

RESOLUTION NO. 25-009

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF MARLIN, TEXAS, AUTHORIZING THE EMERGENCY PROCUREMENT OF EQUIPMENT, MATERIAL, AND SERVICES, AND AUTHORIZING THE EXPENDITURE OF FUNDS NECESSARY TO OBTAIN EQUIPMENT AND MATERIALS DUE TO AN EMERGENCY AND URGENT PUBLIC NECESSITY; MAKING A FINDING OF THE EXISTENCE OF AN EMERGENCY AND URGENT PUBLIC NECESSITY; PROVIDING FOR OPEN MEETINGS AND EFFECTIVE DATE CLAUSES.

WHEREAS, the City of Marlin (City”) is currently experiencing an emergency and urgent public necessity due to a loss of public drinking water service in the City of Marlin;

WHEREAS, under the authority granted by Section 418.108 of the Texas Government Code, the Mayor for the City issued a Proclamation of Local disaster on April 30, 2025, which shall continue for seven (7) days;

WHEREAS, on May 3, 2025, the Governor of the State of Texas issued a Proclamation under the authority granted by Sections 418.014, 418.016, and 418.017 of the Texas Government Code, to declare a state of disaster in Falls County and to suspend any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with the disaster; and further, the Governor’s Proclamation provided for the suspension of any state statute or administrative rule regarding contracting or procurement that would impede the City’s emergency response necessary to protect life or property threatened by the declared disaster;

WHEREAS, the City Council, finds that a state of emergency and urgent public necessity currently exists in the City of Marlin due to loss of public drinking water service, therefore, the City Council recognizes a need to take immediate action; and

WHEREAS, the City Council intends through the adoption of this Resolution, to authorize the immediate procurement and acquisition of necessary equipment, material and services to immediately restore public drinking water service in the City of Marlin,

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

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Authorization to Purchase Necessary Equipment. The City Council authorizes the Mayor and the Interim City Manager to execute all necessary proposals or contracts as necessary to acquire two (2) portable water plants, as well as to procure and obtain

the necessary material and labor, to immediately restore public drinking water service to the City, or for required repairs to the City of Marlin Water Treatment Plant. The City Council also authorizes any necessary changes in equipment as may be required by the Texas Commission on Environmental Quality.

Section 3. Additional Authorization. Further, City Council approves and authorizes the expenditure of funds in the amount of \$ _____ to acquire two (2) portable water plants on a temporary basis, as well as to procure and obtain necessary material and labor, to immediately restore public drinking water service to the City, or for immediately required repairs to the City of Marlin Water Treatment Plant.

Section 4. Open Meetings. That it is hereby officially found that an emergency and public urgent necessity exists as defined in Section 551.045 of the Texas Government Code. Accordingly, the meeting at which this Resolution is passed was open to the public as required by law and that public notice of the time, place, and purpose of said meeting was given as authorized by the Open Meetings Act, Chapt. 551, *Tex. Gov't. Code*.

Section 5. Effective Date. This Resolution shall take effect immediately upon its adoption by the City Council and publication as required by the *Tex. Loc. Gov't. Code*.


PASSED AND APPROVED on this the 4th day of May, 2025.

CITY OF MARLIN, TEXAS



Susan Byrd, Mayor

ATTEST:



Maryann Waddle

PROCLAMATION
BY THE
Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, GREG ABBOTT, Governor of the State of Texas, do hereby certify that catastrophic failure of the City of Marlin's public drinking water system resulted in a water outage that poses an imminent threat to public health and safety in Falls County;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby declare a state of disaster in Falls County based on the existence of such threat;

Pursuant to Section 418.017 of the code, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016 of the code, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to protect life or property threatened by this declared disaster, I hereby authorize the suspension of such statutes and rules for the duration of this declared disaster.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 3rd day of May, 2025.


GREG ABBOTT
Governor

ATTESTED BY:


JANE NELSON
Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
2:00 PM O'CLOCK

MAY 03 2025