates of Obligation of the City for the purpose of paying contractual obligations incurred or to be incurred by the City for (1) constructing, improving, extending, expanding, upgrading and/or developing City streets, intersections, drainage, sidewalk and other traffic improvement projects and related costs and purchasing any necessary right-of-way therefor, including certain portions of Pfluger Pfarm Road, (2) constructing, improving and extending the City's waterworks and sewer system and related costs and the acquisition of any necessary easements or land and (3) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuance in connection with the certificates. The City Council tentatively proposes to authorize the issuance of such Certificates of Obligation at its regular meeting place in the City Hall, 100 E. Main Street, Suite 500, Pflugerville, Texas 78660, at a regular meeting to commence at 7:00 p.m. on the 8th day of January, 2013. The maximum amount of Certificates of Obligation that may be authorized for such purpose is \$4,600,000. The City Council presently proposes to provide for the payment of such Certificates of Obligation from the levy of ad valorem taxes and from a pledge of the surplus revenues derived from the operation of the City's combined waterworks and sewer system, after payment of all operation and maintenance expenses 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 revenues of the City's combined waterworks and sewer system.

In accordance with the City's home rule charter, the City also intends to hold a public hearing prior to adoption of the Ordinance authorizing the issuance of the proposed Certificates of

Obligation at its regular meeting place in the City Hall, 100 E. Main Street, Suite 500, Pflugerville, Texas 78660 at a meeting to commence at 7:00 p.m. on the 8th day of January, 2013.

CITY OF PFLUGERVILLE, TEXAS