



# CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, December 15, 2020 at 6:00 PM  
COUNCIL CHAMBERS | 1901 5th Street

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## COUNCIL MEMBERS

**Mayor:** Robert K Nelson

**Mayor Pro Tem:** Jason W. Childers

**Council Members:** Brent P. Marceaux, Becca Sitz, Floyce Brown, Jim Folse

*Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.*

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## AGENDA

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**THE FOLLOWING ITEM WILL BE ADDRESSED AT THIS OR ANY OTHER MEETING OF THE CITY COUNCIL UPON THE REQUEST OF THE MAYOR, ANY MEMBER(S) OF COUNCIL AND/OR THE CITY ATTORNEY:**

*ANNOUNCEMENT BY THE MAYOR THAT COUNCIL WILL RETIRE INTO CLOSED SESSION FOR CONSULTATION WITH CITY ATTORNEY ON MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT (TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE).*

### CALL TO ORDER

### INVOCATION & PLEDGE

Texas State Flag Pledge: *"Honor The Texas Flag; I Pledge Allegiance To Thee, Texas, One State Under God, One And Indivisible."*

*Councilman Jim Folse*

### CERTIFICATION OF QUORUM

### MISSION STATEMENT

The City of Bay City is a community that fosters future economic growth, strives to deliver superior municipal services, invests in quality of life initiatives and is the gateway to the great outdoors. We encourage access to our unique historical and eco-cultural resources while maintaining our small-town Texas charm.

Councilman Jim Folse

### APPROVAL OF AGENDA

### PUBLIC COMMENTS

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in

response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

#### **CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

- 1. Minutes of City Council Workshop on November 4, 2020**
- 2. Minutes of City Council Special Called Meeting on November 4, 2020**
- 3. Minutes of City Council Workshop on November 10, 2020**
- 4. Minutes of City Council Regular meeting on November 10, 2020**
- 5. Minutes of City Council Special Called meeting on November 17, 2020**
- 6. Minutes of City Council Workshop on December 1, 2020**
- 7. Minutes of City Council Regular meeting on December 1, 2020**
- 8. Payment of invoices as recommended by the TIRZ 1 Board to pay out of TIRZ 1 Funds.**
- 9. Payment of invoices as recommended by the TIRZ #2 to pay out of TIRZ 2 Funds.**

#### **REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**

- 10. Presentation ~ Discuss, consider, and/or approve construction of Digital Billboard at Bay City Civic Center.**  
Heidi Martinez, Tourism Director
- 11. Resolution ~ Discuss, consider, and/or adopt a resolution designating an engineering service provider for the Texas Hazard Mitigation Assistance, Building Resilient Infrastructure and Communities (BRIC), program application for project implementation.**  
Alyssa Dibbern, Engineering Tech
- 12. Agreement ~ Discuss, consider and/or approve the Facility User Agreement and Deed Modification for the Service Center/USO.**  
Scotty Jones, Finance Director
- 13. Ordinance ~ Discuss, consider and/or approve an Ordinance of the City of Bay City, Texas, revising the Fee Schedule labeled "Appendix B" in the Code of Ordinances of the City of Bay City, Texas; adopting new fees for Chapter 70 Parks and Recreation; providing for repeal; providing for ratification; providing a penalty; providing for severability; and providing an effective date.**  
Scotty Jones, Finance Director

#### **CLOSED / EXECUTIVE SESSION**

#### **OPEN SESSION**

Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

#### **ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS**

#### **ADJOURNMENT**

#### **AGENDA NOTICES:**

**Action by Council Authorized:** The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

**Attendance By Other Elected or Appointed Officials:** It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

**Executive Sessions Authorized:** This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

### **CERTIFICATION OF POSTING**

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on **Friday, December 11, 2020 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

# CITY OF BAY CITY

MINUTES • NOVEMBER 04, 2020

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**COUNCIL  
CHAMBERS | 1901  
5th Street**

**City Council Workshop**

**5:00 PM**

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**1901 5TH STREET  
BAY CITY TX,77414**



**Mayor**

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Robert K. Nelson

**Councilman**

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William Cornman

**Councilman**

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Brent P. Marceaux

**Councilwoman**

---

Becca Slitz

**Mayor Pro Tem**

---

Jason W. Childers

**Councilwoman**

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Julie Estlinbaum

***Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.***

**CALL TO ORDER**

Meeting called to order at 5:01 pm by Mayor Robert K. Nelson.

**CERTIFICATION OF QUORUM****PRESENT**

Mayor Robert K. Nelson

Mayor Pro Tem Jason W. Childers

Councilman William Cornman

Councilman Brent P. Marceaux

Councilwoman Becca Sitz

Councilwoman Julie Eslinbaum arrived at 5:09 pm.

**PUBLIC COMMENTS**

There were no public comments.

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND / OR APPROVAL**

- 1. Discussion regarding regional drainage study.** Matt Breazeale, PE; Jones & Carter

Matt Breazeale with Jones & Carter gave presentation on riverine modeling flooding improvements of Cottonwood Creek. Mr. Breazeale pointed out the flat line of Cottonwood Creek where the water does not move on down. Mr. Breazeale pointed out various options.

**ADJOURNMENT**

Motion made by Mayor Pro Tem Childers to adjourn, Seconded by Councilman Cornman. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz. Motion carried and Council adjourned at 5:58 pm.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

\_\_\_\_\_  
JEANNA THOMPSON

CITY SECRETARY

**CITY OF BAY CITY**  
MINUTES • NOVEMBER 04, 2020

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<b>COUNCIL CHAMBERS   1901 5th Street</b>	<b>City Council Special Called Meeting - Aquatic Center</b>	<b>6:00 PM</b>
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1901 5TH STREET  
BAY CITY TX, 77414



**Mayor**

Robert K. Nelson

**Councilman**

William Cornman

**Councilman**

Brent P. Marceaux

**Councilwoman**

Becca Slitz

**Mayor Pro Tem**

Jason W. Childers

**Councilwoman**

Julie Estlinbaum

*Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.*

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**CALL TO ORDER**

Meeting was called to order by Mayor Robert K. Nelson at 6:08 pm.

**CERTIFICATION OF QUORUM****PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Jason W. Childers  
Councilman William Cornman  
Councilman Brent P. Marceaux  
Councilwoman Becca Sitz  
Councilwoman Julie Estlinbaum

**APPROVAL OF AGENDA**

Motion made by Mayor Pro Tem Childers to approve the agenda, Seconded by Councilwoman Sitz.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum

**PUBLIC COMMENTS**

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

There were no public comments.

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**

**Consider, discuss, and give clear direction relative to a proposal to design and construct a new "all purpose" Aquatic Center in Bay City for the benefit of all of Matagorda County.** William Cornman, Councilman

Councilman William Cornman presented members of the Aquatic Center Board and provided background on the proposal. Council discussed financial impact and City Finance Director, Scotty Jones, reported on this topic as well, including bonds. Though Council was supportive, financing and maintenance of the Aquatic Center was the biggest concern without other agencies input. Council Cornman stated that he still has not been given clear direction from the City and requested it be on the next agenda so Council can take action.

**ADJOURNMENT**

Motion made by Mayor Pro Tem Childers to adjourn, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum. Motion carried and Council adjourned at 8:24 pm.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
ROBERT K. NELSON, MAYOR  
CITY OF BAY CITY, TEXAS

\_\_\_\_\_  
JEANNA THOMPSON  
CITY SECRETARY



# CITY OF BAY CITY

MINUTES • NOVEMBER 10, 2020

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**COUNCIL  
CHAMBERS | 1901  
5th Street**

City Council Workshop

5:00 PM

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1901 5TH STREET  
BAY CITY TX, 77414



**Mayor**

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Robert K. Nelson

**Councilman**

---

William Cornman

**Councilman**

---

Brent P. Marceaux

**Councilwoman**

---

Becca Slitz

**Mayor Pro Tem**

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Jason W. Childers

**Councilwoman**

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Julie Estlinbaum

*Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.*

**CALL TO ORDER**

The meeting was called to order by Mayor Robert K. Nelson at 5:06 PM.

**CERTIFICATION OF QUORUM****PRESENT**

Mayor Robert K. Nelson  
 Mayor Pro Tem Jason W. Childers  
 Councilman Brent P. Marceaux  
 Councilwoman Becca Sitz

Quorum present and Councilwoman Estlinbaum arrived late.

**PUBLIC COMMENTS**

There were no public comments.

**REGULAR ITEMS FOR DISCUSSION**

- 1. Discuss, consider, and/or review revisions to the City of Bay City, Texas Code of Ordinances, Chapter 114 "Utilities", providing rules and regulations in compliance with State law for efficient and safe operations of the City's utility water and wastewater systems.**

Barry Calhoun, Public Works Director, reviewed the redlined draft of the Utilities Code of Ordinance.

- 2. Discuss the City's Quarterly Financial Report for the quarter ending September 30, 2020.**

Scotty Jones informed Council that she will discuss on Budget Amendment during Regular Meeting following this to save time.

**ADJOURNMENT**

Motion made by Councilwoman Sitz to adjourn, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum. Motion carried and the meeting adjourned at 6:00 pm.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
 ROBERT K. NELSON, MAYOR  
 CITY OF BAY CITY, TEXAS

\_\_\_\_\_  
 JEANNA THOMPSON  
 CITY SECRETARY



**CITY OF BAY CITY**  
MINUTES • NOVEMBER 10, 2020

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<b>COUNCIL CHAMBERS   1901 5th Street</b>	<b>City Council Regular Meeting</b>	<b>6:00 PM</b>
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1901 5TH STREET  
BAY CITY TX, 77414



**Mayor**

Robert K. Nelson

**Councilman**

William Cornman

**Councilman**

Brent P. Marceaux

**Councilwoman**

Becca Slitz

**Mayor Pro Tem**

Jason W. Childers

**Councilwoman**

Julie Estlinbaum

*Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.*

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**CALL TO ORDER**

Mayor Robert K. Nelson called the meeting to order at 6:05 pm.

**INVOCATION & PLEDGE**

Texas State Flag Pledge: *"Honor The Texas Flag; I Pledge Allegiance To Thee, Texas, One State Under God, One And Indivisible."*

*Councilwoman Julie Estlinbaum*

**CERTIFICATION OF QUORUM****PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Jason W. Childers  
Councilman William Cornman  
Councilman Brent P. Marceaux  
Councilwoman Becca Sitz  
Councilwoman Julie Estlinbaum

**MISSION STATEMENT**

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*Councilwoman Julie Estlinbaum*

**APPROVAL OF AGENDA**

Motion made by Councilman Marceaux to approve the agenda, Seconded by Councilwoman Estlinbaum.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum. Motion carried.

**PUBLIC COMMENTS**

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

No public comments.

**CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

There were no consent agenda items.

**APPROVAL OF MINUTES****1. Meeting minutes of Council Workshop on October 27, 2020.**

Motion made by Mayor Pro Tem Childers to approve the minutes of October 27, 2020 Council Workshop, Seconded by Councilwoman Estlinbaum. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum. Motion carried.

**2. Meeting minutes of Regular Council meeting on October 27, 2020**

Motion made by Mayor Pro Tem Childers to approve the minutes of the October 27, 2020 Regular Council meeting, Seconded by Councilwoman Estlinbaum. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum. Motion carried.

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL****3. Presentation ~ Library 4th Quarter Report.** Samantha Denbow, Library Director

Samantha Denbow presenter the Library 4th qtr report. numbers are down due to covid, but was pleased to numbers increased when we started opening again. sargent branch open 200 visits in first 2 months. added virtual center. online magazines, newspapers, language learning, grant from trull foundation for

**4. Ordinance ~ Discuss, consider, and/or approve an Ordinance adopting Budget Amendments for the fiscal year ending September 30, 2020.**

Scotty Jones, Finance Director, presented the budget amendment ordinance.

Motion made by Councilman Cornman to approve the Budget Amendment Ordinance for the fiscal year ending September 30, 2020, seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Marceaux, Councilwoman Estlinbaum, Councilwoman Sitz, and Councilman Cornman. Motion carried.

**5. Project ~ Discuss, consider and/or approve Hamman Road Drainage Project scope and cost estimate - Phase 1.**

Barry Calhoun, Public Works Director, discussed the Hamman Road drainage project. Shawna Burkhart, City Manager, added that \$250,000 with open cut.

Motion made by Councilwoman to approve the Hamman Road Drainage Project, seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Marceaux, Councilwoman Estlinbaum, Councilwoman Sitz, Councilman Cornman. Motion carried.

- 6. Resolution ~ Discuss, consider, and/or adopt a resolution designating an management service provider for the Texas Hazard Mitigation Assistance, Building Resilient Infrastructure and Communities (BRIC), program application and project implementation.**

Alyssa Dibbern, Engineering Tech, presented the resolution stating that GrantWorks was the only one who applied.

Motion made by Councilman Cornman to approve a Resoluiton designating Grantworks as a management service provider, seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Marceaux, Councilwoman Estlinbaum, Councilwoman Sitz, and Councilman Cornman. Motion carried.

- 7. Consider, discuss, and/or approve a direction relative to a proposal to design and construct a new "all purpose" Aquatic Center in Bay City for the benefit of all of Matagorda County.**

Councilman Cornman presented estimate City cost for proposed Aquatic Center.

Councilman Cornman made a motion that the City Council authorize Wellness Matagorda to work with the project partners (the City, BCISD, Matagorda County, and the Hospital District) to frame a proposed agreement in draft form relative to how the project and it's ultimate operation will be managed; the City Council authorizes the services of the City Attorney, and any other attorney's or consultants as deemed appropriate, in framing the proposed agreement.

Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum, Councilman Cornman. Motion carried.

## **CLOSED / EXECUTIVE SESSION**

None

## **OPEN SESSION**

Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

## **ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS**

Councilman Marceaux congratulated City employee Lisa Dibbern on her retirement. Councilman Childers thanked Councilwoman Julie Estlinbaum and Councilman Bill Cornman for their service.

## **ADJOURNMENT**

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Motion made by Councilman Marceaux to adjourn, seconded by Councilwoman Sitz.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum, and Councilman Cornman. Motion carried and the meeting adjourned at 7:13 pm.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

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ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

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JEANNA THOMPSON

CITY SECRETARY



**CITY OF BAY CITY**  
MINUTES • NOVEMBER 17, 2020

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**COUNCIL  
CHAMBERS | 1901  
5th Street**

**City Council Special Called Meeting**

**6:00 PM**

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**1901 5TH STREET  
BAY CITY TX,77414**



**Mayor**

Robert K. Nelson

**Councilman**

William Cornman

**Mayor Pro Tem**

Jason W. Childers

**Councilman**

Brent P. Marceaux

**Councilwoman**

Becca Slitz

**Councilwoman**

Julie Estlinbaum

*Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.*

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**CALL TO ORDER**

Meeting was called to order by Mayor Robert K. Nelson at 6:00 pm.

**CERTIFICATION OF QUORUM****PRESENT**

Mayor Robert K. Nelson  
Councilman Brent P. Marceaux  
Councilwoman Becca Sitz  
Councilwoman Julie Estlinbaum  
Councilman William Cornman

**ABSENT**

Mayor Pro Tem Jason W. Childers (excused)

**APPROVAL OF AGENDA**

Motion made by Councilman Marceaux to approve the agenda, seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum, and Councilman Cornman. Motion carried.

**PUBLIC COMMENTS**

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There were no public comments.

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**

1. **Award ~ Employee recognition for life saving actions of Roel Garza and William Wakefield.**

Mayor Nelson read summary of the events and introduced the employees recognized for their actions. Both Roel Garza and William Wakefield were presented with an award.

2. **Report ~ Discuss, consider, and/or approve the canvassing of the General Election returns for the election held on Tuesday, November 3rd, 2020.** Jeanna Thompson, City Secretary

Council canvassed the election returns. Mayor Nelson certified the canvass.

Councilwoman Estlinbaum motion to approve the canvass, seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum, and Councilman Cornman. Motion carried.

**3. Policy ~ Swearing-in of elected officials from the November 3rd, 2020 General Election.** Robert K. Nelson, Mayor

Mayor Nelson swore in new Council Members Floyce Brown, Position #1, and James Folse, Position #2.

**4. Award ~ Recognition of Julie Estlinbaum and William "Bill" Cornman for their years of service to the City as Councilmembers.**

Mayor Nelson presented appreciation of service plaques to outgoing Council members Julie Estlinbaum and William Cornman.

## ADJOURNMENT

Mayor Nelson welcomed the new Council members. Councilwoman Brown thanked the voters, her family, and thanked the outgoing Council members. Councilman Folse thanked everyone and his wife, as well as the outgoing Council members. Councilman Marceaux welcomed new members and thrilled to work with them to better the city.

Motion made by Councilwoman Sitz to adjourn, second by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilman Marceaux, Councilwoman Sitz, Councilman Folse, and Councilwoman Brown. Meeting adjourned at 6:19 pm.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
ROBERT K. NELSON, MAYOR  
CITY OF BAY CITY, TEXAS

\_\_\_\_\_  
JEANNA THOMPSON  
CITY SECRETARY

**CITY OF BAY CITY**  
MINUTES • DECEMBER 01, 2020

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**COUNCIL  
CHAMBERS | 1901  
5th Street**

**City Council Workshop**

**5:00 PM**

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**1901 5TH STREET  
BAY CITY TX,77414**



**Mayor**

Robert K. Nelson

**Councilman**

Jim Folse

**Mayor Pro Tem**

Jason W. Childers

**Councilman**

Brent P. Marceaux

**Councilwoman**

Becca Slitz

**Councilwoman**

Floyce Brown

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**CALL TO ORDER**

Mayor Nelson called the meeting to order at 5:02 pm.

**CERTIFICATION OF QUORUM****PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Jason W. Childers  
Councilwoman Floyce Brown  
Councilman Jim Folse  
Councilman Brent P. Marceaux  
Councilwoman Becca Sitz

**PUBLIC COMMENTS**

There were no public comments.

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND / OR APPROVAL**

1. **Discuss, consider, and/or review revisions to the City of Bay City, Texas Code of Ordinances, Chapter 114 "Utilities", providing rules and regulations in compliance with State law for efficient and safe operations of the City's utility water and wastewater systems.**

Barry Calhoun, Public Works Director, stated that in the previous workshop reviewed the proposed ordinance to ensure the City complied with State and Federal regulation. One of the major changes was grease ordinance. Mayor Nelson asked how would we get this out to residents and Mr. Calhoun replied that we would on the web site, water bill insert, and schools.

2. **Discuss, consider, and/or review revisions to the City of Bay City Fee Ordinance, Chapter 18 "Aviation".**
3. James Mason, Airport Manager, stated that it is recommended by FAa to audit fees. Coffman Associates did a study on rates and charges from the surrounding areas. We are listed as non primary, local category, as regional status and should meet GA status due to turbo jets landing. Due to classification change, this could take us to next level, 1 of 38 in State, which may allow Victoria to divert to our Airport due to emergencies. We have the land to expand runway for next level. The rates compare with other airport same size and conditions. Recommend strike end cap, all agreed.

**ADJOURNMENT**

Motion made by Councilman Marceaux to adjourn, Seconded by Councilwoman Sitz.

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Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried and meeting adjourned at 6:02 pm.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

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ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

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JEANNA THOMPSON

CITY SECRETARY

# CITY OF BAY CITY

MINUTES • DECEMBER 01, 2020

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COUNCIL  
CHAMBERS | 1901  
5th Street

City Council Regular Meeting

6:00 PM

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1901 5TH STREET  
BAY CITY TX, 77414



**Mayor**

---

Robert K. Nelson

**Councilman**

---

Jim Folse

**Mayor Pro Tem**

---

Jason W. Childers

**Councilman**

---

Brent P. Marceaux

**Councilwoman**

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Becca Slitz

**Councilwoman**

---

Floyce Brown

*Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.*

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**CALL TO ORDER**

Meeting was called to order by Mayor Nelson at 6:08 pm.

**INVOCATION & PLEDGE**

Texas State Flag Pledge: *"Honor The Texas Flag; I Pledge Allegiance To Thee, Texas, One State Under God, One And Indivisible."*

*Councilman Brent Marceaux*

**CERTIFICATION OF QUORUM****PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Jason W. Childers  
Councilwoman Floyce Brown  
Councilman Jim Folse  
Councilman Brent P. Marceaux  
Councilwoman Becca Sitz

**MISSION STATEMENT**

The City of Bay City is a community that fosters future economic growth, strives to deliver superior municipal services, invests in quality of life initiatives and is the gateway to the great outdoors. We encourage access to our unique historical and eco-cultural resources while maintaining our small-town Texas charm.

*Councilman Marceaux*

**APPROVAL OF AGENDA**

Motion made by Councilman Marceaux to approve the agenda, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

**PUBLIC COMMENTS**

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

There were no comments.

**CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**



1. **One year contract extension between the City of Bay City, Texas and EPIC Aviation, LLC, pursuant to the terms of the original agreement executed January 1, 2015.**

Motion made by Mayor Pro Tem Childers to approve the consent items, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

## REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

2. **Discussion ~ Discuss, consider, and/or take action regarding the Empowerment For Exceeding Together (E4E2) lease on 2320 Avenue K.**

Pricilla Robinson with E4E2 has lease agreement with City and the Mayor asked if the building was still in use. Ms. Robinson said it is still in use but due to COVID doing GED online, CPR classes in evening, pre-school at building. Not charging fees, non-profit. Decided this year cut down on expenses students have to pay their own testing fees. Zoom twice a week for classes. Was asked if she wanted to partner with the library and she does not. Councilman Marceaux asked what age group was the pre-school and Ms. Robinson replied five year olds. Councilwoman Brown asked about GED, since you can go online what are they utilizing E4E2 for, and Ms. Robinson stated to answer questions and tutoring. Mayor Pro-Tem Childers reviewed the lease and asked City Attorney Anne Marie Odefey if there is any re-structuring of the lease. She suggested that an annual report from E4E2. Mayor Pro-Tem Childers suggested to open up use on lease to be more broad. Council took no action.

3. **Agreement ~ discuss, consider, and/or approve an Interlocal Agreement between the City of Bay City and Matagorda County regarding the Bay City Library.**

Scotty Jones presented for Samantha Denbow. Interlocal Agreement is for administration and the changes were to article 8 and 9. The building is County owned and the County will be responsible for maintenance and repairs.

Motion made by Mayor Pro Tem Childers to approve the Interlocal Agreement between the City and Matagorda County regarding the Bay City Library, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion Carried.

**4. Ordinance ~ Discuss, consider and/or approve an ordinance amending the personnel guidelines.**

Rhonda Clegg, Director of Human Resources, reviewed the proposed changes. Mayor asked how promotion will effect budget, answer was not much. Mayor polled votes from Council.

Motion made by Mayor Pro Tem Childers to approve the the Ordinance amending the Personnel Guidelines, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

**5. Ordinance ~ Discuss, consider and/or approve an ordinance of the City of Bay City, Texas, revising the fee schedule attached hereto as Exhibit "A" and labeled "Appendix B' to be added to the Code of Ordinances of the City of Bay City, Texas; adopting Aviation fees and charges and consolidating those fees and charges for convenience; providing for repeal; providing for ratification; providing for penalty; providing for severability; and providing an effective date.**

Mayor Nelson polled votes from Council.

Motion made by Mayor Pro Tem Childers to approve the Ordinance revising the Airport Fees, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

**6. Report ~ Update on taxiway relocation project with TXDOT aviation and the construction on E-Row construction.**

James Mason, Airport Manager, gave an update on the e row project, contractor on site since October 26th. Problem with select fill dirt not certified, it was removed and brought back sand to mix. Feb 5th was construct end date, currently 3 weeks behind schedule. There have been incidents where they could work and did not. Delay was due to not show to mobilize and there were no weather issues. Airport engineer is on them for daily reports. Taxiway project is going well.

**7. Resolution ~ Discuss, consider, and/or adopt a resolution by the City Council of the City of Bay City, Texas authorizing publication of notice of intention to issue Certificates of Obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Clean Water State Revolving Fund; and approving other matters incidental thereto.**

Motion made by Mayor Pro Tem Childers to table item till next meeting, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

- 8. Resolution ~ Discuss, consider, and/or adopt a resolution by the City Council of the City of Bay City, Texas authorizing publication of notice of intention to issue Certificates of Obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Drinking Water State Revolving Fund; and approving other matters incidental thereto.**

Motion made by Mayor Pro Tem Childers to table item till next meeting, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

- 9. Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the City of Bay City, Texas Code of Ordinances, Chapter 114 "Utilities", providing rules and regulations in compliance with State law for efficient and safe operations of the City's utility water and wastewater systems.**

Mayor Nelson polled votes from Council.

Motion made by Councilman Marceaux to approve the Ordinance amending the Utilities Ordinance, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

## **CLOSED / EXECUTIVE SESSION**

- 10. Pursuant to section 551.071 and 551.072 of the Texas Government Code, the City Council will deliberate the purchase, exchange, lease or value of real property (Deliberation in an Open Meeting would have a detrimental effect on the position of the Governmental Body in negotiations with a third party).**

Council adjourned into an executive session at 6:54 pm.

Council reconvened into a Regular meeting at 7:18 pm

## **OPEN SESSION**

Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

Motion made by Mayor Pro Tem Childers to approve the option as discussed in the closed session, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson,

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Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried.

### **ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS**

Mayor Nelson recognized new council.

### **ADJOURNMENT**

Motion made by Councilwoman Brown to adjourn the meeting, Seconded by Councilman Marceaux. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Marceaux, Councilwoman Sitz. Motion carried and the meeting adjourned at 7:24 pm.

**PASSED AND APPROVED**, this \_\_\_\_ day of \_\_\_\_\_, 2020.

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ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

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JEANNA THOMPSON

CITY SECRETARY

**CONSENT AGENDA:****CONSIDER AND/OR APPROVE INVOICES RECOMMENDED BY THE TIRZ 1 BOARD TO PAY OUT OF TIRZ 1 FUNDS.****EXECUTIVE SUMMARY****BACKGROUND:**

On July 17, 2019, the TIRZ Board recommended approval of a Developer Agreement between City of Bay City and SAL Holding, LLC for the development of Cottonwood Park.

On July 17, 2019, the TIRZ Board approved up to \$68,534.44 for Phase I expenditures to be reimbursed. Concrete street cost was excluded at that time in order to determine if the street was public or private.

On September 12, 2019, Council approved the acceptance of the public easement (Public ROW) contingent upon a private requirement to maintain Camille Drive.

On November 19, 2019, both Council & SAL Holding approved and signed the Public Right-of-Way Easement Agreement requiring private maintenance.

SAL Holdings LLC has been reimbursed \$60,764.44 on Phase I out of \$97,111.22 actual costs.

On November 19, 2020 TIRZ Board approved up to \$36,346.78 for final reimbursement of Phase I based on documentation received. Receipted substantiated totaled **\$35,966.78**.

---

In addition, the City receives 2.5% (**\$1,626.39**) administration fee based on revenue collected each year.

**AGENDA ITEM FOR CITY COUNCIL APPROVAL**

*Consider/Approve TIRZ 1 expenditures as recommended by the TIRZ Board on **November 19, 2020.***

**Tax Increment Reinvestment Zone #1**

The Board of Directors shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. (Ord. 1556, 1567)

The TIRZ Board recommended the following invoices for payment on **November 19, 2020.**

Invoice Date	Invoice #	Requested/ Recommended by	Check Amount	Payee	Description	Category	Check Date
3/9/2020		N/A	\$1,626.39	City of Bay City	2.5% Admin Fee	Administrative Costs	
11/19/2020	N/A	TIRZ Board	\$35,966.78	SAL Holdings, LLC	Phase I- Cottonwood Park	Public ROW	
<b>TOTAL</b>			<b>\$37,593.17</b>				

*Notes: TIRZ Board approved up to \$36,346.78 on Phase I Reimbursement (November 19, 2020).*

**CONSENT AGENDA:**

**CONSIDER AND/OR APPROVE INVOICES RECOMMENDED BY THE TIRZ 2 BOARD TO PAY OUT OF TIRZ 2 FUNDS.**



**EXECUTIVE SUMMARY**

**BACKGROUND:**

On September 14, 2017, the TIRZ Board recommended approval of a Developer Agreement between City of Bay City and Bay City Community Development Corporation for the development Schulman Movie Theater.

On May 16, 2018, the TIRZ Board approved the BCCDC to be reimbursed up to \$2,845,190.62 for public improvements related to the Schulman Movie Theater Project.

Reimbursements are paid out annually based in TIRZ funds available.

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12-10-2020 Payment to BCCDC- **\$143,834.91** for Water Improvements

In addition, the City receives 2.5% administration fee based on revenue collected each year. The amount for FY 20 was **\$4,022.48**.

Balance Due BCCDC= \$ 2,544,462.69

**AGENDA ITEM FOR CITY COUNCIL APPROVAL**

*Consider/Approve TIRZ 2 expenditures as recommended by the TIRZ Board on **November 19, 2020***

**Tax Increment Reinvestment Zone #2**

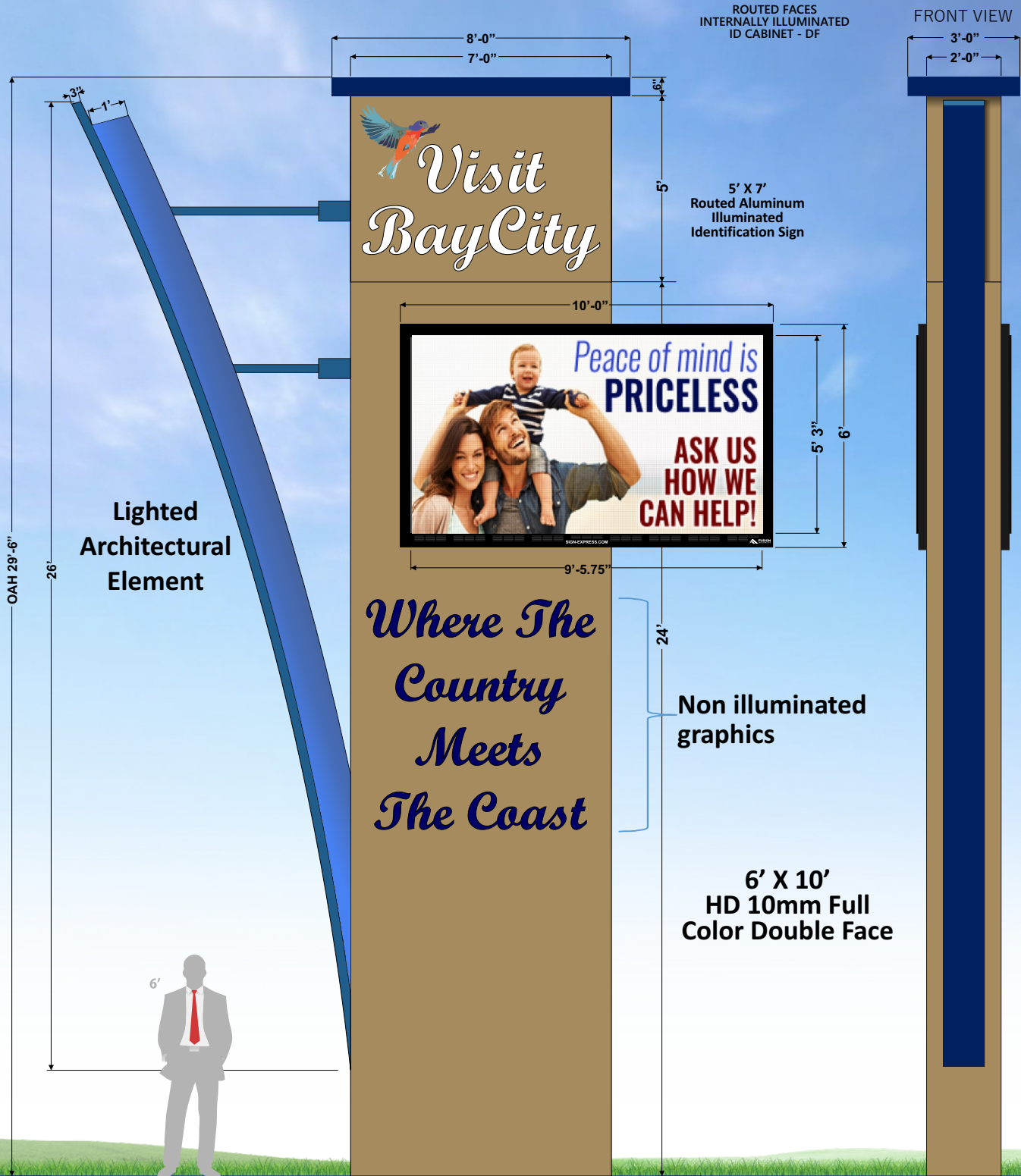
The Board of Directors shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. (Ord. 1557, 1568)

The TIRZ Board recommended the following invoices for payment on **November 19, 2020**.

Invoice Date	Invoice #	Requested/ Recommended by	Check Amount	Payee	Description	Category	Check Date
3/9/2020		N/A	\$4,022.48	City of Bay City	2.5% Admin Fee	Administrative Costs	
11/19/2020	10101-2	TIRZ Board	\$143,834.91	Bay City Community Development Corporation	Reimb. Water Improvements	Water Improvements	
<b>TOTAL</b>			<b>\$147,857.39</b>				

*Invoice in the amount of \$2,845,190.62 was approved by TIRZ Board on May 16, 2018, however funds were not available.*





CITY OF BAY CITY - HEIDI MARTINEZ	201102-1035-A	QUO-07804-P6F7S4-0	MARK BULLOCK	12/10/2020	
CLIENT NAME	DRAWING NUMBER	PROPOSAL ID	SALES CONSULTANT	DRAWING DATE	REVISION DATE
1901 5TH ST, BAY CITY, TX, 77414					
INSTALL ADDRESS					
6' X 10' FULL COLOR 10MM 160X288 MATRIX DOUBLE FACE OUTDOOR LED DISPLAY SIGN					
DESCRIPTION			APPROVED BY	DATE	

ARTIST: L. CAMPO  
PG 1 OF 1

1924 RANKIN RD.  
© 2020

USTON, TX 77073  
RESERVED

TOLL FREE: 800-888-5051  
SIGN-EXPRESS.COM



UNDER ARTICLE 27 OF THE JOINT ETHICS COMMITTEE CODE OF FAIR PRACTICE FOR THE GRAPHIC ARTIST COMMUNICATIONS INDUSTRY: Examples of an artist's work furnished to a representative or a prospective buyer shall remain the property of the artist, shall not be reproduced in whole or in part without the expressed written consent or compensation and shall be returned in good condition if required. Any violation of this code shall be punished to the full extent of the law. Dimensions subject to minor changes due to detailed design considerations. Sign-Express will endeavor to closely match colors, including PMS colors where specified. We cannot guarantee exact matches due to varying compatibility of surface materials, vinyl and paints used. Sign-Express is not responsible for typographical errors.



# SIGN-EXPRESS

## LIGHTED SIGNS & LED DISPLAYS

1924 RANKIN RD, SUITE 300  
HOUSTON, TX 77073  
TOLL FREE: 800.888.5051  
FAX: 281.990.6750  
TSCL #: 18812

ITEM #10.



<b>Client</b> City of Bay City Heidi Martinez	<b>Installation Location</b> 1901 5th St, Bay City, TX, 77414	<b>Proposal ID</b> QUO-07804-P6F7S4-4	<b>Date</b> 12/10/2020
<b>Sales Consultant: Mark Bullock</b>		<b>Proposal Valid until: 12/31/2020</b>	

Item Description	Qty	Subtotal
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<b>LED Display Item</b>		
<b>6' x 10' Full Color 10mm 160x288 Matrix Double Face Outdoor LED Display Sign</b>	<b>1</b>	<b>\$39,987.80</b>

Manufactured in the USA. Full Color Outdoor LED Display features: All Aluminum Constructed Frame and Mounting Angles, Universal Sized 12.6" x 12.6" Modules with Watertight IP67 Rated Float Silicone Sealed fronts and IP67 Rated Conformal Coated Sealed backs. IP67 Rated Data and Power Cable Connectors to Rear of Module. Front & Rear Accessible LED Modules with 3/16" Allen Wrench Actuated Metal Cam Locks at four points, Bright 160 Degree Viewing Angle LEDs set in High Contrast 1000:1 Ratio Louvers, Humidity/Heat Resistant Conformal Coated Meanwell Power Supplies, Certified MET Lab/ UL48, UL8750, UL1433, 5 Year Parts / Factory Labor Warranty, Operating Temperature -40F to +140F. 5 YEAR PARTS & FACTORY LABOR WARRANTY

Display Specifications	
Physical Pitch & Matrix:	10mm at 160 x 288
Active Viewing Area:	5'-3" x 9'-5 3/8"
Color Capability:	Full Color
Pixel Composition:	1 Red / 1 Green / 1 Blue
Brightness:	>10,000
Viewing Angle:	160 degree
Contrast Ratio:	1000:1
LED Life-span:	100,000 Hrs
Video Capability:	Included with all models
Minimum Character Height:	2.76
Max Lines:	20
Max Characters:	57
Max Amps:	@120VAC(27) Amps / @240VAC (14) Amps Per Face
Estimated Electrical Usage:	\$93.31 per month @ 10 cents/kWh
Lifetime Diagnostics and Troubleshooting Support - Included	
5 YEAR PARTS & FACTORY LABOR Factory Labor Warranty with End User Service Ability	
Lifetime Training Support - Included	

### Communication

<b>Communication Bundle-</b>	<b>1</b>	<b>\$0.00</b>
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<b>Software - ViPlex Express/Vnnox Cloud - Windows Based Software with Diagnostics</b>	<b>1</b>	<b>\$0.00</b>
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World's leading control system manufacturer Nova Star developed Windows Based software that lets you program and display new content. Set up in-depth scheduling based on times, days, and even regions. Key Features include: Quick and Easy Content Creation, Content Enter and Exit Animations, Simultaneous Multi-Window/Multi Content Display(Screen Parting), Dimming Controlled with Manual Time of Day Based or Auto Brightness Sensor Dimming based on ambient light conditions(Auto Dimming Sensor Required), Time & Temperature Display(Temperature Sensor Required), Countdown Timers, Video, Flash, Streaming Multimedia and Websites Display, Playlist Preview. \*Compatible with Windows Only

<b>Comm - Automatic Brightness Dimming Control Sensor</b>	<b>1</b>	<b>\$389.00</b>
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Omni directional photocell automatic brightness control system will automatically dim the brightness of the sign to optimal brightness based on ambient light conditions.

<b>Comm - Express-Link 2.4 GHz Wireless (Full Bridge)</b>	<b>1</b>	<b>\$611.00</b>
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Express-Link™ is an Advanced 2.4 GHz Wireless Communication System designed and built for severe weather conditions. Enables fast, wireless transmission of data files and content seamlessly to your LED display at distances up to 1500 feet apart with line of sight. Protects your important files and LED display messages from outside interference or tampering. Communication is done via tried and tested TCP/IP communication with WPA/PSK Security Encryption. - Outdoor access point antenna, (POE) Power Over Ethernet Injector, POE Power Cable, 10' CAT-6 Ethernet Cable, & 25' Outdoor UV Shielded CAT-6 Ethernet included - Outdoor sign antenna included - Mounting hardware included

### Services

**Service - Lifetime Diagnostics**

For the life of your sign, Sign-Express will provide technical support and troubleshooting services for all LED displays. Support is performed by phone to help identify the problems or configuration issues that may arise.

**Content Creation - 90 Day Trial**

1 \$0.00

Special Offer - Sign-Express's professional graphic artists will provide 90 days of free content with up to 10 slides or 5 videos a month.

**Service - Engineering Drawings (1-100 sqft)**

1 \$611.00

Sign-Express will provide structural engineering drawings for the proposed sign structure. All drawings are stamped by a licensed engineer in the state of installation. Drawings will provide recommended footing detail and proper mounting method.

**Identification Sign**

**Identification - Decorative Aluminum Reveal (per linear ft)**

22 \$506.00

Accent sheet metal molding made out of aluminum then primed and painted. Up to 6" in depth and height. Priced per linear foot. 8' ALUMINUM ROOFCAP

**Identification - Pole Skirting (per Sq Ft)**

168 \$12,264.00

Pole skirting up to 24" in depth. Constructed with Aluminum angle, tubing and .080" thick Aluminum sheeting. Painted with Matthews Pro-Industrial Acrylic Paint. Copy and colors to match signed Production Rendering. Vents installed if needed for LED Display ventilation. 7' X 24'

**Identification Cabinet - Routed Sign (25+ Sq Ft)**

35 \$5,845.00

Double faced, internally illuminated sign with High Output 6500K White LEDs with Electronic High Efficiency 12 volt output Transformers (Auto-switching 120/240 voltage input). Frame comes equipped with automatic shutoff photo cell and UL48 Standard Shutoff Switch mounted on the side of the cabinet. All aluminum construction identification sign frame and 1/8" thick faces with Routed Lettering, backed with translucent poly-carbonate. Layout may include vinyl overlays, text and/or graphics. Frame painted with Matthews Professional Paint System. Copy and colors to match signed Production Rendering. UL Certified Electric Sign. 5' X 7' ROUTED ALUMINUM DOUBLE FACE IDENTIFICATION SIGN.

**Install Items**

**Install - Identification Sign (25 - 50 Sq Ft)**

1 \$781.60

This is for installation of the identification sign up to 50 sq. ft. - Professional Installation - Proper mounting to support structure - Leveling - Touch up. 20% STATE OF TEXAS INSTALL DISCOUNT APPLIED

**Install - LED (51 - 65 Sq Ft)**

1 \$5,772.00

Professional installation of up to 65 total square feet of LED display. Professional Installation and Configuration of LED Display(s) listed in this agreement. \*Electrical run up to base of the sign is the responsibility of the sign owner, please see Sign-Express Electrical Requirements and Installation document. In certain and rare circumstances, installation quotes may vary based on site specific conditions determined at time of physical site inspection. Please see Terms & Conditions Document listed in this proposal. Services Include: - Physical Site Inspection - Unpacking of LED displays - Bracket fabrication for mounting - Leveling and fastening to structure(s) - Proper grounding - Final connection to client provided electrical within 5 ft. of structure - Junction box with Seal-Tite conduit to displays - Final inspection for proper operation. 20% STATE OF TEXAS INSTALL DISCOUNT APPLIED

**Install - Pole up to 12" Diameter (up to 30ft OAH)(supports up to 130 Sq Ft of Signs)**

1 \$5,905.60

Pole up to a 12" Diameter Schedule 40 and up to 30 ft above ground. Sign will not exceed 42 ft height with up to 36" diameter concrete pier footer included. All work performed to engineering specifications. Includes: - Location Inspection - Excavation - Steel Pole - Concrete Pier Footer. 20% STATE OF TEXAS INSTALL DISCOUNT APPLIED

**Other Items**

**CASH (NON-CREDIT CARD) DISCOUNT OF 4% HAS BEEN APPLIED TO QUOTE**

1 \$0.00

**26' TALL ARCHITECTURAL FEATURE LIGHTED WITH LED ACCENT LIGHTING**

1 \$8,200.00

**Exclusions**

\*If not included previously in this proposal, items below are excluded. Installation and Permitting items contain descriptions that outline material, equipment and services. Some items below maybe included with those items.

- Electrical Installation
- Electrical Breaker or Distribution Equipment
- Internet Service
- Labor to Pull Signal Cabling
- If not Included in Quote: Engineering Certification
- If not Included in Quote: Physical/Mechanical Installation
- Unforeseen Site Conditions (Like but not limited to Sub-terrain/Weather/Road Closures/Limited Access)
- Duties /Taxes/Customs Clearance
- Power Service
- Signal Conduit/Signal Cable
- If not Included in Quote: Foundation/Footing
- If not Included in Quote: Digging and Excavation Equipment
- If not Included in Quote: Crane and Lifting Equipment

**Terms & Condition Documents**

Standard Cash Payment Terms are 50% Down with 50% Due Before Shipping. Orders over \$50,000 may be subject to progress billing. Progress

shipping. Orders over \$50,000 may be subject to progress billing. Progress billing orders will be invoiced as project progresses and project stages are completed. A tracking number and photos will be supplied when items are ready to ship. Full payment must be received before orders are released for shipment.

[Standard Terms & Conditions \\*\(Click to download\)](#)

[Standard-3-Year-LED-Warranty-20180411.pdf - Lifetime Warranty \\*\(Click to download\)](#)

[Standard-5-Year-LED-Warranty-20180411.pdf - Lifetime Warranty \\*\(Click to download\)](#)

[On-Site Full Service SLA Warranty on LED Signs \\*\(Click to download\)](#)

**Discount:**

**\$3,234.92**

ITEM #10.

**Totals:**

**\$77,638.08**

**Proposal # QUO-07804-P6F7S4-4 Created # 12/10/2020 Consultant # Mark Bullock**

**Acceptance**

This Agreement is expressly limited to the acceptance by the Buyer of the exact listed terms and Buyer acknowledges that discussions and negotiations have occurred leading up to this agreement. Furthermore, neither party hereafter will rely on any oral representations made outside of the stated terms of this Agreement, which includes the "Standard Terms and Conditions" and "Warranty" links included in this document above. Applicable sales tax in the state of Texas; will be accessed at the time of billing and may not be represented on this quotation. If you are a tax exempt entity, please provide proof so you are not charged tax in error.

**To complete the order sign here, initial previous pages, and return all signed and initial pages. Fax to: 281-990-6750**

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Optional Accessories**

**Optional accessories may or may not have been included with this quotation. If you wish to add any to the order, initial next to the item(s) and we will adjust the final price of your invoice.**

- \_\_\_\_\_ Spare Parts Cache \$585
- \_\_\_\_\_ Spare Control System Cache \$750
- \_\_\_\_\_ Auto Brightness Dimming Sensor \$389
- \_\_\_\_\_ Extended 5 Year Parts Warranty +15% of LED Display Price
- \_\_\_\_\_ Extended 5 Year On-Site Labor Agreement w/\$200 Co-Pay +15% of LED Display Price



**CITY OF BAY CITY**  
1901 FIFTH STREET  
(979) 245-2137  
FAX: (979) 323-1626

**AGENDA ITEM SUBMISSION FORM**

**Any item(s) to be consider for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.**

Citizen

City Staff

Council Member

Requestor Name: Alyssa Dibbern

Date Submitted: November 3<sup>rd</sup>

Position Title (If City Staff): Engineering Tech

Council Meeting Date: November 10<sup>th</sup>

Type of Agenda Item:

Consent Agenda     Presentation

Public Hearing     Executive Session

Regular Item for Discussion

Agenda Wording:

Discuss, consider, and adopt resolution designating an engineering service provider for the Texas Hazard Mitigation Assistance, Building Resilient Infrastructure and Communities (BRIC), program application and project implementation.

Executive Summary of Item:

This agenda item is for the hiring of an engineering service for handling planning and engineering of the BRIC program project (raising three bridges over cottonwood).

**RESOLUTION R-2020-\_\_\_\_\_**

**A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING THE AWARD OF A PROFESSIONAL SERVICE PROVIDER CONTRACT FOR THE TEXAS HAZARD MITIGATION ASSISTANCE (HMA) PROJECT FUNDED THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) AND/OR TEXAS WATER DEVELOPMENT BOARD (TWDB).**

**WHEREAS** the City of Bay City seeks assistance in pre-award and post-award engineering services, if awarded an HMA Mitigation Grant;

**WHEREAS**, in order to identify qualified and responsive providers for these services, a Request for Qualifications (RFQ) process for engineering services has been completed in accordance with Texas HMA requirements;

**WHEREAS**, the proposal received by the due date have been reviewed to determine the most qualified and responsive provider for professional services;

**NOW, THEREFORE, BE IT RESOLVED:**

Section 1. That \_\_\_\_\_ be awarded a contract to provide Texas HMA Application and project-related professional engineering services for the Hazard Mitigation Assistance, Building Resilient Communities and Infrastructure (BRIC) Grant project.

Section 2. That any and all contracts or commitments made with the above-named service providers are dependent on the successful negotiation of a contract with the service provider.

**PASSED AND APPROVED ON DECEMBER 15, 2020.**

**APPROVED:**

\_\_\_\_\_  
Robert K. Nelson, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeanna Thompson, City Secretary

\_\_\_\_\_  
City Attorney

**~DISCUSS, CONSIDER AND/OR APPROVE THE FACILITY USE AGREEMENT AND DEED MODIFICATIONS FOR THE SERVICE CENTER/USO**



## EXECUTIVE SUMMARY

### BACKGROUND:

The City was deeded the Service Center/USO Building on May 19, 2009. The deed contains restrictions such that the City may not rent out any parts of the facility for private use (i.e. weddings, birthday parties, baby shower, prom). The City wishes to amend the deed to allow for other uses. The funds will be used to maintain the Service Center/USO. The deed currently provides for reasonable charges of fees to cover cost of utilities, cleaning, maintenance, security, etc.

### Update:

September 8, 2020 - Staff met with Council in a workshop setting to discuss the facility use agreement. There was concern that the rates set might be lower than the non-profits in town. Staff researched and the proposed rates are higher than the non-profits.

October 23, 2020 - The City also met with John S. Runnels III to discuss the deed modification and the facility use agreement.

December 7, 2020- John S. Runnels III confirmed his approval of the proposed deed modifications. Other family members will also need to approve.

**FINANCIAL IMPLICATIONS:** Additional Revenue in General Fund to maintain the USO (dollars can be restricted for purpose)

**IMPACT ON COMMUNITY SUSTAINABILITY:** The USO provides a venue to support various organizations for meetings and large functions. The City recognizes the original function, however opening it up for other private or commercial use will help sustain and preserve this landmark and community asset.

**RECOMMENDATION:** Staff recommends City Council approve the deed modifications as and the facility use agreement.

**ATTACHMENTS:** Deed; Facility Use Agreement

**CITY OF BAY CITY  
SERVICE CENTER/USO FACILITY RENTAL AND  
USE AGREEMENT**

**BASIC RENTAL INFORMATION:**

The City of Bay City USO Facility (“Facility”) is available for social, civic, business, cultural, recreational, or charitable purposes. A rental application form must be completed by the Renter or the person otherwise designated by the organization reserving the Facility (“Renter”). Reservations can be scheduled up to twelve months (365 days) in advance with a deposit. Facility scheduling will be prioritized under the following order of priority based on group classification.

- Group 1: Municipal and County Government within Matagorda County
- Group 2: Civic and Social Organizations, Charitable Non-Profits, Other Governmental Units
- Group 3: Private resident groups requiring a large facility for special events not open to the general public; Commercial or business groups and non-resident groups requiring public facilities

*The Director of Parks and Recreation shall determine whether a reservation meets a certain group classification and the Director’s decision as to group classification and reservations is final.*

**RESERVATIONS:**

- Reservation requests must be submitted in person at the 1209 10<sup>th</sup> Street, or online at [www.cityofbaycity.org/190/Parks-Recreation](http://www.cityofbaycity.org/190/Parks-Recreation).
- Reservations will be accepted from adults 21 years or older.
- Reservations will be made only after the Renter has read and agreed to abide by this Facility Use Agreement and paid the appropriate deposit.
- Attendance is limited by the capacity of the rooms as established by fee the schedule and the Fire Marshal.
- City staff is authorized to determine unacceptable behavior of individuals while on the premises, with the right to cancel reservations or request the person(s) to leave. Future Facility use may be denied to those violating City Ordinance and Policies.
- For staff set-ups, room diagrams are required no later than seven (7) days prior to event.
- Reservations by civic, non-profit, and governmental organizations will be given priority status.

**NON-PROFIT/NON-COMMERCIAL EVENT**

- A function sponsored by any of the following categories when the entire net proceeds are bestowed on or retained by the sponsoring organizations.
- Organizations claiming non-profit status must present a certificate of registration issued by the Secretary of State of Texas upon request.
- **EXAMPLES:**
  - a. Non-profit chartered civic organizations
  - b. Non-profit chartered fraternal organizations
  - c. Governmental organizations
  - d. Non-profit educational organizations
  - e. Non-profit religious organizations
  - f. Chartered charitable organizations



- g. Organizations with a 501(c) designation with the Internal Revenue Code
- h. Organizations exempt from Ad Valorem taxes for religious or charitable organization as provided in Chapter 11 of the Property Tax Code of the State of Texas.

**FEE SCHEDULE:**

- The fee schedule will be set by the Bay City Council and reviewed annually.
- All returned checks will be assessed a \$30 handling charge.

**FEES AND FACILITY HOURS:**

**Group 1:** Municipal and County Government within Matagorda County

The County appropriates funds for this facility through an independent interlocal agreement. No additional fee for County use shall be assessed.

USO Building	Occupancy	Deposit	*Administrative Recovery Fee
Library	50	\$0	\$50
Kitchen		\$0	\$50
Dining Room	20	\$0	\$50
Gusman Room	50	\$0	\$50
Lobby	50	\$0	\$50
Entire Facility	400	\$0	\$100

*\*Administrative Recovery Fee: offsets staff time to set up/take down, cleaning after event/meeting, and any utility usage.*

**Group 2:** Civic and Social Organizations, Charitable Non-Profits, Other Governmental Units

USO Building	Occupancy	Deposit	Rental Fee
Library	50	\$100	\$75
Kitchen		\$100	\$75
Dining Room	20	\$100	\$75
Gusman Room	50	\$100	\$75
Lobby	50	\$100	\$200
Entire Facility	400	\$500	\$600

**Group 3:** Private resident groups requiring a large facility for special events not open to the general public; Commercial or business groups and non-resident groups requiring public facilities

USO Building	Occupancy	Deposit	Rental Fee
Library	50	\$100	\$150
Kitchen		\$100	\$150
Dining Room	20	\$100	\$150
Gusman Room	50	\$100	\$150
Lobby	50	\$100	\$400
Entire Facility	400	\$500	\$1,800

**PAYMENT OF FEES:**

- All fees collected will be used solely for utilities, grounds, building maintenance, capital improvements, or other costs that solely benefit the USO facility.
- Rental and other assessed fees, including but not limited to cleaning and staff fees (administrative recovery fees) must be paid in full no less than thirty (30) days prior to the event.
- Fees not paid in full not less than ten (10) days prior to the event may result in cancellation of the event and forfeiture of all rental fees paid to date. Fees must be paid in person at **1209 10<sup>th</sup> Street** or online at [www.cityofbaycity.org/190/Parks-Recreation](http://www.cityofbaycity.org/190/Parks-Recreation).

**FACILITY USE AND HOURS:**

	<b>Mon.</b>	<b>Tues.</b>	<b>Wed.</b>	<b>Thurs.</b>	<b>Fri.</b>	<b>Sat.</b>	<b>Sun.</b>
<b>Open</b>	8:00 a.m.	8:00 a.m.	8:00 a.m.	8:00 a.m.	8:00 a.m.	8:00 a.m.	8:00 a.m.
<b>Close</b>	10:00 p.m.	10:00 p.m.	10:00 p.m.	10:00 p.m.	10:00 p.m.	10:00 p.m.	10:00 p.m.

**Times outside normal operating hours will be charged \$100.00/hour upon approval of Parks Director or designee.**

**CHARGING FEES / SALES:**

Use of the Facility for financial gain is prohibited. No part of the Facility or surrounding premises may be used for money-raising activities, unless the Renter has pledged the funds to a charitable or public service program. The City has the authority to require financial or other additional information to support the fund-raising activity.

**DAMAGES:**

The individual for whom the reservation is made shall be responsible for any loss or damage to the Facility or other City property during the rental period and shall reimburse the City for the actual cost of any repairs made necessary by the Renter’s use of the Facility or City’s property not covered by the deposit. A company or organization who reserves the Facility must designate a responsible individual for the rental. The rental applicant agrees to abide by all City, State and Federal laws. The City will not be liable for damage, injury or loss to person or property that may occur during the use of the Facility. The Renter agrees to hold the City of Bay City and its employees harmless for any actions that may arise out of the use of the Facility. Failure to cover damages may result in the loss of future reservations and possible legal action.

**PUBLICITY:**

In the event publicity concerning the event is circulated which lists the Facility as the location, this disclaimer must be included: “This event is not sponsored by the City of Bay City.” Neither the name nor address of the Facility may be used as the official address or headquarters of an organization.

**RENTAL COMPLETION:**

At the end of the rental period the Renter shall return the Facility (or the portion of the Facility actually used) to its original arrangement and condition, remove all personal items and clean the

Facility area before leaving including trash from the exterior grounds. The City will not store no be held responsible for any property left on the Facility premises. The Renter and department staff will complete a Facility Checklist before and at the conclusion of the rental.

### **ALCOHOLIC BEVERAGE POLICY:**

- All events held at the Bay City Service Center must comply with the Texas Alcoholic Beverage Commission guidelines.
- All sales of alcoholic beverages are strictly prohibited by city ordinance.
- Users holding a function at the Service Center where alcoholic beverages will be consumed are required to have police officers present at the event.
- Use of glass bottles is prohibited.

### **SECURITY:**

The Renter agrees to provide adequate security as approved by the City at events serving alcohol. Park staff may not be considered security. No minors under the age of 18 shall be left unattended.

**STAFF/SECURITY FEES:** Some rentals may be assessed staffing fees at a rate of \$25.00 per hour, per staff member, and Department staff will determine staffing needs based on times and event type (i.e set up tables/chairs). Some rentals, at the Department's discretion, may also require one or more off-duty police officer(s) to be present at a rate determined by the agency, in addition to the staff rate.

### **SET UP / CLEAN UP:**

Setup and cleanup time must occur and be completed within the rental period. Renters are responsible for the setup and break down of all equipment. A limited number of tables and chairs may be available for the Renter's use however the Renter should check with staff prior to the rental period about the inventory that may be available at the Facility. The Facility does not furnish eating utensils, plates, cups, serving dishes, serving utensils, tablecloths, decorating supplies, microphones, podiums, extension cords, or other similar equipment. Tables, chairs, floors, and walls must be cleaned and left in original condition. An extra charge may be assessed if the rental period exceeds the contracted time. Rental periods may be extended after the posted closing time by special arrangement. Refunds will not be issued for rentals ending earlier than stated on the reservation agreement.

### **GENERAL REGULATIONS:**

- Smoking and vaping is prohibited inside the Facility or within twenty-five feet (25') of any exit door. Please notify guests of this regulation.
- Gambling is not permitted on the premises.
- Decorations must be authorized by Department staff. Nails, staples, or thumbtacks when decorating walls is strictly prohibited. No tape such as duct, electrical or other is allowed on floors. Decorations must meet all fire codes. No open flames are allowed.
- Birdseed may be thrown outside only (no rice or confetti). Bubbles may be used.
- For cancellations due to weather, the rental may be transferred to another date, but refunds are subject to the Department's refund policy below.

