



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, February 25, 2020 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson

Mayor Pro Tem: Jason W. Childers

Council Members: William Cornman, Brent P. Marceaux, Becca Slitz, Julie Estlinbaum

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

AGENDA

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."*

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.

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. Discuss, Consider and/or approve the minutes from the Regular City Council Meeting - February 11, 2020. (City Secretary, David Holubec)
2. Discuss, consider and/or approve a resolution of the City Council of the City of Bay City, Texas, authorizing the Bay City Community Development Corporation to enter into a performance agreement which shall provide economic incentives under a business retention and expansion program. (2nd Reading) (City Secretary, David Holubec)
3. Discuss, consider and/or approve a resolution of the City Council of the City of Bay City, Texas, authorizing the Bay City Community Development Corporation to enter into a performance agreement, which shall provide economic incentives under a business

retention and expansion **FACADE GRANT** Program. (2nd Reading) (City Secretary, David Holubec)

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- [4.](#) Consider the adoption of Resolution No. R-2020-28, A Resolution by the City Council of the City of Bay City, Texas, Authorizing Publication of Notice of Intention to Issue Certificates of Obligation; Approving the Preparation of a Preliminary Official Statement and Notice of Sale; and Approving Other Matters Incidental Thereto (Finance Director, Scotty Jones)
- [5.](#) Receive and discuss the Bay City Police Department 2019 Annual Report. (Police Chief, Robert Lister)
- [6.](#) Discuss, consider and/or approve recommended changes to the Bay City Tourism Council Bylaws. (Tourism Manager, Heidi Martinez)
7. Status update relative to the Aquatic Center Feasibility Study - current state and the path forward.(Councilman William Cornman)

CLOSED / EXECUTIVE SESSION

8. Executive Session - To discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (To discuss appointment, employment, evaluation, responsibilities, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee) (City Secretary) {Interim City Manager recap}.
9. Executive session pursuant to Texas Government Code §551.071(1) for consultation with the City Attorney regarding the following: Cause No. 19-E-0013, Ronnie Dean Reeves, Vidala Leal Rodas, Danyal Sheniel Manning and the Bay City Housing Authority Vs. Mark A. Bricker, Mayor, Defendant.
10. Executive session pursuant to Texas Government Code §551.071(2) to consult with their attorney regarding attorney - client privileged matters.

OPEN SESSION

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

11. 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 **Wednesday, February 19, 2020 before 7:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.



CITY OF BAY CITY

MINUTES • FEBRUARY 11, 2020

Council Chambers **Regular Meeting – City Council** **6:00 PM**

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

1. CALL TO ORDER

Mayor Nelson called the meeting to order at 6:00PM.

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILWOMAN, BECCA SITZ

Texas State Flag Pledge:

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

Attendee Name	Title	Status	Arrived
Robert K. Nelson	Mayor	Present	
Brent P. Marceaux	Councilman	Present	
William Cornman	Councilman	Present	
Becca Sitz	Councilwoman	Present	
Jason W. Childers	Mayor Pro Tem	Present	
Julie Estlinbaum	Councilwoman	Present	

3. CERTIFICATION OF QUORUM

Mayor Nelson certified a quorum was present.

4. MISSION STATEMENT

- 1. Presentation

~ OUR MISSION: 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.

Councilwoman, Becca Sitz

5. APPROVAL OF AGENDA

The agenda was approved as written, by motion. The motion was made by Mayor Pro Tem, Jason W. Childers and seconded by Councilman, Brent P. Marceaux.

6. 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.

None.

7. CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

1. Minutes

~ ACCEPT THE MINUTES SUMMARY FROM THE REGULAR COUNCIL MEETING HELD ON JANUARY 14, 2020.

City Secretary, David Holubec

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

2. Budget

~ DISCUSS AND/OR APPROVE ACCOUNTS PAYABLE FOR OCTOBER, NOVEMBER AND DECEMBER 2019.

Finance Director, Scotty Jones

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

8. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

1. Award

~ RECOGNIZE THE BAY CITY HIGH SCHOOL WELDING CLASS FOR THE CONSTRUCTION OF HANDICAP ACCESSIBLE HANDRAILS AT THE BAY CITY REGIONAL AIRPORT.

Airport Manager, James Mason

The Bay City High School Welding class was recognized for their outstanding job in building handicap railing for walkways at the Bay City Regional Airport.

2. Personnel

~ SWEARING-IN OF MATAGORDA COUNTY APPOINTEES, GARY FARIS AND WAYNE NEAL AS BOARD MEMBERS OF THE BAY CITY / MATAGORDA COUNTY JOINT AIRPORT ZONING BOARD.

City Secretary, David Holubec

City Secretary, David Holubec, swore-in newly appointed Bay City Regional Airport Joint Zoning Board members, Gary Faris and Wayne Neal.

3. Agreement

~ DISCUSS, CONSIDER AND/OR APPROVE A COMMERCIAL AVIATION LEASE AGREEMENT WITH WILLIAMS FIELD SERVICES - GULF COAST COMPANY, L.P., A DELAWARE LIMITED PARTNERSHIP, AT THE BAY CITY REGIONAL AIRPORT.

