

CITY OF DRIPPING SPRINGS

RESOLUTION No. 2021-R__

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), ACCEPTING WATER AND EASEMENT CONVEYANCE AND APPROVING AND ACCEPTING A MAINTENANCE BOND FOR DRIFTWOOD WATER LINES, PROVIDING FOR EFFECTIVE DATE; AND PROPER NOTICE & MEETING

WHEREAS, Driftwood Golf Club Development, Inc. (“Developer”) recently inspected, and the City Engineer for the City of Dripping Springs has inspected, the water improvements and easements (“Improvements”) for Driftwood Ranch Tract; and

WHEREAS, the City desires to accept conveyance of water lines and easements in accordance with applicable development the Improvements at Driftwood Ranch Tract; and

WHEREAS, the City of Dripping Springs City Council (“City Council”) seeks the Developer to provide a Maintenance Bond (Attachment “A”) conditioned to guarantee for the period of Two (2) Years from and after the date of conveyance of the Improvements, guaranteeing the materials and workmanship related to Developer’s Improvements; and

WHEREAS, this Resolution conforms with the Maintenance and Guarantee regulation of the City’s Code requiring all public improvements be free from defects for a period of two (2) years; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace or order of the City to approve this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dripping Springs City, Texas, that:

1. The foregoing recitals are adopted as facts and are incorporated into this Resolution by reference as findings of fact as if expressly set forth herein.
2. The City Council hereby accepts the Conveyance of the Water Improvements in the Driftwood Development.
3. The City Council hereby approves and accepts the Developer’s proposed Maintenance Bond No. 1001130674, from U.S. Specialty Insurance Company (“Insurer”), included and

attached herein (Attachment “A”).

4. Conditioned upon the fiscal guarantee for maintenance from the Developer and the Insurer, the City shall assume responsibility for the repair, maintenance, and regulation of the Improvements for the benefit of the public.
5. The City Council hereby authorizes the Mayor or the Mayor’s designee to execute any documentation on the City’s behalf necessary to effectuate the intent and purpose of this Resolution.
6. This Resolution shall take effect immediately upon passage.
7. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED & APPROVED this, the 3rd day of August 2021, by a vote of ___ (ayes) to ___ (nays) to ___ (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary