

**CITY OF DRIPPING SPRINGS**

**ORDINANCE NO. 2025-\_\_\_\_\_**

**DEVELOPMENT AGREEMENT ORDINANCE**

**AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS, TO ADOPT THE FIRST AMENDMENT TO THE DRIFTWOOD 552 DEVELOPMENT AGREEMENT, ATTACHED HERETO AS EXHIBIT "A", INCLUDING THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; EFFECTIVE DATE; FILING; SEVERABILITY; AND PROPER NOTICE AND MEETING.**

**WHEREAS,** the City of Dripping Springs ("City") is a Type-A, General Law municipality located in Hays County, Texas with the rights and privileges thereto;

**WHEREAS,** the City is authorized by Texas Local Government Code § 51.001 to adopt or amend any ordinance is for the good government, peace, or order of the municipality or for the trade and commerce of the municipality; and

**WHEREAS,** the City has the legal authority to negotiate with the owners of proposed development projects in the interest of the parties and the general public; and

**WHEREAS,** the power to enter Developer Participation Agreements is provided in Section 212.071 of the Texas Local Government Code; and

**WHEREAS,** the general power to regulate subdivisions is provided in Sections 212.002 and 212.003 of the Texas Local Government Code; and

**WHEREAS,** the basic power to enter contracts is provided in Sections 51.001, 51.014, 51.035 and 51.051(b) of the Texas Local Government Code; and

**WHEREAS,** the City entered into a Development Agreement with Driftwood 552 and Driftwood Golf Club, Inc. on or about April of 2019 (the "Original Agreement"), which was recorded as Instrument# 19013385 of the Official Public Records of Hays County, Texas; and

**WHEREAS,** Driftwood 552 requested an amendment to the Development Agreement to increase the number of acres of the development; and

**WHEREAS,** the City deems it in the best interest to its citizens to adopt the First Amendment to the Driftwood 552 Development Agreement for Driftwood 552, attached hereto as Exhibit "A".

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS:**

**1. FINDINGS OF FACT**

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of Dripping Springs, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

**2. ENACTMENT**

This Ordinance approves the accompanying Development Agreement as shown in Exhibit "A".

**3. EFFECTIVE DATE**

This ordinance shall be effective immediately upon passage and publication.

**4. FILING**

- A. The City Secretary is hereby instructed to include this Ordinance in the records of the City.
- B. The City Secretary is hereby instructed to file a certified copy of this Ordinance with the Hays County Clerk.

**5. SEVERABILITY**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

**6. PROPER NOTICE AND MEETING**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

**PASSED AND APPROVED** this the \_\_\_\_ day of \_\_\_\_\_ 2025, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) to \_\_\_\_ (abstentions) of the City Council of the City of Dripping Springs, Texas.

**THE CITY OF DRIPPING SPRINGS:**

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Bill Foulds Jr.

ATTEST:

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Diana Boone, City Secretary

**EXHIBIT “A”**