

## RESOLUTION NO.

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

*City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2004A (the “Series 2004A Bonds”);*

*City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2009 (the “Series 2009 Bonds”);*

*City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2009A (the “Series 2009A Bonds”);*

*City of Austin, Texas Water and Wastewater System Revenue Refunding Bonds, Series 2010A (the “Series 2010A Bonds”);*

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

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

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

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

**WHEREAS,** the Series 2004A Bonds maturing on November 15 in each of the years 2018 and 2019, in an aggregate maturity amount not to exceed \$5,680,000, the Series 2009 Bonds maturing on November 15 in each of the years 2018 and 2019, in an aggregate maturity amount not to exceed \$7,740,000, the Series 2009A Bonds maturing on November 15 in each of the years 2018 and 2019, in an aggregate maturity amount not to exceed \$2,480,000, the Series 2010A Bonds maturing on November 15 in each of the years 2018 through 2021, inclusive, in an aggregate maturity amount not to exceed \$5,450,000, the Series 2011 Bonds maturing on November 15 in each of the years 2018 through 2024, inclusive, in an aggregate maturity amount not to exceed \$26,570,000, the Series 2012 Bonds maturing on November 15 in each of the years 2018 through 2020, inclusive, in an aggregate maturity amount not to exceed \$10,055,000, the Series 2015A Bonds maturing on November 15, 2018, in an aggregate maturity amount not to exceed \$1,060,000, and the Series 2015B

Bonds maturing on November 15, 2018, in an aggregate maturity amount not to exceed \$2,210,000, are eligible to be defeased, and all or any portion of the Series 2004A Bonds, the Series 2009 Bonds, the Series 2009A Bonds, the Series 2010A Bonds, the Series 2011 Bonds, the Series 2012 Bonds, the Series 2015A Bonds and the Series 2015B Bonds described in this paragraph that are selected to be defeased by the City Manager are called the "Defeased Obligations"; and

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

**WHEREAS**, the Series 2010A Bonds may be redeemed prior to their scheduled maturities on November 15, 2020; and the Series 2011 Bonds may be redeemed prior to their scheduled maturities on November 15, 2021; and

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

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

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

Section 1. Council hereby authorizes the use of surplus water and wastewater system revenues for the purpose of defeasing the Defeased Obligations. No bond proceeds may be used for the purpose of defeasing the Defeased Obligations.

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

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

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

**ADOPTED:** \_\_\_\_\_, 2018

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk

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