

**CITY OF DRIPPING SPRINGS**

**RESOLUTION No. 2023-R\_\_**

**A RESOLUTION OF THE CITY OF DRIPPING SPRINGS CONSENTING TO  
THE ISSUANCE OF BONDS BY HEADWATERS MUNICIPAL UTILITY  
DISTRICT OF HAYS COUNTY**

**WHEREAS**, Headwaters Municipal Utility District of Hays County (the "District") is a conservation and reclamation district, a body corporate and politic and governmental agency of the State of Texas, created under Article XVI, Sec. 59 of the Texas Constitution by order of the Texas Commission on Environmental Quality, and the District operates under Chapters 49 and 54 of the Texas Water Code, as amended; and

**WHEREAS**, the District, Headwaters Development Company, the Townes Family Trust and the City of Dripping Springs entered into that certain "Agreement Concerning Creation and Operation of Headwaters Municipal Utility District" dated to be effective February 8, 2005, as subsequently amended by that certain "First Amendment to Agreement Concerning Creation and Operation of Headwaters Municipal Utility District" dated June 10, 2008; that certain "Second Amendment to Agreement Concerning Creation and Operation of Headwaters Municipal Utility District" last executed on February 3, 2015; and that certain "Third Amendment to Agreement Concerning Creation and Operation of Headwaters Municipal Utility District" last executed on May 29, 2020 (collectively, the "Consent Agreement"); and

**WHEREAS**, among other matters, the Consent Agreement provides that all bonds of the District shall be approved by the City Council of the City of Dripping Springs prior to issuance; and

**WHEREAS**, on November 6, 2007, the registered voters within the District authorized the issuance of water, sewer, and drainage system facilities bonds by the District in a maximum amount not to exceed \$64,700,000 and the levy of a tax for payment of debt service on such bonds; and

**WHEREAS**, the District now desires to proceed with the issuance of its water, sewer, and drainage facilities system bonds in a principal amount not to exceed \$35,000,000 in order to finance costs of the District's water, wastewater and drainage systems, impact fees, operational costs, and to pay costs of issuance of the bonds (the "Bonds"); and

**WHEREAS**, the Bonds will be obligations solely of the District, and the City of Dripping Springs will not be responsible for payment of the Bonds.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS THAT:**

- Section 1.** This meeting of the City Council of the City of Dripping Springs has been properly posted in accordance with the Texas Open Meetings Act.
- Section 2.** The City Council of the City of Dripping Springs hereby approves the issuance by the District of the Bonds in a par amount not to exceed \$35,000,000.
- Section 3.** This Resolution shall be effective upon the date of its approval.

**PASSED & APPROVED this, the 1<sup>st</sup> day of August 2023, by a vote of \_\_\_ (ayes) to \_\_\_ (nays) to \_\_\_ (abstentions) of the City Council of Dripping Springs, Texas.**

**CITY OF DRIPPING SPRINGS:**

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary