



BAY CITY

REVISED MINUTES • OCTOBER 23, 2014

Council Chambers

Regular Meeting

7:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER & CERTIFICATION OF QUORUM

Attendee Name	Title	Status	Arrived
Chrystal Folsie	Councilwoman	Present	
Steven Johnson	Councilman	Present	
Mark Bricker	Mayor	Present	
Carolyn Thames	Mayor Pro-Tem	Present	
Julie Estlinbaum	Councilwoman	Present	
William Cornman	Councilman	Present	

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILWOMAN CHRYSTAL FOLSE

Texas State Flag Pledge:

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

3. 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.

Bay City resident Jerry Hance informed Council that after nine (9) weeks the garbage truck picked up the debris in his neighborhood on Saturday. He went on to state that the City has dealt with other companies that needed extra people and equipment, but do not get it. Mr. Hance suggested that we start by paying the garbage company by the weight for the items other than household items. He added that they would be there to pick it up.

Bay City resident David Torrez complained to Mayor and Council about the ditch by the college. He added that the ditch stayed green because it did not drain. Mr. Torrez stated that the last time it was emptied by was due to the Vector Truck draining it. Mr. Torrez moved on and informed Mayor and Council that they had someone bragging about the airport, but they needed someone to be out there getting the grants to make the parks better. He moved on to voice his concerns about Nile Valley. Mr. Torrez stated that he was offended about the Nile Valley Road being mentioned. He stated that the City needed to fix the railroad by McDonalds. Mr. Torrez informed Mayor and Council that by Wells Fargo the stop sign had grass 18 inches high.

4. CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

The following items may be acted upon in a single motion. No separate discussion or action on any of these items will be held unless requested by a member of the City Council. Public comment on consent agenda items may be heard without removing the item from the consent agenda. Each person providing public comment will be limited to 3 minutes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carolyn Thames, Mayor Pro-Tem
SECONDER:	Chrystal Folsie, Councilwoman
AYES:	Folsie, Johnson, Thames, Estlinbaum, Cornman

1. Report

FINANCIAL STATEMENTS FOR SEPTEMBER 30, 2014.

Phill Conner, Finance Director

Enacted and approved this 23rd day of October, 2014, at Bay City

5. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:

1. Policy

CONSIDER AND/OR APPROVE DR. HOLT'S REQUEST FOR A SETBACK REDUCTION OF 15 FT TO 8 FT TO ALLOW FOR PARKING AT LOTS 8 AND 9 OF BLOCK 161 OF BAY CITY ORIGINAL TOWNSITE, AND PROVIDE GUIDANCE TO STAFF REGARDING ANY NECESSARY CHANGES TO ANY RELATED ORDINANCES.

Councilman Bill Cornman

Councilman Cornman explained that he put the item on because at the last meeting the Council wanted the Planning Commission to review the item. However, the Planning Commission did not meet. Councilman Cornman stated the he would like to move forward with the request.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Chrystal Folsie, Councilwoman
AYES:	Folsie, Johnson, Thames, Estlinbaum, Cornman

Enacted and approved this 23rd day of October, 2014, at Bay City

2. Contract

CONSIDER AND/OR APPROVE INTO A CONTRACT WITH BUREAU VERITAS FOR CONSULTING SERVICES.

Barry Calhoun, Director of Public Works

Mr. Calhoun provided an update regarding the status of the contract. The Mayor informed Council that he had received an email from Bureau Veritas, and that they had no issue with the contract that had been approved by the City Attorney.

Councilwoman Estlinbaum stated that it was difficult for her to see it because she did not know what the City's fees were. Mr. Calhoun stated that he could bring them back to Council. He added that the City's were low, but not too far off.

Councilman Cornman asked what the benefit was. Mr. Calhoun stated that it would be another resource for the City. He added that when the workload got heavy they could help. Council asked if they could help with the Fire Marshall. Mr. Calhoun explained that the Fire Marshall services were not included in the contract.

Councilwoman Estlinbaum stated that she did not feel comfortable approving it tonight, because she wanted to see how the City's fees and Bureau Veritas' fees compared. She added that she would also like to see the contract.

Mr. Calhoun stated that he would contact them in the morning.