- Permits are required for special events.
- No unaccompanied minors during rental term.

**RIGHT TO CANCEL/REFUSAL OF FUTURE USE:**

- City Council reserves the right to cancel any reservation for the use of the Facility due to local, state or federal emergency needs. A full refund will be given in this event.
- User may not use the facility for any other than the stated purpose. Failure to comply can cause cancellation of the event.
- In the event Renter causes damages to the facility during use, City retains the right to suspend future usage of facility by Renter for a period of time consistent with the damage caused. Further, City reserves the right to increase the deposit for any Renter that has caused damage during a previous rental.

**CANCELLATIONS & REFUNDS:** The Renter agrees to the following refund policy for cancellations:

- Entire Facility and/or Auditorium- 50% up to fifteen (15) days prior to the event- No refunds if cancelled fourteen (14) days or less prior to event.
- All other rooms- 50% up to eight (8) days prior to the event- No refunds if cancelled seven (7) days or less prior to event.
- Deposits may be applied to rental fee for late cancellations according to this section.
- All changes and cancellations to reservations must be submitted in writing.
- Any deviations from this policy must be approved by the Parks Director.

# Bay City USO Service Center

**Bay City USO 2105 Avenue M - Bay City, TX 77414  
(979) 323-1660**

Today's Date: \_\_\_\_\_ Purpose of Rental: \_\_\_\_\_ Attendance Expected: \_\_\_\_\_

Your Name: \_\_\_\_\_ Business / Organization Name: \_\_\_\_\_

Address: \_\_\_\_\_ City & State: \_\_\_\_\_ Zip: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Cell Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Room(s) Requested: \_\_\_\_\_

Date(s) Requested: \_\_\_\_\_ Time Requested: \_\_\_\_\_ am/pm - \_\_\_\_\_ am/pm

	Deposit	Receipt #	Date Paid	Rent Fee	Receipt #	Date Paid
Room #						
Room #						
Alcohol		n/a				

\_\_\_\_\_ All room diagrams are required no later than seven (7) days prior to the event if set up is needed by City personnel.

\_\_\_\_\_ All rental fees must be paid in full thirty (30) days prior to the event.

\_\_\_\_\_ I understand that I must have all of my guests and all equipment/decorations out of the facility by end of agreed rental period. I understand that failure to do so may cause forfeiture of my deposit.

\_\_\_\_\_ I further understand that I may be held financially responsible for any damage caused by my failure to comply with the rules and regulations in excess of my deposit.

\_\_\_\_\_ I further agree to comply with the basic requirements and cleanup as listed in Facility Rental & Use Agreement.

\_\_\_\_\_ I understand that I must arrange for security if required as listed in the Facility Rental & Use Agreement.

\_\_\_\_\_ I have read the Facility Rental & Use Agreement that govern the Bay City USO Service Center and I agree to comply with them.

Signature of Rental Applicant \_\_\_\_\_

Signature of Parks Staff Person Booking Request \_\_\_\_\_

**All checks must be made payable to: The City of Bay City**

**ORDINANCE~ DISCUSS, CONSIDER AND/OR APPROVE AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, REVISING THE FEE SCHEDULE LABELED “APPENDIX B” IN THE CODE OF ORDINANCES OF THE CITY OF BAY CITY, TEXAS; ADOPTING NEW FEES FOR CHAPTER 70 PARKS AND RECREATION; PROVIDING FOR REPEAL; PROVIDING FOR RATIFICATION; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**



## **EXECUTIVE SUMMARY**

### **APPENDIX B- FEE SCHEDULE**

*Reviewed with City Council on September 8, 2020—delayed passing fee ordinance related to Chapter 70- Parks and Recreation as it related to the Service Center to provide time to meet with John S. Runnels III & to gather research requested by City Council.*

October 23, 2020 - The City also met with John S. Runnels III to discuss the deed modification and the facility use agreement.

December 7, 2020- John S. Runnels III confirmed his approval of the proposed deed modifications. Other family members will also need to approve.

**FINANCIAL IMPLICATIONS:** Additional Revenue in General Fund to maintain the USO (dollars can be restricted for purpose)

**IMPACT ON COMMUNITY SUSTAINABILITY:** The USO provides a venue to support various organizations for meetings and large functions. The City recognizes the original function, however opening it up for other private or commercial use will help sustain and preserve this landmark and community asset.

**RECOMMENDATION:** Staff recommends City Council approve the fee ordinance.

**ATTACHMENTS:** Fee Ordinance and Appendix B (Chapter 70- USO fees)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, REVISING THE FEE SCHEDULE LABELED “APPENDIX B” IN THE CODE OF ORDINANCES OF THE CITY OF BAY CITY, TEXAS; ADOPTING NEW FEES FOR CHAPTER 70 PARKS AND RECREATION; PROVIDING FOR REPEAL; PROVIDING FOR RATIFICATION; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bay City, Texas, (“City”) has adopted numerous ordinances that provide for fees and charges for various city services; and

**WHEREAS**, the City has determined that it would be convenient to consolidate those fees and charges into one ordinance that can be reviewed and amended as needed from time to time; and

**WHEREAS**, the City has determined that the fees and charges specified herein are reasonable, necessary, fair, and designed to fund the various activities to which they pertain; and

**WHEREAS**, the City has determined that the fees and charges specified herein will promote the health, safety, and welfare of City;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS:**

**Section 1.** The facts and recitations contained in the preamble to this Ordinance are true and correct and incorporated herein for all purposes.

**Section 2.** *Fees Schedule adopted.* The City hereby adopts the Fee Schedule for Chapter 18 attached hereto as Exhibit “A” and labeled “Appendix B” in the City of Bay City, Texas, Code of Ordinances and imposes the fees and charges set forth therein upon the various services to which they pertain. These fees and charges shall be collected by the City in accordance with the various City ordinances that more particularly describe each such fee or charge.

**Section 3.** *Repeal.* All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

**Section 4.** *Ratification.* The City ratifies any past action taken regarding charging of fees.

**Section 5.** *Penalty.* Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

**Section 6.** *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bay City, Texas, declares that it would

have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

**Section 7.** *Effective Date.* This Ordinance shall be effective on January 1, 2021 and may be published as required by law.

**PASSED, APPROVED, AND ADOPTED** on this 15<sup>th</sup> day of December 2020.

\_\_\_\_\_  
Robert K. Nelson, Mayor  
City of Bay City

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Jeanna Thompson, City Secretary  
City of Bay City

\_\_\_\_\_  
Anne Marie Odefey, City Attorney

<b><u>Council Member:</u></b>	<b><u>Voted Aye</u></b>	<b><u>Voted No</u></b>	<b><u>Absent</u></b>
Robert K. Nelson Mayor	_____	_____	_____
Floyce Brown	_____	_____	_____
Jim Folse	_____	_____	_____
Jason Childers Mayor Pro Tem	_____	_____	_____
Becca Sitz	_____	_____	_____
Brent Marceaux	_____	_____	_____



APPENDIX B - FEE SCHEDULE (NEW FEES TO BE ADDED TO EXISTING PARKS FEES)

Section Number	Subject	Fee Amount
<b>Chapter 70 – Parks and Recreation</b>		
	Facility - Service Center	
	(1) Service Center- Library Room	\$150.00/day + \$100.00 Deposit
	(2) Service Center- Kitchen	\$150.00/day + \$100.00 Deposit
	(3) Service Center- Dining Room	\$150.00/day + \$100.00 Deposit
	(4) Service Center- Gusman Room	\$150.00/day + \$100.00 Deposit
	(5) Service Center- Lobby	\$400.00/day + \$100.00 Deposit
	(6) Service Center- Entire Facility	\$1,800/day + \$500.00 Deposit
<p>(a) Civic, Social, Charitable, Non-profit, and Other Governmental organizations shall pay one-half the rental fee for Service Center options 1-5 and one-third the rental fee of option 6. Municipal and County Government shall be charged an administrative recovery fee of \$50 for options 1-5 and \$100 for options 6. All parties pay the same deposit with the exception of Municipal and County Government.</p>		
<p>(b) A charge of \$25.00 per hour per person for City staff to set and take down. This only applies to the Auditorium or Entire Facility Rental.</p>		
<p>(c) Facility Use Hours: Monday-Sunday are 8:00 AM to 10:00 PM. Any time needed beyond 10:00 PM shall be charged \$100.00/hour inclusive of cleaning time.</p>		