



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, September 10, 2024 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson

Mayor Pro Tem: Becca Sitz

Council Members: Benjamin Flores, Jim Folse, Bradley Westmoreland, Blayne Finlay

Vision Statement

We envision Bay City as a thriving, family-centered community where our citizens can live, work, worship, and play, while welcoming visitors to experience our beautiful environment and diverse culture.

AGENDA

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 AND CERTIFICATION OF QUORUM

INVOCATION & PLEDGE

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

Councilman Bradley Westmoreland

MISSION STATEMENT

The City of Bay City promotes economic growth and invests in quality-of-life initiatives through collaboration. We respond promptly and professionally to residents' concerns, and strive to deliver superior municipal services.

Councilman Bradley Westmoreland

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.

ACKNOWLEDGEMENT FROM CITY MANAGER

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

- 1. Council Workshop meeting minutes of August 6, 2024.**
- 2. Regular Council Meeting minutes of August 13, 2024**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 3. Resolution ~ Discuss, consider, and/or approve a resolution to authorize the Bay City Community Development Corporation to enter into a contract with BC Development Group, LLC, for a term not to exceed seven years and providing incentives not to exceed a total amount of \$250,000 over the term of the agreement (Second Reading). Jessica Russell, Executive Director BCCDC**
- 4. Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City of Bay City, Texas adopting a "Budget Amendment #2" to the Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2024. Jennifer Leverett, Finance Manager**
- 5. Property – Discuss, consider, and/or approve a declaration of unusable equipment, supplies, and materials as surplus and authorize staff to sell said surplus equipment, supplies, and materials through the use of an online auction or other means. Krystal Mason, Assistant Public Works Director**
- 6. Bids ~ Discuss, consider, and/or approve the rejection of all bids received for the FY 2024 Public Works Roadway Materials Invitation to Bid and authorize staff to rebid. Gabriel Lopez, Engineering Tech**
- 7. Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas, authorizing the award of a Disaster Recovery Management Service Provider for the FEMA Public Assistance (PA) and Hazard Mitigation Assistance (HMA) Programs funded through the Texas Division of Emergency Management (TDEM) and /or Texas Water Development board (TWDB). Gabriel Lopez, Engineering Tech**
- 8. Policy ~ Discussions regarding proposed paperless processes regarding Council meeting documentation. Jeanna Thompson, City Secretary**

CLOSED / EXECUTIVE SESSION

- 9. Executive Session pursuant to Section 551.071(1) of the Texas Government Code (Consultation with Counsel on Legal Matters)**

RECONVENE AND ACTION

ITEMS / COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER**ADJOURNMENT****AGENDA NOTICES:**

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.

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, September 6, 2024 before 6:00 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.

CITY OF BAY CITY

MINUTES • AUGUST 06, 2024

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Workshop

5:00 PM

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



Mayor

Robert K. Nelson

Mayor Pro Tem

Becca Sitz

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilman

Blayne Finlay

Councilman

Benjamin Flores

Through a united and collaborative effort, we seek to grow the City of Bay City with a diverse culture that is proud to call Bay City home. We envision a thriving family-centered community where citizens are involved in the future development of our city. We desire our citizens to work, play, worship and shop in the community in which we live. Visitors are welcomed and encouraged to enjoy the friendly environment and amenities the citizens and business owners have created together.

CALL TO ORDER

The meeting was called to order by Mayor Robert K. Nelson at 5:02 p.m.

CERTIFICATION OF QUORUM**PRESENT**

Mayor Robert K. Nelson
 Mayor Pro Tem Blayne Finlay
 Councilman Benjamin Flores
 Councilman Jim Folse
 Councilman Brad Westmoreland
 Councilwoman Becca Sitz

PUBLIC COMMENTS

There were no public comments.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND / OR APPROVAL**1. Discuss the Fiscal Year 2025 Five (5) Year Capital Improvement Plan.**

Scotty Jones, Interim City Manager, open discussion regarding the capital improvements proposals. Each department presented their plan and projects. Kelly Penewitt, Interim Parks & Recreation Director, stated that the pool was moved out one year. James Mason, Airport Manager, discussed future emergency facility and needs.

