

CERTIFICATE FOR RESOLUTION

We, the undersigned County Judge and County Clerk of El Paso County, Texas, hereby certify as follows:

1. The Commissioners Court of said County convened in Regular Session on the 12th day of December, 2022, at the scheduled meeting place thereof, and the roll was called of the duly constituted officers and members of said Commissioners Court, to-wit:

Ricardo A. Samaniego, County Judge
Carlos Leon - Precinct 1 Commissioner
David Stout - Precinct 2 Commissioner

Iliana Holguin - Precinct 3 Commissioner
Carl L. Robinson - Precinct 4 Commissioner

Delia Briones, County Clerk

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

RESOLUTION OF THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION TO FUND TIER 1 ESSENTIAL PUBLIC INFRASTRUCTURE; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT

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

AYES: ____

NOES: ____

ABSTENTIONS: ____

2. A true, full and correct copy of the aforesaid Resolution passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Resolution has been duly recorded in the official minutes of said Commissioners Court; the above and foregoing paragraph is a true and correct excerpt from said minutes of said meeting pertaining to the passage of said Resolution; the persons named in the above and foregoing paragraph, at the time of said meeting and the passage of said Resolution, were the duly chosen, qualified and acting members of said Commissioners Court as indicated therein; each of said officers and member was duly and sufficiently notified officially and personally in advance, of the time, place and purpose of the aforesaid meeting and that said Resolution would be introduced and considered for passage at said meeting; and said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Tex. Gov't Code Ann. ch. 551.

3. That the County Judge of said County has approved and hereby approves the aforesaid Resolution; that the County Judge and the County Clerk of said County have duly signed said Resolution; and that the County Judge and the County Clerk of said County hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Resolution for all purposes.

DRAFT

SIGNED AND SEALED THE 12TH DAY OF DECEMBER, 2022.

ATTEST:

County Judge

County Clerk

(SEAL)

SIGNATURE PAGE TO CERTIFICATE FOR A RESOLUTION OF THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION TO FUND TIER 1 ESSENTIAL PUBLIC INFRASTRUCTURE; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT

A RESOLUTION OF THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS, DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION TO FUND TIER 1 ESSENTIAL PUBLIC INFRASTRUCTURE; AND RESOLVING OTHER MATTERS RELATING TO THE SUBJECT.

WHEREAS, El Paso County, Texas expects to pay expenditures in connection with the design, planning, acquisition and construction of the projects described in Exhibit A to this Resolution prior to the issuance of the Certificates of Obligation hereinafter described; and

WHEREAS, the Commissioners Court hereby finds, considers and declares that the reimbursement of the payment by the County of such expenditures will be appropriate and consistent with the lawful objectives of the County and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the U.S. Treasury Regulations, to reimburse itself for such payments at such time as it issues the hereinafter described Certificates of Obligation; and

WHEREAS, it is hereby officially 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 said meeting was given, all as required by Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF EL PASO COUNTY, TEXAS THAT:

Section 1. Attached hereto and marked "Exhibit A" is a form of notice, the form and substance of which are hereby passed and approved.

Section 2. The County Clerk 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 said County, once a week for two consecutive weeks, with the date of the first publication to be before the 45th day before the date tentatively set for the passage of the order authorizing the issuance of the certificates, and, if the County maintains an Internet website, continuously on the County's website for at least 45 days before the date tentatively set for the passage of the order authorizing the issuance of the certificates.

Section 3. 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.

Section 4. 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 such expenditures were made, is placed in service; and the foregoing notwithstanding, 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.

Section 5. This Resolution shall be effective immediately upon adoption.

PASSED AND APPROVED this the 12TH day of December, 2022.

ATTEST:

County Judge
El Paso County, Texas

County Clerk
El Paso County, Texas

[SEAL]

EXHIBIT A

NOTICE OF INTENTION TO ISSUE EL PASO COUNTY, TEXAS CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the Commissioners Court of El Paso County, Texas, at its meeting to commence at 9:30 A.M. on January 30, 2023, at its regular meeting place in the County Courthouse, 500 E. San Antonio Street, El Paso, Texas, tentatively proposes to adopt an order authorizing the issuance of interest bearing certificates of obligation, in one or more series, in an amount not to exceed \$59,000,000, for paying all or a portion of the County's contractual obligations incurred in connection with acquiring, constructing, renovating, remodeling, enlarging, expanding and/or equipping (i) County park facilities, including without limitation land acquisition, feasibility studies, park improvements, recreation and sports facilities, landscaping, irrigation, drainage, lighting, benches, pavilions, trails, walking paths, public restrooms, recreation centers, baseball fields, softball fields, parking facilities and related infrastructure; (ii) County courthouses, subcourthouses, and courthouse annexes; (iii) sheriff's department and public safety facilities, jails, juvenile detention facilities, or judicial facilities, and any facilities that are physically attached to the facilities described by this clause; (iv) streets, roads, sidewalks and alleys, including bridges and intersections, street overlay, landscaping, lighting, signalization, traffic safety and operational improvements, culverts and related storm drainage and utility relocation; (v) constructing improving, renovating and equipping the County Airport in Fabens Texas, including without limitation land acquisition in connection therewith; (vi) telecommunications, wireless communications, information technology systems, applications, hardware, or software for facilities described above; and (vi) paying legal, fiscal and engineering fees in connection with these projects. The maximum interest rate for the certificates may not exceed the maximum legal interest rate, the maximum maturity date for the certificates is September 30, 2047, and the estimated combined principal and interest required to pay the certificates to be authorized on time and in full is \$100,605,408.90. The current principal of all outstanding debt obligations of the County is \$163,171,830.00. The current combined principal and interest required to pay all outstanding debt obligations of the County on time and in full is \$193,477,922.94. The County proposes to provide for the payment of such certificates of obligation from the levy and collection of ad valorem taxes in the County as provided by law and from a pledge of surplus revenues of the County's parking garage facility, remaining after payment of all operation and maintenance expenses thereof. The certificates of obligation are to be issued, and this notice is given, under and pursuant to the provisions of V.T.C.A., Local Government Code, Subchapter C of Chapter 271.

EL PASO COUNTY, TEXAS