The Mayor asked if Council would like for a Bureau Veritas representative be present, and Council stated yes.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carolyn Thames, Mayor Pro-Tem
SECONDER:	William Cornman, Councilman
AYES:	Folse, Johnson, Thames, Estlinbaum, Cornman

Enacted and approved this 23rd day of October, 2014, at Bay City

3. Ordinance

Discuss, Consider, and/or Approve adjusting fee's for building permits and inspections.

Barry Calhoun

It was the consensus of Council to table the item until the next meeting, so that they could compare the fees.

RESULT:	TABLED	Next: 11/6/2014 7:00 PM
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4. Budget

CONSIDER AND/OR APPROVE AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, AMENDING THE 2013-2014 FISCAL YEAR BUDGET.

Phill Conner, Finance Director

Mr. Conner explained that the amendment was those submitted by the Directors throughout the year. It also included paying for the lifeguards.

Council was polled.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Steven Johnson, Councilman
AYES:	Folse, Johnson, Thames, Estlinbaum, Cornman

Enacted and approved this 23rd day of October, 2014, at Bay City

5. Report

DISCUSS, CONSIDER AND/OR APPROVE QUARTERLY INVESTMENT REPORT ENDING SEPTEMBER 30, 2014.

Phill Conner, Finance Director

Mr. Conner informed Mayor and Council that the Investment Report displayed all bank accounts and investments. He went on to state that the City invest with TexPool and the remaining funds were in the local bank.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Carolyn Thames, Mayor Pro-Tem
AYES:	Folse, Johnson, Thames, Estlinbaum, Cornman

Enacted and approved this 23rd day of October, 2014, at Bay City

6. Report

DISCUSS, CONSIDER AND/OR APPROVE VARIOUS APPROACHES FOR THE DEVELOPMENT OF A PROJECT TO RECONDITION THE NILE VALLEY ROAD, RENDERING IT OPEN FOR TRAFFIC FROM HIGHWAY 35 TO HIGHWAY 60.

Councilman Bill Cornman

Councilman Cornman explained that there was roughly 1.44 miles of road that really needed something done. The approaches were in bad shape. Councilman Cornman stated that the reasons to do something were public safety; reduce the load on downtown traffic; economic development; and embarrassment. He listed the possible actions to take and possible reconditioning scope. Councilman Cornman stated that they needed to see how to fund it.

Council suggested that the City speak with TxDot, the ISD, and the hospital. The consensus of Council was to schedule a workshop.

MOTION BY MAYOR PRO TEM THAMES, SECOND BY COUNCILMAN JOHNSON, TO HAVE THE MAYOR AND COUNCILMAN CORNMAN GET TOGETHER AND GET A LIST OF PEOPLE TO BE A PART OF THE WORKSHOP, AND TO THEN CALL A WORKSHOP. MOTION CARRIED BY UNANIMOUS VOTE.

7. Policy

DISCUSS AND PROVIDE DIRECTION TO STAFF AND CITY ATTORNEY REGARDING DRILLING PERMIT ON PROPERTY LOCATED IN THE ETJ.

George Hyde, City Attorney

Mr. Hyde read from a briefing he provided to Mayor and Council. He stated that he would like to bring back from Council their provisions.

Council expressed their concern about the company's usage of Thompson Road, since it scheduled on the list for repair. Council's consensus was as long as the City is able to have the company help the City with the repair and maintenance of the road, the City would be able to work something out.

8. Report

RECEIVE ORDINANCE COMMITTEE UPDATE.

Councilwoman Jullie Estlinbaum

JE - COMMITTEE HAS BEEN MEETING. WILL HAVE WORKSHOP TO GO OVER THE RECOMMENDATIONS. INTRODUCED MEMBERS OF THE COMMITTEE. 7 RECOMMENDATIONS, WILL MEET ON TUESDAY, NOVEMBER 4, 2014 AT 6 P.M.

Councilwoman Estlinbaum informed Mayor and Council that the Committee had been meeting. She stated that they would have a workshop to go over the

recommendations. Councilwoman Estlinbaum introduced the Committee members that were present. She went on to state that there were 7 recommendations that they would like to present, and that there would be a Workshop on Tuesday, November 4, 2014 at 6 p.m. with Council to review the recommendations.

9. Report

PROVIDE STATUS UPDATE RELATIVE TO THE PREVIOUSLY PUBLISHED HR SUMMARY REPORT ON PERSONNEL CHANGES WITHIN THE CITY.

Councilman Bill Cornman

Councilman Cornman stated that Council used to receive a HR Report but stopped and he found it very useful. He would like to receive those again.