2. Discuss the City of Bay City Strategic Plan.

Scotty Jones, Interim City Manager, presented the changes to the Strategic Plan for 2025-2027. Ms. Jones concluded with schedule of next meetings.

ADJOURNMENT

Motion made by Councilman Flores to adjourn, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried and the meeting adjourned at 7:26 p.m.

PASSED AND APPROVED, this 10th day of September 2024.

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

 JEANNA THOMPSON
 CITY SECRETARY

CITY OF BAY CITY

MINUTES • AUGUST 13, 2024

COUNCIL
CHAMBERS | 1901
5th Street

City Council Regular Meeting

6:00 PM

1901 5TH STREET
BAY CITY TX,77414



Mayor

Robert K. Nelson

Mayor Pro Tem

Becca Sitz

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilman

Blayne Finlay

Councilman

Benjamin Flores

Through a united and collaborative effort, we seek to grow the City of Bay City with a diverse culture that is proud to call Bay City home. We envision a thriving family-centered community where citizens are involved in the future development of our city. We desire our citizens to work, play, worship and shop in the community in which we live. Visitors are welcomed and encouraged to enjoy the friendly environment and amenities the citizens and business owners have created together.

CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order at 6:00 p.m.

PRESENT

Mayor Robert K. Nelson
Councilman Blayne Finlay
Councilman Benjamin Flores
Councilman Jim Folse
Councilman Brad Westmoreland
Mayor Pro Tem Becca Sitz

INVOCATION & PLEDGE

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

Councilman Benjamin Flores

MISSION STATEMENT

The City of Bay City is committed to fostering future economic growth by collaborating with our citizens, employers, current and future businesses, as well as the Community and Economic Development Centers. We strive to deliver superior municipal services and to invest in quality-of-life initiatives such as housing, businesses, jobs and activities for all citizens. We make a concerted effort to respond to resident's concerns in a timely and professional manner in order to achieve customer satisfaction.

Councilman Benjamin Flores

APPROVAL OF AGENDA

Motion made by Councilman Finlay to approve the agenda, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

PUBLIC COMMENTS

Randy Barley, 1335 FM Wharton, stated that his truck was searched and impounded because dope was found and he was arrested. Mr. Barley claimed the District Attorney dismissed the case and he wants his truck back.

Harry Brooks, Thompson Drive, stated that the Bay City ISD alumni were denied a permit to use the park for their annual reunion that they have had there for years due to alcohol. Mr. Rhodes claimed that they were not given any explanation and given a hard "no".

PUBLIC HEARING**1. Public Hearing of the City of Bay City, Texas, regarding the levy of assessments within the Russell Ranch Public Improvement District.**

Scotty Jones, Interim City Manager, and a P3 Consultant provided an overview of the Public Improvement District. Jessica Russell, Bay City Community Development Executive Director, thanked the City for their work. There was no public commentary on the subject.

ACKNOWLEDGEMENT FROM CITY MANAGER

Scotty Jones, Interim City Manager, announced the premiering of the City Newsletter to citizens and thanked Darve Smith. Ms. Jones acknowledged Chasidy Llanes for her work on the coordination of the career online high school program. Ms. Jones announced the Go Wild programs at Riverside Park.

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

Councilman Finlay stated that the Shop with a Cop was a successful event, and he enjoyed it. Councilman Finlay also stated that he wanted the public to know that the City is looking into repairs on Nile Valley Road between Thompson and Highway 60. Councilman Flores requested statistics on unsightly conditions, a report on Fire Code 2021 as to why we cannot meet this at this time, and an emergency plan. Councilman Folse stated that he saw the brush truck picking up and residents putting more brush out. Councilman Folse asked the City Attorney to look into a charter change for the election to change Councils positions three and four to being two years for the next term and then reverting back to the three year terms to stagger elections more evenly. Councilman Folse also stated that the District Judge made a summary judgment regarding the farm on Hamman Road. Mayor Pro Tem Sitz asked for an update from Code Enforcement regarding vacant buildings.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

- 2. Regular Council Meeting minutes of June 11, 2024.**
- 3. Regular Council Meeting minutes of June 25, 2024.**
- 4. Council Workshop Meeting minutes of July 16, 2024.**
- 5. Regular Council Meeting minutes of July 16, 2024.**
- 6. Ratify extension of the contract by and between the City of Bay City, Texas and DebrisTech, LLC for debris removal services.**
- 7. Ratify the extension of the contract with DRC Emergency Services, LLC for debris removal.**

8. Ratify the Interlocal Agreement between the City of Bay City and TX Health Benefits Pool.

Motion made by Councilman Folsie to approve the consent items with correction to Meeting Minutes of June 11, 2024, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

DEPARTMENT REPORTS

9. Police Department Reports and Updates. Christella Rodriguez, Police Chief

Sgt. Bruno and Lt. Ryman gave a presentation on narcotic activity in the area and increase in investigations.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

10. Ordinance ~ Discuss, consider, and/or approve an ordinance of the City of Bay City, Texas approving a Service and Assessment Plan and Assessment Roll for the Russell Ranch Public Improvement District (The "District"; making a finding of special benefit to certain property in the district; levying assessments against certain property within the District and establishing a lien on such property; providing for payment of the assessment in accordance with Chapter 372, Texas Local Government Code, as amended; providing for the method of assessment and the payment of the assessments; providing penalties and interest on delinquent assessments; providing for severability and providing an effective date. Scotty Jones, Interim City Manager

Motion made by Councilman Folsie to approve an ordinance of the City of Bay City, Texas approving a Service and Assessment Plan and Assessment Roll for the Russell Ranch Public Improvement District, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

11. 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 an Interlocal Cooperation Agreement with the City of Bay City for a project to provide Public Safety Facilities (First Reading). Jessica Russell, Executive Director BCCDC

Motion made by Councilman Flores to approve a resolution of the City Council of the City of Bay City, Texas authorizing the Bay City Community Development Corporation to enter into an Interlocal Cooperation Agreement with the City of Bay City for a project to provide Public Safety Facilities, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

- 12. 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 contract with Los Cucos Mexican Cafe Bay City, Inc., for a term not to exceed two years and providing incentives not to exceed a total amount of \$70,000 over the term of the agreement (First Reading).** Jessica Russell, Executive Director BCCDC

Motion made by Mayor Pro Tem Sitz to 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 contract with Los Cucos Mexican Cafe Bay City, Inc., Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Mayor Pro Tem Sitz. Voting Abstaining: Councilman Westmoreland. Motion carried.

- 13. Lease ~ Discuss, consider, and/or approve a commercial lease agreement with Williams Energy for leased space at the Bay City Regional Airport.** James Mason, Airport Manager

Motion made by Councilman Westmoreland to approve a commercial lease agreement with Williams Energy for leased space at the Bay City Regional Airport, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

- 14. Grant ~ Discuss, consider, and/or approve the City of Bay City's issuance of Requests for Proposals (RFPs) for disaster recovery management service providers to complete application and project implementation for the Federal Emergency Management Agency (FEMA) Public Assistance (PA) and Hazard Mitigation Assistance (HMA) programs, administered by the Texas Division of Emergency Management and/or Texas Water Development Board.** Gabriel Lopez, Engineering Technician

Motion made by Councilman Finlay to approve the City of Bay City's issuance of Requests for Proposals (RFPs) for disaster recovery management service providers to complete application and project implementation for the Federal Emergency Management Agency (FEMA) Public Assistance (PA) and Hazard Mitigation Assistance (HMA) programs, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned and went into Executive Session at 7:23 p.m.

- 15. Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**

RECONVENE AND ACTION

Council reconvened into Regular Session at 8:02 p.m. and took no action.

ITEMS / COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER

No comments.

ADJOURNMENT

Council adjourned the meeting at 8:04 p.m.

PASSED AND APPROVED, this 10th day of September 2024.

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

JEANNA THOMPSON
CITY SECRETARY



CITY OF BAY CITY
 1901 FIFTH STREET
 BAY CITY, TEXAS 77414
 (979) 245-2137
 FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered 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.