Airport Manager, James Mason

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Becca Sitz, Councilwoman
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

4. Agreement

DISCUSS, CONSIDER AND/OR APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BAY CITY, TEXAS AND THE TEXAS DEPARTMENT OF PUBLIC SAFETY (TXDPS)

Katy Plunkett, Court Administrator

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason W. Childers, Mayor Pro Tem
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

5. Property

~ DISCUSS, CONSIDER AND/OR AUTHORIZE THE MAYOR/CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT FOR AN UN-NUMBERED LOT IN BLOCK 8 OF SECTION 3 IN MC DONALD MEADOWS ADDITION IN BAY CITY, TEXAS FOR THE PURPOSE AND OPERATION AS A LIFT STATION.

Marla Jasek, Asst Director Public Works

Louis Rodriguez, Assistant Director of Public Works presented the agenda item.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Jason W. Childers, Mayor Pro Tem
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

6. Planning / Plat

~ DISCUSS, CONSIDER, AND/OR APPROVE A SUBDIVISION PLAT FOR SH 60 RETAIL CENTER SUBDIVISION, LOCATED IN THE 3601 BLOCK OF AVENUE F IN THE BAY CITY, TEXAS.

Assistant Public Works Director, Marla Jasek

Barry Calhoun, Public Works Director, presented the agenda item.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason W. Childers, Mayor Pro Tem
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

7. Bid

~ DISCUSS, CONSIDER, AND/OR APPROVE AWARDING THE CONSTRUCTION BID FOR THE RIVERSIDE PARK BOAT RAMP IMPROVEMENTS TO K-C LEASE SERVICE, INC DBA MATAGORDA CONSTRUCTION & MATERIALS IN THE AMOUNT OF \$63,540.00 AND AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT APPROVED TO FORM BY THE CITY ATTORNEY BETWEEN THE CITY OF BAY CITY AND MATAGORDA CONSTRUCTION & MATERIALS

Shawn Blackburn, Parks and Recreation Director
Councilwoman, Becca Sitz and Councilman, Brent Marceaux were appreciative that a local contractor was the winning bidder.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason W. Childers, Mayor Pro Tem
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

8. Presentation

~ RECEIVE AND DISCUSS THE BAY CITY PUBLIC LIBRARY STATUS REPORT.

Library Director, Samantha Denbow
Library Director, Samantha Denbow, presented the library's quarterly report of activities. Council members praised the Library Team for their dedication and successful programs.

9. Report

~ RECEIVE THE TOURISM MANAGER'S REPORT.

Tourism Manager, Heidi Martinez
Tourism Manager, Heidi Martinez, presented the Tourism Department report, which included past and future events. She was commended by Mayor and Council for her outstanding program.

10. Report

~ DISCUSS, CONSIDER, AND/OR APPROVE THE CITY'S QUARTERLY FINANCIAL AND INVESTMENT REPORT FOR THE QUARTER ENDING DECEMBER 31, 2019.

Scotty Jones, Director of Finance

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Jason W. Childers, Mayor Pro Tem
SECONDER: Julie Estlinbaum, Councilwoman
AYES: Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

11. Policy

~ DISCUSS, CONSIDER AND/OR APPROVE A RESOLUTION TO ADOPT THE CITY'S INVESTMENT POLICY.

Scotty Jones, Finance Director

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Jason W. Childers, Mayor Pro Tem
SECONDER: Brent P. Marceaux, Councilman
AYES: Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

12. Agreement

~ DISCUSS, CONSIDER AND/OR APPROVE AN INTER-LOCAL AGREEMENT BETWEEN THE CITY OF BAY CITY AND MATAGORDA COUNTY FOR THE OPERATION OF THE BAY CITY SERVICE CENTER.

Finance Director, Scotty Jones

RESULT: **APPROVED [UNANIMOUS]**
MOVER: Jason W. Childers, Mayor Pro Tem
SECONDER: Julie Estlinbaum, Councilwoman
AYES: Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

13. Resolution

~ DISCUSS, CONSIDER AND/OR APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS AUTHORIZING THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION TO ENTER INTO A PERFORMANCE AGREEMENTS WHICH PROVIDE ECONOMIC INCENTIVES UNDER A BUSINESS RETENTION AND EXPANSION PROGRAM.

BCCDC Director, Jessica Russell

The second reading of this resolution will be held at the February 25, 2020 Regular City Council meeting.

RESULT: APPROVED [UNANIMOUS]
MOVER: Jason W. Childers, Mayor Pro Tem
SECONDER: William Cornman, Councilman
AYES: Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

RESOLUTION

Enacted and approved this 11th day of February, 2020, at Bay City

14. Resolution

DISCUSS, CONSIDER AND/OR APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS AUTHORIZING THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION TO ENTER INTO A PERFORMANCE AGREEMENTS WHICH PROVIDE ECONOMIC INCENTIVES UNDER A BUSINESS RETENTION AND EXPANSION FAÇADE GRANT PROGRAM.

