

1 **RESOLUTION NO.**

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3 **WHEREAS**, the City of Austin, Texas (the “City”) has outstanding the following  
4 obligations:

5 *City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2011 (the*  
6 *“Series 2011 Bonds”);*

7 *City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2012 (the*  
8 *“Series 2012 Bonds”);*

9 *City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2013A (the*  
10 *“Series 2013A Bonds”);*

11 *City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2014 (the*  
12 *“Series 2014 Bonds”);*

13 *City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2015A (the*  
14 *“Series 2015A Bonds”); and*

15 **WHEREAS**, the Series 2011 Bonds maturing on November 15 in each of the years 2022 through  
16 2025, inclusive, in an aggregate maturity amount not to exceed \$39,320,000, the Series 2012 Bonds  
17 maturing on November 15 in each of the years 2020 through 2025, inclusive, and maturing on May 15  
18 in each of the years 2020 through 2025, inclusive, in an aggregate maturity amount not to exceed  
19 \$80,620,000, the Series 2013A Bonds maturing on November 15 in each of the years 2020 through  
20 2025, inclusive, in an aggregate maturity amount not to exceed \$71,995,000, the Series 2014 Bonds  
21 maturing on November 15 in each of the years 2020 through 2025, inclusive, and maturing on May 15  
22 in each of the years 2020 through 2025, inclusive, in an aggregate maturity amount not to exceed  
23 \$48,570,000, and the Series 2015A Bonds maturing on November 15, in each of the years 2020 through  
24 2025, inclusive, and maturing on May 15 in each of the years 2020 through 2025, inclusive, in an  
25 aggregate maturity amount not to exceed \$126,625,000, are eligible to be defeased, and all or any  
26 portion of the Series 2011 Bonds, the Series 2012 Bonds, the Series 2013A Bonds, the Series 2014  
27 Bonds and the Series 2015A Bonds described in this paragraph that are selected to be defeased by the  
28 City Manager are called the “Defeased Obligations”; and

29 **WHEREAS**, the proceedings adopted by the council authorizing the issuance of the Bonds provide  
30 that the City may defease of the Defeased Obligations prior to their scheduled maturities; and

31 **WHEREAS**, the Series 2011 Bonds may be redeemed prior to their scheduled maturities on  
32 November 15, 2021; the Series 2012 Bonds may be redeemed prior to their scheduled maturities on  
33 November 15, 2022; the Series 2013A Bonds may be redeemed prior to their scheduled maturities on  
34 May 15, 2023; the Series 2014 Bonds may be redeemed prior to their scheduled maturities on May 15,  
35 2024; and the Series 2015A Bonds may be redeemed prior to their scheduled maturities on November  
36 15, 2025; and

37 **WHEREAS**, City staff recommends to council that the defeasance of the Defeased Obligations in  
38 the manner described below will be the most beneficial use of available water and wastewater system  
39 revenues, resulting in the reduction of the outstanding indebtedness secured by the revenues; and

40 **WHEREAS**, the meeting at which this Resolution is adopted was open to the public, and that public  
41 notice of the time, place, and purpose of such meeting was given, all as required by Chapter 551, Texas  
42 Government Code; **NOW, THEREFORE**,

43 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS:**

44 Section 1. Council hereby authorizes the use of surplus water and wastewater system revenues in an  
45 amount not to exceed \$50,000,000 for the purpose of defeasing the Defeased Obligations. No bond  
46 proceeds may be used for the purpose of defeasing the Defeased Obligations.

47 Section 2. The City Manager shall select the Defeased Obligations to be defeased to their respective  
48 maturities or dates fixed for redemption prior to their respective maturities solely from available water  
49 and wastewater system revenues in an amount, together with investment earnings on those revenues,  
50 equal to the maturity amount of the Defeased Obligations, plus accrued interest on the Defeased  
51 Obligations to their respective maturity dates or dates fixed for redemption.

52 Section 3. The City Manager shall execute and deliver any documents necessary to effect the  
53 defeasance of the Defeased Obligations, specifically, any agreement with any paying agent for the  
54 Defeased Obligations to hold the amounts deposited and invested to pay the Defeased Obligations at  
55 their respective maturity dates or dates fixed for redemption.

56 Section 4. This Resolution shall become effective immediately upon its passage, in accordance with  
57 Section 1201.028, Texas Government Code.

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59 **ADOPTED:** \_\_\_\_\_, 2020      **ATTEST:** \_\_\_\_\_

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Jannette S. Goodall  
City Clerk