Requestor Name: Jessica Russell **Date Submitted:** 08/21/2024
Last, First *MM/DD/YYYY*

Requestor Type: BCCDC Staff **Meeting Date:** 08/27/2024
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Executive Director, BCCDC
For City Staff Only

Agenda Location: Discussion item
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, TO AUTHORIZE THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION TO ENTER INTO A CONTRACT WITH BC DEVELOPMENT GROUP, LLC, FOR A TERM NOT TO EXCEED SEVEN YEARS AND PROVIDING INCENTIVES NOT TO EXCEED A TOTAL AMOUNT OF \$250,000.00 OVER THE TERM OF THE AGREEMENT (FIRST READING)

Executive Summary of Item:

Background:

Public Hearing

8/26/24 Discuss, consider, and/or approve a Business Resiliency Program for BC Development Group, LLC- Jessica Russell, BCCDC Executive Director.

Financial Implications:

The BCCDC to approve a project in which BCCDC will participate in Business Resilience Project with BC Development Group, LLC regarding a project not to exceed \$250,000

Recommendation: Approve first reading of resolution.

Attachments: Resolution

RESOLUTION R-2024-029

A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, TO AUTHORIZE THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION TO ENTER INTO A CONTRACT WITH BC DEVELOPMENT GROUP, LLC, FOR A TERM NOT TO EXCEED SEVEN YEARS AND PROVIDING INCENTIVES NOT TO EXCEED A TOTAL AMOUNT OF \$250,000.00 OVER THE TERM OF THE AGREEMENT

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

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

WHEREAS, in accordance with Texas Local Government Code Section 505.158 the BCCDC is authorized provide land, building, equipment, facilities, expenditures, targeted infrastructure, and improvements found by the board of directors to promote new or expanded business development projects; and

WHEREAS, in accordance with Texas Local Government Code Section 505.158, in order for the BCCDC's action to become final for projects, which require an expenditure of more than \$50,000, the city council must adopt a resolution authorizing the project after giving the resolution at least two (2) separate readings; and

WHEREAS, the BCCDC has identified the proposed development of The Reserve at River Bend apartment complex by BC Development Group, LLC, as a Project qualified to receive expenditures from the corporation;

WHEREAS, at its Regular Board Meeting held August 26, 2024, the BCCDC held a public hearing, and considered, and voted to approve an agreement that provides for the granting of incentives for the Project, over a term of seven years that shall not exceed a total amount of \$250,000.00; and

WHEREAS, at the public hearing the BCCDC Executive Director described the project proposed by the grant applicant that it would invest over \$5,000,000 for the location of The Reserve at River Bend apartment complex at 2400 Nile Valley Rd., Bay City, Texas, and that said project will create construction jobs followed by 2-3 permanent jobs during the term of the agreement; and

WHEREAS, the City Council finds that the proposed BCCDC grant will promote new or expanded business development:

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 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 AUGUST 27, 2024, AND ON SECOND READING AT THE CITY OF BAY CITY, TEXAS ON SEPTEMBER 10, 2024.

APPROVED AND ADOPTED on SEPTEMBER 10, 2024.

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

ATTEST

JEANNA THOMPSON, CITY SECRETARY
CITY OF BAY CITY, TEXAS

APPROVED AS TO FORM:

ANNE MARIE ODEFEY,
CITY ATTORNEY

Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City of Bay City, Texas adopting a "Budget Amendment #2" to the "Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2024"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.



EXECUTIVE SUMMARY

BUDGET AMENDMENTS

BACKGROUND: The legal level of budgetary control for the City of Bay City lies at the departmental level. Any revisions that alter the amount of total expenditures/expenses of the department must be approved by City Council.

FINANCIAL IMPLICATIONS: Amending the budget provides a revised parameter for the budget.

RECOMMENDATION: Staff recommends City Council approve the budget amendments as presented.

ATTACHMENTS: Ordinance and Budget Amendments

BUDGET AMENDMENT

FUND: _____
 Reason for Budget Amendment: (Please indicate)

General Fund _____

Date: 9/10/2024

- _____
- _____
- _____

1. New revenues (originally unbudgeted) are available.
2. Actual revenues (originally unbudgeted) have exceeded the original adopted budget.
3. A new project, program or special expenditure has been authorized.
4. Transfer reclassification of original adopted budget to realign budget to actual transaction activity as presently needed.