BCCDC Director, Jessica Russell

The second reading of this resolution will be held at the February 25, 2020 Regular City Council meeting.

RESULT: APPROVED [UNANIMOUS]
MOVER: Jason W. Childers, Mayor Pro Tem
SECONDER: William Cornman, Councilman
AYES: Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

RESOLUTION

Enacted and approved this 11th day of February, 2020, at Bay City

15. Budget

~ DISCUSS, CONSIDER AND/OR APPROVE BUDGET AMENDMENT(S) TO THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION'S 2020 FISCAL BUDGET, TO INCREASE PROGRAM EXPENDITURES.

BCCDC Director, Jessica Russell

RESULT: APPROVED [UNANIMOUS]
MOVER: Julie Estlinbaum, Councilwoman
SECONDER: Becca Sitz, Councilwoman
AYES: Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

16. Report

~ DISCUSS, CONSIDER, AND/OR APPROVE THE MATAGORDA COUNTY AMATEUR RADIO CLUB REQUEST TO HOLD THEIR ANNUAL FIELD DAY (24-HOUR) PUBLIC SERVICE EMERGENCY COMMUNICATIONS DEMONSTRATION IN LE TULLE PARK EACH YEAR AS COORDINATED WITH THE PARKS AND POLICE DEPARTMENTS.

City Secretary, David Holubec

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Becca Sitz, Councilwoman
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

17. Presentation

~ RECEIVE THE ANNUAL REPORT FOR THE FISCAL YEAR 2019, FROM THE CITY SECRETARY'S OFFICE.

David Holubec, City Secretary

City Secretary, David Holubec presented the 2019 Annual Report from the City Secretary's office.

18. Ordinance

~ DISCUSS, CONSIDER AND/OR APPROVE AN ORDINANCE ORDERING A GENERAL ELECTION OF THE QUALIFIED VOTERS OF THE CITY OF BAY CITY, TEXAS, ON SATURDAY, MAY 2, 2020, FOR THE PURPOSES OF ELECTING TWO (2) CITY COUNCIL MEMBERS AND APPOINTING ELECTION JUDGES; DESIGNATING THE DATE FOR A RUNOFF ELECTION, IF NEEDED; REPEALING ALL OR PART OF ORDINANCES AND RESOLUTIONS WHICH CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND AN EFFECTIVE DATE.

City Secretary, David Holubec

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julie Estlinbaum, Councilwoman
SECONDER:	Jason W. Childers, Mayor Pro Tem
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

ORDINANCE

Enacted and approved this 11th day of February, 2020, at Bay City

19. Agreement

~ DISCUSS, CONSIDER, AND/OR APPROVE A JOINT ELECTION AGREEMENT BETWEEN THE CITY OF BAY CITY AND BAY CITY INDEPENDENT SCHOOL DISTRICT.

City Secretary, David Holubec

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julie Estlinbaum, Councilwoman
SECONDER:	Jason W. Childers, Mayor Pro Tem
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

20. Agreement

~ DISCUSS, CONSIDER, AND/OR APPROVE A LEASE AGREEMENT BETWEEN THE CITY OF BAY CITY AND MATAGORDA COUNTY FOR THE USE OF THE COUNTY'S ELECTION EQUIPMENT.

David Holubec, City Secretary

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Julie Estlinbaum, Councilwoman
SECONDER:	Jason W. Childers, Mayor Pro Tem
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

9. CLOSED / EXECUTIVE SESSION

1. Personnel

~ TO DISCUSS PERSONNEL MATTERS IN ACCORDANCE WITH TITLE 5, SECTION 551.074 OF THE TEXAS GOVERNMENT CODE (TO DISCUSS APPOINTMENT, EMPLOYMENT, EVALUATION, RESPONSIBILITIES AND DUTIES, REASSIGNMENT, DISCIPLINE OR DISMISSAL OF AN OFFICER OR EMPLOYEE, OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE [PERMANENT CITY MANAGER].

Robert K. Nelson, Mayor

Council members and Mayor approved an agreement with Shawna D. Burkhart, for the position of City Manager for the City of Bay City, Texas. (Open Session Vote)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Jason W. Childers
SECONDER:	Julie Estlinbaum, Councilwoman
AYES:	Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

2. Litigation

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1) FOR CONSULTATION WITH CITY ATTORNEY REGARDING THE FOLLOWING LITIGATION: CAUSE NO. 19-E-0013, RONNIE DEAN REEVES, VIDALA LEAL RODAS, DANYAL SHENIEL MANNING AND THE BAY CITY HOUSING AUTHORITY VS. MARK A. BRICKER, MAYOR, DEFENDANT.

Mayor, Robert K. Nelson

3. Report

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2) TO CONSULT WITH THEIR ATTORNEY REGARDING ATTORNEY - CLIENT PRIVILEGED MATTERS.

