



## CITY COUNCIL SPECIAL SESSION

Thursday, December 14, 2023 – 5:00 PM

109 North Kaufman Street, Mount Vernon, Texas 75457

*Our mission: to provide effective and fiscally responsible municipal services in a manner which promotes our high standard of community life.*

*Vision Statement Mount Vernon is a caring community committed to excellence and quality of life, aspiring to be the community of choice for ourselves, our children, and future generations – beautiful, clean, vibrant, and safe. We will strive to preserve our heritage, our friendly hometown atmosphere, and celebrate the diversity of all our citizens.*

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### AGENDA

**Call to order and announce a quorum is present.**

**Invocation and Pledges**

**Citizen Participation (3 minutes)**

The Texas Open Meetings Act prohibits the Council from responding to any comments other than to refer the matter to a future agenda, to an existing policy, or to a staff person with specific information. Claims against the City, Council Members, or employees, as well as individual personnel appeals are not appropriate for citizens' forum.

**Items to be Considered:**

1. Consider and act upon approval of seeking financial assistance from Texas Water Development Board in an amount not to exceed \$2,000,000.00.

**Presiding Officer to Adjourn the City Council Meeting**

**Notes to the Agenda:**

Items marked with an \* are consent items considered to be non-controversial and will be voted on in one motion unless a council member asks for separate discussion.

The Council may vote and/or act upon each of the items listed in this Agenda except for discussion-only items.

The Council reserves the right to retire into executive session under Sections 551.071/551.074 – of the Texas Open Meetings Act concerning any of the items listed on this Agenda, whenever it is considered necessary and legally justified under the Open Meetings Act.

Persons with disabilities who plan to attend this meeting and who may need assistance should contact the City Secretary at 903-537-2252 two working days prior to the meeting so that appropriate arrangements can be made.

#### CERTIFICATION

I do hereby certify that this Public Meeting Notice was posted on the outside bulletin board, at the front entrance of City Hall located at 109 N Kaufman St., Mount Vernon, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted on the following date and time: **Posted December 11, 2023 by 4:00 p.m. and remained so posted at least 72 hours before said meeting was convened.**

Kathy Lovier, City Secretary

**NOTE:** The City of Mount Vernon, Texas meets regularly on the second Monday night of each month at 6:00 p.m. The Council follows a printed Agenda for official action. **Any individual desiring official action should submit his/her request to the office of the City Manager not later than fifteen (15) days prior to the Council Meeting.**

\_\_\_\_\_/s/Kathy Lovier

Kathy Lovier, City Secretary

Posted 12/11/2023 at 4:00 p.m.

### Application Filing and Authorized Representative Resolution

A RESOLUTION by the City Council of the City of Mount Vernon requesting financial assistance from the Texas Water Development Board; authorizing the filing of an application for assistance; and making certain findings in connection therewith.

BE IT RESOLVED BY THE City Council OF THE City of Mount Vernon:

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$2,000,000 to provide for the costs of water and wastewater improvements.

SECTION 2: That Mayor Brad Hyman be and is hereby designated the authorized representative of the City of Mount Vernon for purposes of furnishing such information and executing such documents as may be required in connection with the preparation and filing of such application for financial assistance and the rules of the Texas Water Development Board.

SECTION 3: That 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 of Mount Vernon before any hearing held by the Texas Water Development Board on such application, to wit:

Financial Advisor: \_\_\_\_\_  
\_\_\_\_\_

Engineer: KSA Engineers  
Brittney Smith, P.E.

Bond Counsel: \_\_\_\_\_  
\_\_\_\_\_

PASSED AND APPROVED, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ATTEST: \_\_\_\_\_

By: \_\_\_\_\_

(Seal)

### Application Affidavit

THE STATE OF TEXAS §  
 COUNTY OF Franklin §  
 APPLICANT City of Mount Vernon §

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Mayor Brad Hyman as the Authorized Representative of the City of Mount Vernon, who being by me duly sworn, upon oath says that:

1. The decision by the City of Mount Vernon (authority, city, county, corporation, district) to request financial assistance from the Texas Water Development Board ("TWDB") was made in a public meeting held in accordance with the Open Meetings Act (Government Code, §551.001, et seq.) and after providing such notice as required by such Act as is applicable to the City of Mount Vernon (authority, city, county, corporation, district).

2. The information submitted in the application is true and correct according to my best knowledge and belief.

3. The City of Mount Vernon (authority, city, county, corporation, district) has no litigation or other proceedings pending or threatened against it that would materially adversely affect its financial condition or ability to issue debt.

4. The City of Mount Vernon (authority, city, county, corporation, district) has no pending, threatened, or outstanding judgments, orders, fines, penalties, taxes, assessment or other enforcement or compliance issue of any kind or nature by the Environmental Protection Agency, Texas Commission on Environmental Quality, Texas Comptroller, Texas Secretary of State, or any other federal, state or local government, except for the following (if no such outstanding compliance issues, write in "none"):

Agreed Order Docket No. 2021-0851-MWD-E.

5. The City of Mount Vernon (authority, city, county, corporation, district) warrants compliance with the representations made in the application in the event that the TWDB provides the financial assistance.

6. The City of Mount Vernon (authority, city, county, corporation, district) is or will become in compliance with all of its material contracts.

7. The City of Mount Vernon (authority, city, county, corporation, district) will comply with all applicable federal laws, rules, and regulations as well as the laws of this state and the rules and regulations of the TWDB.

\_\_\_\_\_  
Official Representative

Title: \_\_\_\_\_

SWORN TO AND SUBSCRIBED BEFORE ME, by \_\_\_\_\_,  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

(NOTARY'S SEAL)

\_\_\_\_\_  
Notary Public, State of Texas

### Application Resolution - Certificate of Secretary

THE STATE OF TEXAS §  
COUNTY OF Franklin §  
APPLICANT City of Mount Vernon §

I, the undersigned, Secretary of the City of Mount Vernon Texas,  
DO HEREBY CERTIFY as follows:

1. That on the 11 th day of December, 2023, a regular/special meeting of the Mount Vernon City Council was held; the duly constituted members of the Mount Vernon City Council being as follows:

\_\_\_\_\_ all of whom were present at the meeting, except the following:

\_\_\_\_\_ Among other business considered at the meeting, the attached resolution entitled:

"A RESOLUTION by the City Council of the City of Mount Vernon requesting financial participation from the Texas Water Development Board; authorizing the filing of an application for financial participation; and making certain findings in connection therewith."

was introduced and submitted to the Mount Vernon City Council for passage and adoption. After presentation and consideration of the resolution, and upon a motion made by \_\_\_\_\_ and seconded by \_\_\_\_\_, the resolution was passed and adopted by the \_\_\_\_\_ by the following vote:

\_\_\_\_\_ voted "For" \_\_\_\_\_ voted "Against" \_\_\_\_\_ abstained

all as shown in the official minutes of the \_\_\_\_\_ for this meeting.

2. That the attached resolution is a true and correct copy of the original on file in the official records of the \_\_\_\_\_; the qualified and acting members of the \_\_\_\_\_ on the date of this meeting are those persons shown above and, according to the records of my office, advance notice of the time, place, and purpose of meeting was given to each member of the \_\_\_\_\_; and that the meeting, and the deliberations of the public business described above, was open to the public and written notice of the meeting, including the subject of the resolution described above, was posted and given in advance of the meeting in compliance with the provisions of Chapter 551 of the Texas Government Code.

IN WITNESS WHEREOF, I have signed my name and affixed the seal of the \_\_\_\_\_, this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Secretary

(SEAL)