Brief Description of Request:

FY2024: General Fund- Various

Account Description	Fund #	Account #	Expenditure Increase or Revenue Decrease		Notes
			Debit	Exp. Decrease or Rev. Increase	
					Code
Property Abatements	11	135-4418	\$ 10,000		Property Abatements
Liens	11	3613		\$ 10,000	
					Police
General Safety & Tools	11	150-4318	\$ 6,000		Medical Kits
Other Income- Police	11	3697		\$ 6,000	
					Police
Travel & Training	11	150-4230	\$ 3,000		Law Enforcement Education
Law Enforcement Education Funds	11	3635		\$ 3,000	
					Police
R&M- Vehicles	11	150-4510	\$ 22,000		R&M Vehicles
Insurance Claims	11	3693		\$ 22,000	
					Fire
Misc. Furniture & Equipment	11	165-4498	\$ 34,000		BCVFD Pagers
Donations	11	3670		\$ 34,000	
					Streets
R&M Vehicles	11	175-4510	\$ 10,000		Vehicle Repairs
Insurance Claims	11	3693		\$ 10,000	
					Pools
CE- Building	11	180-4615	\$ 20,000		Train Depot Roof
State Sales Tax	11	3205		\$ 20,000	
					City General
Transfer to Airport Fund	11	110-4764	\$ 42,000		Transfer to Airport
Prior Year Fund Balance	11	3999		\$ 42,000	
Transfer to Street Maintenance Fund	11	110-4728	\$ 75,000		City General
Interest Income	11	3605		\$ 75,000	
The amendments above relate to the following:					
TOTAL			\$ 222,000.00	\$ 222,000.00	

Dept. Head Signature: _____

Finance Manager Signature: _____

Interim City Manager: _____

Date 9/15/2024
 Date 9/15/2024
 Date _____

BUDGET AMENDMENT

FUND: Reason for Budget Amendment: (Please indicate)

Airport Fund

Date: 9/10/2024

- 1. New revenues (originally unbudgeted) are available.
2. Actual revenues (originally unbudgeted) have exceeded the original adopted budget.
3. A new project, program or special expenditure has been authorized.
4. Transfer reclassification of original adopted budget to realign budget to actual transaction activity as presently needed.

X

Brief Description of Request:

FY2024: Airport

Table with columns: Account Description, Fund #, Account #, Debit, Credit, Notes. Includes rows for Legal Fees and Transfer from General Fund.

The amendments above relate to the following:

TOTAL \$ 42,000.00 \$ 42,000.00

Dept. Head Signature:

[Handwritten Signature]

Date 9/5/2024

Finance Manager Signature:

Date

Interim City Manager:

Date

ORDINANCE _____

AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, ADOPTING A "BUDGET AMENDMENT #2 TO THE "ANNUAL BUDGET OF THE CITY OF BAY CITY, TEXAS, FOR THE FISCAL YEAR 2024"; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT.

WHEREAS, by Ordinance No. 1715, the City of Bay City, Texas, adopted its "Annual Budget" for Fiscal Year 2024;

WHEREAS, the City Council has determined the revenues and/or reserves are available for supplement appropriation and/or transfer of certain funds interdepartmentally is economically feasible and in the best interest of prudent budgeting; and

WHEREAS, the City Council desires to amend said Original General Budget to reflect such supplemental appropriation and/or transfer in the fiscal year 2024; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, STATE OF TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby to be true and correct.

Section 2. The "Annual Budget" of the City of Bay City, Texas, for the Fiscal Year 2024, is hereby amended as shown on "Budget Amendment #2" to the Original Budget of the City of Bay City, Texas, for the Fiscal Year 2024, attached hereto. These amendments are for municipal purposes. Said Budget Amendment shall be attached to and made a part of such Annual Budget by the City Secretary and shall be filed as required by state law, a true ad correct copy of which is attached hereto as Exhibit "A" and made a part hereof for all purposes.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held constitutional 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 such part thus declared to be invalid or constitutional, whether there be one or more parts.