Mayor, Robert K. Nelson

10. OPEN SESSION

1. Report

~ DISCUSS, CONSIDER AND/OR TAKE ACTION ON ITEM(S) LISTED IN EXECUTIVE/CLOSED SESSION, (IF ANY).

Mayor, Robert K. Nelson
Council members and Mayor approved an agreement with Shawna D. Burkhart, for the position of City Manager for the City of Bay City, Texas.

RESULT: APPROVED [UNANIMOUS]
MOVER: William Cornman, Julie Estlinbaum
AYES: Nelson, Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 11th day of February, 2020, at Bay City

11.ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Council members and Mayor commended Mr. Richard Morton on his work with the City as the Interim City Manager.

12.ADJOURNMENT

AGENDA NOTICES:

Action by Council Authorized:

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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.

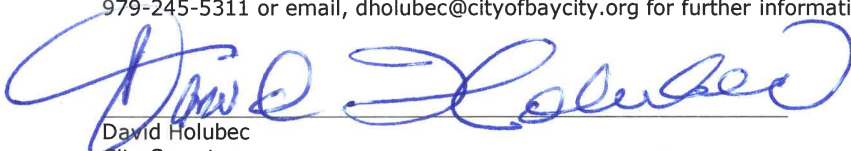
Executive Sessions Authorized:

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.

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 Wednesday, February 5, 2020 before 6:00 p.m. Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

The facility is wheelchair accessible and accessible parking spaces available. Request for accommodations or

interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary's Office at 979-245-5311 or email, dholubec@cityofbaycity.org for further information.



David Holubec
City Secretary



RESOLUTION # R-2020-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS AUTHORIZING THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION TO ENTER INTO A PERFORMANCE AGREEMENTS WHICH PROVIDE ECONOMIC INCENTIVES UNDER A BUSINESS RETENSION AND EXPANSION PROGRAM.

WHEREAS, the City of Bay City is a home-rule municipality governed by its City Charter, and has a population of less than 20,000 inhabitants; and

WHEREAS, the Bay City Community Development Corporation (BCCDC) is a Type B development corporation established pursuant to Chapter 505, subchapter B, of the Texas Local Government Code, and the City Council of the City of Bay City, Texas is the BCCDC's authorizing unit; and

WHEREAS, in accordance with Section 505.158(b) of the Texas Local Government Code, the BCCDC may not undertake a Project authorized under Section 505.158 that requires an expenditure of more than \$10,000.00 until the City Council of the City of Bay City, Texas adopts a resolution authorizing the Project after giving the resolution at least two separate readings; and

WHEREAS, the BCCDC has approved a Business Retention and Expansion Program that provides 50% matching funds for Projects related to façade improvement, sign improvements, property improvement, and/or demolition, to promote new or expanded business development (Sec. 505.158 of the Texas Local Government Code). Loan amounts will be awarded for one-half the cost of the improvements with available grants ranging from up to \$5,000 to up to \$15,000 for any one project; and

WHEREAS, the Project meets the requirements of Chapter 505, subchapter C, Authorized Projects, and Chapter 505, subchapter D, Authorized Projects, of the Texas Local Government Code;

WHEREAS, the City Council of the City of Bay City, Texas finds that the public hearing required under Section 505.159 of the Texas Government Code the BCCDC will hold a public hearing on this program on February 24, 2020; and

WHEREAS, the cost of the Project is approximately \$100,000.00; and

WHEREAS, the City Council of the City of Bay City, Texas finds the Project will promote new and expanded business enterprises in and near the City of Bay City, Texas; and

WHEREAS, the action authorized by this Resolution is in furtherance of the public interest, for good government, peace, order, trade and commerce of the City of Bay City, Texas and necessary for properly carrying out the authority granted by law to the City of Bay City, Texas and the BCCDC; and

WHEREAS, the Board of Directors of the BCCDC has found that the Project shall promote new or expanded business development; and


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


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

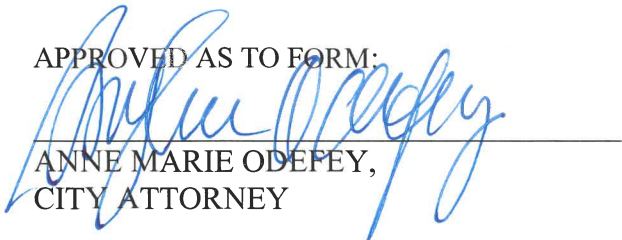
Section 2. Authorization. In accordance with Section 505.158 (b) of the Texas Local Government Code, the City Council hereby authorizes the Project as described in the recitals above after all prerequisites have been satisfied.

PASSED AND APPROVED ON FIRST READING AT THE CITY OF BAY CITY, TEXAS ON FEBRUARY 11, 2020, AND ON SECOND READING AT THE CITY OF BAY CITY, TEXAS ON FEBRUARY 25, 2020.

APPROVED AND ADOPTED on FEBRUARY 11, 2020.


