

RESOLUTION NO. R-2022-\_\_\_\_\_

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS  
REQUESTING FINANCIAL ASSISTANCE FROM THE TEXAS WATER  
DEVELOPMENT BOARD UNDER ELIGIBLE PROGRAMS, INCLUDING THE  
DRINKING WATER STATE REVOLVING FUND

THE STATE OF TEXAS       §  
COUNTY OF MATAGORDA   §  
CITY OF BAY CITY         §

WHEREAS, the City Council of the City of Bay City, Texas (the “City”) hereby finds and determines that there is a need for the City to apply for financial assistance from the Texas Water Development Board (the “TWDB”); and

WHEREAS, the City Council of the City desires to authorize the submission of an application for financial assistance to the TWDB under one or more programs for which it would be eligible to receive funding, including particularly the Drinking Water State Revolving Fund;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, THAT:

Section 1. An application is hereby approved and authorized to be filed with the TWDB seeking financial assistance in an amount not to exceed \$26,625,000 to provide for eligible costs for improvements to and the equipment of the City’s water system, including [(i) the design, construction, and equipment of treatment facilities at City well sites, (ii) the evaluation, design, construction, rehabilitation, replacement, and equipment of elevated storage tanks, (ii) design, construction, rehabilitation, replacement, and equipment of water lines and other water infrastructure, (iii) design, construction, rehabilitation, replacement, and equipment of existing water mains and related infrastructure, and (vi) the costs of issuance related to the financial assistance.]

Section 2. Shawna Burkhart, City Manager, Barry Calhoun, Director of Public Works, and Scotty Jones, Finance Director, are hereby designated the authorized representatives of the City for purposes of furnishing such information, executing such documents, and making such appearances as may be required in connection with the preparation and filing of such application for financial assistance and with complying with the rules of the TWDB.

Section 3. The following firms and individuals are hereby authorized and directed to aid and assist in the preparation and submission of such application and appear on behalf of and represent the City before any hearings held by the TWDB on such application, to-wit:

Financial Advisor

James Gilley  
U.S. Capital Advisors LLC  
300 W. 6<sup>th</sup> Street, Suite 1900  
Austin, TX 78701  
512.813.1110

Bond Counsel

Jonathan K. Frels  
Eryn Roberts  
Bracewell LLP  
711 Louisiana Street Suite 2300  
Houston, TX 77002  
713.221.1599

Engineer

Daniel N. Olson, P.E.  
Garver, LLC  
12141 Wickchester Lane, Suite 200  
Houston, TX 77079  
713.395.4277

PASSED AND APPROVED this 6<sup>th</sup> day of December, 2022.

---

The Honorable Robert K. Nelson, Mayor,  
City of Bay City, Texas

ATTEST:

---

Jeanna Thompson, City Secretary  
City of Bay City, Texas

[SEAL]