PASSED AND APPROVED on first and final reading this 10th day of September 2024.

CITY OF BAY CITY, TEXAS

Robert K. Nelson, Mayor

ATTEST:

Jeanna Thompson, City Secretary

APPROVED as to FORM:

Anne Marie Odefey, City Attorney

<u>Council Member:</u>	<u>Voted Aye</u>	<u>Voted No</u>	<u>Absent</u>
Brad Westmoreland	_____	_____	_____
Blayne Finlay	_____	_____	_____
Benjamin Flores	_____	_____	_____
Becca Sitz Mayor Pro-Tem	_____	_____	_____
Jim Folsie	_____	_____	_____

Robert K. Nelson, Mayor

ATTEST:

Jeanna Thompson, City Secretary

APPROVED AS TO FORM AND SUBSTANCE:

Anne Marie Odefey, City Attorney



CITY OF BAY CITY
1901 FIFTH STREET
BAY CITY, TEXAS 77414
(979) 245-2137
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AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered 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.

Requestor Name: Mason, Krystal **Date Submitted:** 09/05/2024
Last, First *MM/DD/YYYY*

Requestor Type : City Staff **Meeting Date:** 09/10/2024
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Assistant Director of Public Works
For City Staff Only

Agenda Location: Discussion Item
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

Property – Discuss, consider, and/or approve a declaration of unusable equipment, supplies, and materials as surplus and authorize staff to sell said surplus equipment, supplies, and materials through the use of an online auction or other means.

Executive Summary of Item:

Every fiscal year our Lead Mechanic, Supervisors, and Directors make recommendations to remove items from the City's fleet and inventory due to unsafe working conditions, reduced usability, high maintenance costs, and/or high repair costs. Included in this agenda item are several pieces of equipment, tools, materials, and furniture that have been deemed unusable and not worth high repair costs to continue to maintain. Items included are from the Public Works Department and Utility Billing Department. Attached is the list of items (including pictures) that are being requested to be removed from the City's fleet and inventory. It is the recommendation of staff to surplus these items so they can be removed via online auction or other means.



CITY OF BAY CITY
1901 FIFTH STREET
BAY CITY, TEXAS 77414
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FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered 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.

Requestor Name: Lopez, Gabriel **Date Submitted:** 09/04/2024
Last, First *MM/DD/YYYY*

Requestor Type: City Staff **Meeting Date:** 09/10/2024
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Engineering Technician
For City Staff Only

Agenda Location: Discussion
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

Discuss, consider, and/or approve the rejection of all bids received for the FY 2024 Public Works Roadway Materials Invitation to Bid and authorize staff to rebid.

Executive Summary of Item:

BACKGROUND: The City of Bay City issued an Invitation to Bid (ITB) for the procurement of roadway materials necessary for the city's maintenance and improvement projects. The ITB included specifications for materials that must meet the Texas Department of Transportation (TxDOT) standards.

After reviewing the submitted bids, it was determined that there was insufficient competition, which could limit the city's ability to secure the best possible pricing and terms for the materials needed. For some bid items, unit prices for both delivery and pick-up were not requested, reducing flexibility in selecting the most cost-effective option.

To improve competition and provide more options for pricing and delivery, it is recommended that all bids be rejected and a new ITB be issued with an extended response period. The new ITB will also request pick-up and delivery for additional bid items. Vendors in the area will be notified of the rebid to encourage greater participation.

FINANCIAL IMPLICATIONS: Rejecting all bids and rebidding will result in a slight delay in the procurement process but is expected to lead to more competitive pricing. The goal is to ensure that the city secures the best value for the roadway materials. There are no immediate financial costs associated with rejecting the current bids. Any changes in costs resulting from the rebid will be reflected in the final bid selection.

IMPACT ON COMMUNITY SUSTAINABILITY: Rebidding the project with extended vendor outreach is anticipated to enhance competition, ensuring the city procures the necessary materials at the best available price. This will help maintain fiscal responsibility while still moving forward with key roadway projects, benefiting the community's overall safety and sustainability. Increasing competition through the rebid process contributes to the city's ability to complete roadway improvements on time and within budget, promoting long-term infrastructure stability.