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

ATTEST:

DAVID HOLUBEC, CITY SECRETARY
CITY OF BAY CITY, TEXAS

APPROVED AS TO FORM:

ANNE MARIE ODEFEY,
CITY ATTORNEY

RESOLUTION# R- 2020-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS AUTHORIZING THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION TO ENTER INTO A PERFORMANCE AGREEMENTS WHICH PROVIDE ECONOMIC INCENTIVES UNDER A BUSINESS RETENSION AND EXPANSION FAÇADE GRANT PROGRAM.

WHEREAS, the City of Bay City is a home-rule municipality governed by its City Charter, and has a population of less than 20,000 inhabitants; and

WHEREAS, the Bay City Community Development Corporation (BCCDC) is a Type B development corporation established pursuant to Chapter 505, subchapter B, of the Texas Local Government Code, and the City Council of the City of Bay City, Texas is the BCCDC's authorizing unit; and

WHEREAS, in accordance with Section 505.158(b) of the Texas Local Government Code, the BCCDC may not undertake a Project authorized under Section 505.158 that requires an expenditure of more than \$10,000.00 until the City Council of the City of Bay City, Texas adopts a resolution authorizing the Project after giving the resolution at least two separate readings; and

WHEREAS, the BCCDC has approved a Business Retention and Expansion Program that provides 50% matching funds for Projects related to façade improvement, sign improvements, property improvement, and/or demolition, to promote new or expanded business development (Sec. 505.158 of the Texas Local Government Code). Loan amounts will be awarded for one-half the cost of the improvements with available grants ranging from up to \$5,000 to up to \$15,000 for any one project; and

WHEREAS, the Project meets the requirements of Chapter 505, subchapter C, Authorized Projects, and Chapter 505, subchapter D, Authorized Projects, of the Texas Local Government Code;

WHEREAS, the City Council of the City of Bay City, Texas finds that the public hearing required under Section 505.159 of the Texas Government Code the BCCDC will hold a public hearing on this program on February 24, 2020; and

WHEREAS, the cost of the Project is approximately \$100,000.00; and

WHEREAS, the City Council of the City of Bay City, Texas finds the Project will promote new and expanded business enterprises in and near the City of Bay City, Texas; and

WHEREAS, the action authorized by this Resolution is in furtherance of the public interest, for good government, peace, order, trade and commerce of the City of Bay City, Texas and necessary for properly carrying out the authority granted by law to the City of Bay City, Texas and the BCCDC; and

WHEREAS, the Board of Directors of the BCCDC has found that the Project shall promote new or expanded business development; and


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

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

Section 2. Authorization. In accordance with Section 505.158 (b) of the Texas Local Government Code, the City Council hereby authorizes the Project as described in the recitals above after all prerequisites have been satisfied.

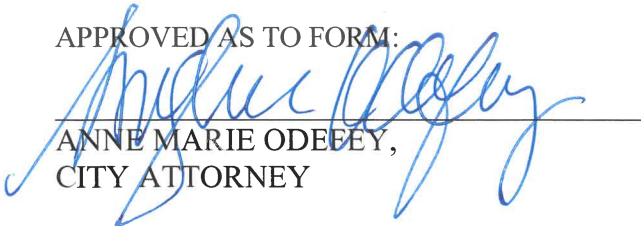
PASSED AND APPROVED ON FIRST READING AT THE CITY OF BAY CITY, TEXAS ON FEBRUARY 11, 2020, AND ON SECOND READING AT THE CITY OF BAY CITY, TEXAS ON FEBRUARY 25, 2020.

APPROVED AND ADOPTED on FEBRUARY 11, 2020.


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

ATTEST

DAVID HOLUBEC, CITY SECRETARY
CITY OF BAY CITY, TEXAS

APPROVED AS TO FORM:

ANNE MARIE ODEEY,
CITY ATTORNEY

RESOLUTION NO. R-2020-28

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND NOTICE OF SALE; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

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

WHEREAS, the City Council of the City of Bay City, Texas (the “City”) deems it advisable to issue certificates of obligation (the “Certificates”) of the City in accordance with the notice hereinafter set forth; and

WHEREAS, the City desires to authorize the preparation of a preliminary official statement (the “Preliminary Official Statement”) and notice of sale (the “Notice of Sale”) in anticipation of its issuance of the Certificates; and

WHEREAS, it is hereby found and determined that the meeting at which this resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended; NOW, THEREFORE

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

Section 1. The findings, determinations, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by City Council and made a part hereof for all purposes.

Section 2. The City Secretary is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto as Exhibit A, a notice of the City’s intention to issue the Certificates (the “Notice”).

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper that is of general circulation in the City, the date of the first publication to be at least forty-six (46) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates. In addition, the Notice shall be posted continuously on the City’s website for at least forty-five (45) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates.

Section 4. For the purposes of the Notice, the City hereby designates as self-supporting those public securities listed in the attached Exhibit B, the debt service on which the City currently pays from sources other than ad valorem tax collections. The City plans to continue to pay these

public securities based on this practice; however, there is no guarantee this practice will continue in future years.

