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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 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 2013A (the “Series 2013A Bonds”);

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

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

WHEREAS, the Series 2010A Bonds maturing on November 15 in each of the years 2019 and 2022 through 2024, inclusive, in an aggregate maturity amount not to exceed \$8,065,000, the Series 2011 Bonds maturing on November 15 in each of the years 2019 through 2024, inclusive, in an aggregate maturity amount not to exceed \$36,270,000, the Series 2012 Bonds maturing on November 15 in each of the years 2020 through 2024, inclusive, and maturing on May 15 in each of the years 2020 through 2022, inclusive, in an aggregate maturity amount not to exceed \$84,175,000, the Series 2013A Bonds maturing on November 15 in each of the years 2019 through 2024, inclusive, in an aggregate maturity amount not to exceed \$64,350,000, the Series 2014 Bonds maturing on November 15 in each of the years 2019 through 2024, inclusive, and maturing on May 15 in each of the years 2020 through 2024, inclusive, in an aggregate maturity amount not to exceed \$46,385,000, and the Series 2015A Bonds maturing on November 15, in each of the years 2019 through 2024, inclusive, and maturing on May 15 in each of the years 2020 through 2024, inclusive, in an aggregate maturity amount not to exceed \$113,735,000, are eligible to be defeased, and all or any portion of the Series 2010A Bonds, the Series 2011 Bonds, the Series 2012 Bonds, the Series 2013A Bonds, the Series 2014 Bonds and the Series 2015A Bonds described in this paragraph that are selected to be defeased by the City Manager are called the “Defeased Obligations”; and

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

39 **WHEREAS**, the Series 2010A Bonds may be redeemed prior to their scheduled
40 maturities on November 15, 2020; the Series 2011 Bonds may be redeemed prior to their
41 scheduled maturities on November 15, 2021; the Series 2012 Bonds may be redeemed prior
42 to their scheduled maturities on November 15, 2022; the Series 2013A Bonds may be
43 redeemed prior to their scheduled maturities on May 15, 2023; the Series 2014 Bonds may
44 be redeemed prior to their scheduled maturities on May 15, 2024; and the Series 2015A
45 Bonds may be redeemed prior to their scheduled maturities on November 15, 2025; and

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

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

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

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

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

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

69 Section 4. This Resolution shall become effective immediately upon its passage, in
70 accordance with Section 1201.028, Texas Government Code.
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73 **ADOPTED:** _____, 2019

74 **ATTEST:** _____
75 Jannette S. Goodall
City Clerk

DRAFT