RECOMMENDATION:

Staff recommends that City Council reject all bids submitted in response to the ITB for roadway materials and authorize staff to rebid to help secure the most advantageous pricing and terms for the city.

ATTACHMENTS:

None



CITY OF BAY CITY
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Requestor Name: Lopez, Gabriel **Date Submitted:** 9/5/2024
Last, First *MM/DD/YYYY*

Requestor Type: City Staff **Meeting Date:** 9/10/2024
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Engineering Technician
For City Staff Only

Agenda Location: Discussion Item
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

Discuss, consider, and/or approve the award of a contract for a disaster recovery management service provider to complete application and project implementation for the Federal Emergency Management Agency (FEMA) Public Assistance (PA) and Hazard Mitigation Assistance (HMA) programs administered by the Texas Division of Emergency Management and/or Texas Water Development Board.

Executive Summary of Item:

BACKGROUND: The City recently issued a Request for Proposals (RFP) seeking a disaster recovery management service provider to assist with both the FEMA Public Assistance (PA) and Hazard Mitigation Assistance (HMA) programs. These services are needed for managing the City's recovery efforts related to Hurricane Beryl and future hazard mitigation projects.

The Public Assistance (PA) Program, activated after a Presidential Disaster Declaration, provides essential support for recovery, including repairing and replacing damaged public infrastructure. The Hazard Mitigation Assistance (HMA) Programs, which include the Hazard Mitigation Grant Program (HMGP), Flood Mitigation Assistance (FMA), and Building Resilient Infrastructure and Communities (BRIC), offer funding for activities such as infrastructure retrofitting, utility protection, and flood risk reduction.

Following the RFP process, the City received a single proposal, which is now being brought forward for Council's consideration.

FINANCIAL IMPLICATIONS: Pre-award costs, including grant writing and EHP reviews, will be billed upon grant submission and may be reimbursed if the project is funded.

Post-award services, billed at 5% of the total grant and match amounts, only apply if the grant is awarded. FEMA PA, and HMA programs allow reimbursement of management costs up to 5%, with any excess being non-reimbursable unless approved as part of the non-federal match.

Additional services beyond the standard scope will be billed separately with City approval.

IMPACT ON COMMUNITY SUSTAINABILITY: Engaging a qualified grant administrator ensures that the City can effectively manage disaster recovery and mitigation efforts, enhancing the City's capacity to address both current and future disaster-related needs and promote community resilience.

RECOMMENDATION: Staff recommends City Council approve the award of the disaster recovery management contract to GrantWorks Inc. for FEMA's Public Assistance (PA) and Hazard Mitigation Assistance (HMA) Programs. This approval will allow the City to engage the necessary services to manage recovery and mitigation grant projects effectively.

RESOLUTION R-2024-_____

A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING THE AWARD OF A DISASTER RECOVERY MANAGEMENT SERVICE PROVIDER FOR THE FEMA PUBLIC ASSISTANCE (PA) AND HAZARD MITIGATION ASSISTANCE (HMA) PROGRAMS FUNDED THROUGH THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM) AND/OR TEXAS WATER DEVELOPMENT BOARD (TWDB).

WHEREAS, participation in the FEMA Public Assistance (PA) and HMA program(s) requires implementation by professionals experienced in the administration of federally-funded projects; and

WHEREAS, in order to identify qualified and responsive providers for these services, a Request for Proposals (RFP) process for disaster recovery management services has been completed in accordance with the TDEM and/or TWDB requirements; and

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service, giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources.

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

Section 1. That _____ is selected to provide application and project-related **disaster recovery management services** for the FEMA Public Assistance (PA) and HMA program(s).

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

PASSED AND APPROVED on the _____ day of September 2024

CITY OF BAY CITY, TEXAS

Robert K. Nelson, Mayor

ATTEST:

APPROVED as to FORM:

Jeanna Thompson, City Secretary

Anne Marie Odefey, City Attorney
ROBERTS, ODEFEY, WITTE & WALL, LLP