Section 5. The City hereby authorizes the preparation and distribution of a Notice of Sale and Preliminary Official Statement relating to the Certificates and authorizes the Finance Director or the City Manager to approve the contents of and deem final such Preliminary Official Statement within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934.

Section 6. For purposes of section 1.150-2(d) of the Treasury Regulations, this Notice serves as the City's official declaration of intent to reimburse itself from proceeds of the Certificates in the maximum principal amount and for expenditures paid in connection with the projects, each as set forth in Exhibit A hereof. Any such reimbursement will only be made (i) for an original expenditure paid no earlier than 60 days prior to the date hereof and (ii) not later than 18 months after the later of (A) the date the original expenditure is paid or (B) the date the project to which such expenditure relates is placed in service or abandoned, but in to event more than three years after the original expenditure is paid.

Section 7. The City hereby authorizes the preparation and distribution of a Term Sheet in connection with a direct purchase or placement of the Certificates. The City's financial advisor, U.S. Capital Advisors, LLC, and bond counsel, Bracewell LLP, are authorized and directed to proceed with the necessary arrangements for the sale of the Certificates in accordance with the aforesaid Term Sheet.

Section 8. The Mayor, City Manager, Finance Director, City Secretary, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

Section 9. This resolution shall take effect immediately upon its passage.

Section 10. The notice and agenda relating to this meeting and heretofore posted by the City Secretary, and the posting thereof, are hereby authorized, approved, and ratified.

[Execution Page to Follow]

PASSED AND APPROVED on this the 25th day of February, 2020 by the City Council of the City of Bay City, Texas.

City Secretary
City of Bay City, Texas

Mayor
City of Bay City, Texas

[SEAL]

APPROVED AS TO FORM:

City Attorney
City of Bay City, Texas

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Bay City, Texas (the “City”), will meet at City Hall, 1901 5th Street, Bay City, Texas, 77414 at 7:00 p.m. on the 28th of April, 2020, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City’s Tax and Revenue Certificates of Obligation, Series 2020, in the maximum aggregate principal amount not to exceed \$9,400,000, payable from ad valorem taxes and from a limited pledge of a subordinate lien on the net revenues of the City’s water and sewer system, bearing interest at any rate or rates not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council of the City at the time of issuance of the certificates of obligation, and maturing over a period not to exceed forty (40) years from the date of issuance, for the purposes of evidencing the indebtedness of the City for all or any part of the costs associated with (i) the acquisition of a fire truck and fire protection equipment, (ii) the acquisition of road equipment, (iii) the acquisition, construction, repair, replacement and equipment of municipal airport facilities, (iv) the construction and equipment of streets, sidewalks and related infrastructure, and (v) the costs of professional services related thereto. The estimated combined principal and interest required to pay the Certificates on time and in full is \$13,229,820. Such estimate is provided for illustrative purposes only, and is based on an assumed interest rate of approximately 3.136%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting in Resolution No. R-2020-28, dated February 25, 2020, which resolution is available from the City upon request) is \$10,598,083. Based on the City’s expectations, as of the date of this notice, the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting) on time and in full is \$12,966,820.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 25th day of February, 2020.

David Holubec
City Secretary
City of Bay City, Texas

EXHIBIT B

SELF-SUPPORTING DEBT

\$7,941,918 **Total Principal Amount Designated as Self-Supporting**

The total principal amount of self-supporting debt is comprised of some or all of the debt from the following series of obligations:

Series Designation

Tax and Revenue Obligations, Series 2012

Tax and Revenue Certificates of Obligation, Series 2014

Tax and Revenue Certificates of Obligation, Series 2016

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF MATAGORDA §

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

1. The City Council of the City of Bay City, Texas, convened in a regular meeting on the 25th day of February, 2020, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council, to wit:

- | | |
|---------------------|---|
| Robert K. Nelson | Mayor |
| Julie L. Estlinbaum | Council Member, Position No. 1 |
| Bill Cornman | Council Member, Position No. 2 |
| Brent Marceau | Council Member, Position No. 3 |
| Becca Sitz | Council Member, Position No. 4 |
| Jason W. Childers | Mayor Pro Temp and Council Member, Position No. 5 |

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

RESOLUTION NO. R-2020-28

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A TERM SHEET; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

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

_____ Member(s) of City Council shown present voted "Aye."

_____ Member(s) of City Council shown present voted "No."

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said resolution has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said

meeting pertaining to the adoption of said resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 25th day of February, 2020.

City Secretary
City of Bay City, Texas

[SEAL]

**Bay City Police Department
2019 Annual Report**

Item No. 5.

**Statistical Information:*

2017 2018 2019

Calls For Service

911 Calls	10,488	9,896	9,282
Total Calls for Service	30,841	28,376	34,464

Traffic

Contact Stops	4,316	3,894	8,264
Accidents	490	464	535
Injuries	120	113	132
Fatalities	0	0	1
Written Citations	1,603	1,561	2,376
Written Warnings	2,968	2,809	6,570

Arrest

Adult	1,176	1,176	1,277
Juveniles	100	94	67
Total	1,276	1,270	1,344

Warrants

Total Received	979	864	1073
Total Served	952	1,159	843

**Statistical Information-Continued:*

2017

2018

2019

Item No. 5.

