

RESOLUTION NO. R-2024-001

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS APPROVING A PRINCIPAL FORGIVENESS AGREEMENT WITH THE TEXAS WATER DEVELOPMENT BOARD AND AUTHORIZING THE MAYOR AS THE DESIGNATED REPRESENTATIVE OF THE CITY TO EXECUTE THE PRINCIPAL FORGIVENESS AGREEMENT; AND APPROVING OTHER MATTERS RELATED THERETO

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

WHEREAS, the Texas Water Development Board (the “TWDB”) has made a commitment to provide financial assistance in the form of a principal forgiveness in the amount of \$500,000 from the Drinking Water State Revolving Fund (the “Principal Forgiveness”) to the City of Bay City, Texas (the “City”) to finance improvements to the City’s water system, including the planning, acquisition, design, construction, and equipment of (i) arsenic removal and water plant improvements, (ii) elevated storage tanks, (iii) water mains and related infrastructure; and

WHEREAS, the City Council of the City desires to appoint Mayor Robert K. Nelson, or any successor as Mayor of the City, as the representative of the City (the “Authorized Representative”) who is authorized to enter into an agreement related to the Principal Forgiveness (the “Principal Forgiveness Agreement”) with the TWDB on behalf of the City; and

WHEREAS, the meeting at which this Resolution is being considered is open to the public as required by law, and the public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code; NOW THEREFORE,

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

1. Authorized Representative. The Mayor of the City is hereby appointed as the Authorized Representative of the City.

2. Approval of Principal Forgiveness Agreement. The Principal Forgiveness Agreement between the TWDB and the City in substantially the form presented to City Council is approved, and the Authorized Representative is authorized to execute the Principal Forgiveness Agreement on behalf of the City.

3. Effective Date. This Resolution shall become effective immediately after its adoption.

*[Execution Page Follows]*

PASSED AND APPROVED on this the 9<sup>th</sup> day of January, 2024 by the City Council of the City of Bay City, Texas.

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

ATTEST:

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Jeanna Thompson, City Secretary  
City of Bay City, Texas

[SEAL]

APPROVED AS TO FORM:

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City Attorney  
City of Bay City, Texas

**CERTIFICATE FOR RESOLUTION**

THE STATE OF TEXAS                    §  
COUNTY OF MATAGORDA               §

I, the undersigned officer of the City Council of the City of Bay City, Texas, hereby certify as follows:

1.       The City Council of the City of Bay City, Texas, convened in a regular meeting on the 9<sup>th</sup> day of January, 2024, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Robert K. Nelson	Mayor
Benjamin Flores	Council Member, Position No. 1
James Folse	Council Member, Position No. 2
Brad Westmoreland	Council Member, Position No. 3
Becca Sitz	Council Member, Position No. 4
Blayne Finlay	Mayor Pro Tem and Council Member, Position No. 5

and all of said persons were present, except the following absentee(s): \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting, a written

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was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

\_\_\_\_\_ Member(s) shown present above voted "Aye."

\_\_\_\_\_ Member(s) shown present above voted "No."

\_\_\_\_\_ Member(s) shown present above abstained from voting.

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said resolution has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 9<sup>th</sup> day of January, 2024.

[SEAL]

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City Secretary  
City of Bay City, Texas