Uniform Crime Index

Criminal Homicide	3	3	0
Sexual Assault	9	11	15
Robbery	23	18	6
Aggravated Assaults	59	53	36
Simple Assaults (non-UCR Reportable)	380	506	459
Burglary	144	122	139
Larceny	401	541	522
Motor Vehicle Theft	11	17	25

Family Violence

Officer Responses	285	337	357
Arrest	128	144	125

Special Response Team (SRT)

Call-outs	3	6	4
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Animal Control

Live Animals Picked Up	644	644	657
Dead Animals Picked Up	157	113	121
Animal Welfare Calls	211	178	202
Total Calls for Service	2,025	1,970	2,025

*Statistical Information-Continued:

2017

2018

2019

Item No. 5.

Training

Total out of town hours	2,817	3,290	2,133
Total BCPD contact hours	6,174	4,950	3,058
Total Department Training Hours	8,991	8,240	5,191

TCLEOSE Certifications

Peace officer	2	2	5
Basic Peace Officer	13	10	8
Intermediate	4	2	5
Advanced	5	5	5
Master	15	17	17
Instructor	17	23	23
F.T.O.	36	36	58
S.F.S.T.	34	35	35
Mental Health	4	3	6
Firearms Inst.	2	4	4
Crime Prevention Spl.	2	2	2
Intoxilyzer Opr.	5	4	4
Inter. Crash Inv.	6	6	6
Advance crash Inv.	1	1	1
Inv. Hypnotist	0	0	0

Jailer

Basic Certification	4	3	5
Master Certification	0	0	0

**Statistical Information-Continued:*

2017

2018

2019

Item No. 5.

Communications

Temp. Telecommunications	1	3	2
Basic Telecommunications	2	4	1
Intermediate Telecommunications	1	6	2
Advance Telecommunications	5	5	6
Master Telecommunications	2	3	3

Investigations

Cases Assigned for Investigation	2,641	2,352	2,716
CPS Referrals	261	306	326
APS Referrals	25	11	18

Crime Prevention

Crime Prevention hours			263
Community Presentations	52	79	67
Home and Business Safety Awareness	2	0	0

Crime Victim's Liaison Division

Victim's Served	721	804	953
Crime Victim's Compensation Applications Served	35	45	54
Crime Victim's Compensation payouts to Victims	\$129,522	\$101,254	\$166,067

Mental Health

Total Calls	302	269	227
Transports	58	59	66

**Statistical Information-Continued:*

2017

2018

2019

Juveniles

Transports

29

22

24

Narcotic Related Statistics

Total Cases

60

138

146

Total Arrest

23

136

98

Vehicles Seized

1

5

3

Money Seized

\$21,647

\$16,200

\$5,663

Special Operations

Total Special Police Operations Initiated

7

8

11

Dealing with the Homeless

Calls for Service

126

Code Enforcement

Calls for Service

633

1,583

City Demolitions Completed

5

7

Arson Investigations

Calls for Service

11

Arrest

4

Racial Profiling Report | Full

Item No. 5.

Reporting Date: 02/11/2020

Agency Name: BAY CITY POLICE DEPT.
TCOLE Agency Number: 321201

Chief Administrator: ROBERT B. LISTER

Agency Contact Information:

Phone: (979) 245-8500

Email: rlister@cityofbaycity.org

Mailing Address:

2201 AVENUE H

BAY CITY, TX 77414

This Agency filed a full report

BAY CITY POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1.) clearly defines acts constituting racial profiling;
- 2.) strictly prohibit peace officers employed by the BAY CITY POLICE DEPT. from engaging in racial profiling;
- 3.) implements a process by which an individual may file a complaint with the BAY CITY POLICE DEPT. if the individual believes that a peace officer employed by the BAY CITY POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4.) provides public education relating to the agency's complaint process;
- 5.) requires appropriate corrective action to be taken against a peace officer employed by the BAY CITY POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the BAY CITY POLICE DEPT. policy adopted under this article;
- 6.) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
 - a.) the race or ethnicity of the individual detained;
 - b.) whether a search was conducted and, if so, whether the individual detained consented to the search; and
 - c.) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and
- 7.) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision(6) to:
 - a.) the Commission on Law Enforcement; and
 - b.) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

Executed by: IRENE R. KJERGAARD, LIEUTENANT

Date: 02/11/2020

Total stops: 8371

Gender

Female	3149
Male	5222

Race / Ethnicity

Black	1485
Asian / Pacific Islander	102
Hispanic / Latino	3627
White	3126
Alaska Native / American	31

Was race or ethnicity known prior to stop?

Yes	577
No	7794

Reason for stop?

Violation of law	554
Preexisting knowledge	447
Moving traffic violation	5659
Vehicle traffic violation	1711

Street address or approximate location of the stop

City street	6867
US highway	4
County road	15
State highway	1352
Private property or other	133

Was a search conducted?

Yes	163
No	8208

Reason for Search?

consent	59
contraband	5
probable	42
inventory	0

ncident to arrest 57

Item No. 5.

Was Contraband discovered?

Yes 63
No 100

Description of contraband

Drugs 27
Currency 2
Weapons 6
Alcohol 12
Stolen property 2
Other 14

Result of the stop

Verbal warning 0
Written warning 6196
Citation 2071
Written warning and arrest 6
Citation and arrest 16
Arrest 82

Arrest based on

Violation of Penal Code 37
Violation of Traffic Law 4
Violation of City Ordinance 1
Outstanding Warrant 40

Was physical force resulting in bodily injury used during stop?

Yes 3
No 8368

Submitted electronically to the



The Texas Commission on Law
Enforcement



Bay City Tourism Council

ARTICLE 1. PURPOSE AND RESPONSIBILITIES

I. PURPOSE

The Bay City Tourism Advisory Council (“Tourism Council”) is hereby established for aiding and promoting the tourist and convention industry; raise the public visibility of local activity. The tourism council shall serve as an advisory body only.

Mission Statement[HM1]: Bay City Tourism Council promotes and develops tourism and awareness of our beaches, birds, thriving arts and downtown culture.

Vision Statement[HM2]: To be Nationally recognized as the Birding Capitol and unique family destination where the country meets the coast.

II. RESPONSIBILITIES

Each member shall represent and advocate for what is best for the City of Bay City and the surrounding areas, putting aside personal and special interests.

The Tourism Council shall be focused on such activities as:

- a) Developing and regularly updating a Strategic Plan to include objectives for preservation and appreciation of historic and cultural attributes of the Bay City community; advertising and marketing, application of the arts and other activities for the promotion of tourism.
- b) Developing guidelines and evaluating proposals for the City’s awarding of sponsorship funds, in compliance with local and state law.

ARTICLE 2. MEMBERSHIP

The Tourism Council shall be composed of five (5) to nine (9) members. Members shall be recommended by the Tourism Manager, and appointed by the Mayor, subject to Council’s consent. Members shall be appointed in December prior to the new calendar year term.

- a) ~~The members shall serve two year terms. A successor shall be selected prior to the expiration of the member's term.~~ Members shall serve no more than ~~three~~[HM3]two consecutive ~~two~~three-year terms and shall be eligible for reappointment after one full term has passed. A successor shall be selected prior to the expiration of the member’s term.
- b) Members shall be appointed from the following categories: the arts community, the hotel/motel industry, the restaurant industry, major tourist attractions, eco-tourism, and

representatives from local county tourist destinations (i.e. Matagorda, Palacios and Sargent).

- c) Members shall comply with Hotel Motel Tax Laws (Chapter 351 of Texas Tax Code).
- d) Vacancies that occur during a term shall be filled as soon as reasonably possible and in the same manner as an appointment. The time a Member spends serving during a vacated term is not included as a term for purposes of counting consecutive terms.
- e) All Members serve without compensation. The Tourism Council and its Members have no authority to expend funds, to incur or make an obligation on behalf of the City, to make rules, or to adjudicate any matter. Members may be reimbursed for expenses if the expense(s) is first authorized and approved by the Tourism Manager.
- f) Partnerships to the advisory council are including but not limited to the Bay City Parks and Recreation, Bay City Mainstreet Program, Bay City Community Development, Matagorda County Economic Development and Bay City, Sargent, Matagorda and Palacios Chambers of Commerce.

ARTICLE 3. MEETINGS AND SUBCOMMITTEES

I. MEETINGS

Regular Meetings of the board may be held bimonthly at City Hall in the Council Chambers as determined by the Tourism Manager.

- a) The Tourism Advisory Council shall meet a minimum of six times a year.
- b) Agenda items may be placed on the agenda by the Tourism Manager or at the request of a Member. Written notice to the Tourism Manager must be given seven business days in advance to be included on agenda. The Member requesting the agenda item is responsible for the presentation and any other relevant information.
- c) Special Meetings may be called by the Tourism Manager or Mayor.
- d) A Member shall notify the Tourism Manager if unable to attend a meeting. Excessive absenteeism may result in the Member being removed.
- e) Decisions will be made based on the ~~consensus majority vote~~ [HM4] of the present Members of the meeting.
- f) Tourism Council meetings shall be conducted in accordance with these Bylaws.

II. SUBCOMMITTEES

When deemed necessary by a majority of the Tourism Council, Subcommittees may be formed for specific projects related to Tourism Council matters.

- a) Subcommittees may include non-Members; however, it must be chaired by a Tourism Council Member.
- b) No Subcommittee, or Member of a Subcommittee, has the authority to expend funds, incur an obligation on behalf of the City or the Tourism Council, to make rules, or to adjudicate any matter.

ARTICLE 4. AMENDMENTS

The Tourism Council's proposed Bylaws and amendments to the Bylaws must be approved by City Council.

Approved and adopted at a meeting of the City Council on the _____ day of _____.