The Mayor stated that he would send them out by the first of the month.

10. Presentation

RECEIVE AND DISCUSS THE UPDATE TO THE CITY'S DROUGHT CONTINGENCY PLAN AND WATER CONSERVATION PLAN.

Krystal Mason, Utilities Secretary & Barry Calhoun, Director of Public Works

Krystal Mason provided some background on the plans and reviewed the proposed changes.

Council asked if there were any actions that needed to be taken to comply with the changes. Mrs. Mason informed Mayor and Council that there would be a public hearing at the next Council Meeting. She went on to state that an ordinance had to be passed, and then the plans could be submitted to the State.

11. Report

RECEIVE AND DISCUSS AN UPDATE ON ONGOING PUBLIC WORKS PROJECTS.

Barry Calhoun, Director of Public Works

Mr. Calhoun provided an quick overview of the multiple projects that were considered ongoing in Public Works. Phase I was complete; the parking lots were complete; and Phase II has begun. There were no Tenaris updates. The stripping project has no start date; however, everything was in place and ready to go. Dunn Heat Exchange has started construction for the retention pond. Mr. Calhoun met with the M.O.S. and is currently looking at surrounding property owners to see if they would be willing to contribute to update the sewer lines. Oak Manor is 70% complete. They have an additional four more tenants moving in next month. 9er's Grill has been pushed back. Stripes is currently waiting on their TABC permit. Holiday Inn Express has started. Candlewood Suites is waiting on their final plat. Fairfield Inn will start construction in January 2015. Papa Johns has their building permit, and hope to open next month. Public Works has received one new building permit, and has completed 129 building inspections so far this month.

Councilman Cornman asked about the Dunn Easement. Mr. Calhoun stated that the easements are in their attorneys hands. They hoped to start construction at the first of the year. Mr. Calhoun pointed out that they have not had their final plat approved. Councilman Cornman stated that it looked like M.O.S. should be liable for some of the sewer cost, because they allowed their septic tank to go out of compliance.

6. EXECUTIVE SESSION

Mayor adjourned from Open Session at 8:33 P.M.

1. Policy

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTIONS 551.071 (CONSULTATION WITH ATTORNEY) AND 551.074 (PERSONNEL) CITY COUNCIL SHALL CONVENE IN EXECUTIVE SESSION TO RECEIVE ADVICE FROM THE CITY ATTORNEY REGARDING REESTABLISHING THE FINANCE COMMITTEE, DELIBERATE ON THE APPOINTMENT OF A FINANCE CHAIRMAN, DELIBERATE ON THE APPOINTMENT OF AN ASSISTANT FINANCE CHAIRMAN.

Councilman Bill Cornman
Mayor and Council discussed the item.

Mayor adjourned from Executive Session at 8:49 p.m.

7. OPEN SESSION

Mayor reconvened into Open Session at 8:51 p.m.

1. Report

CITY COUNCIL SHALL RECONVENE IN OPEN SESSION AND MAY CONSIDER AND/OR TAKE ACTION ON ANY ITEM LISTED ABOVE FOR CONSIDERATION/DISCUSSION IN EXECUTIVE SESSION (IF NECESSARY).

Council took no action. The item will be revisited at the first meeting in December.

8. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Mayor stated that he enjoyed his time with the Mayor's team at the Tyler Fararr hospital bed race.

Mayor Pro Tem Thames informed everyone that WCA was currently hiring driving and Diesel Mechanics.

Councilwoman Estlinbaum informed everyone that Kiwanas would be holding their annual pancake breakfast on November 6th.

Councilman Cornman stated that they should put the garbage company back on the agenda.

Mayor informed everyone that the land on Nichols was owned by Stanley Rosenthal.

Councilwoman Folse stated that they needed to address the sports complex.

9. 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 Agenda City Council August 8, 2013 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 Workshop Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Monday, October 20, 2014 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

Rhonda Clegg
City Secretary



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 1658)

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1658

FINANCIAL STATEMENTS FOR SEPTEMBER 30, 2014.

RESULT:	APPROVED BY CONSENT VOTE [UNANIMOUS]
MOVER:	Carolyn Thames, Mayor Pro-Tem
SECONDER:	Chrystal Folse, Councilwoman
AYES:	Folse, Johnson, Thames, Estlinbaum, Cornman

**City of Bay City
Financial Statement
As of September 30, 2014**

General Fund (Fund 11)

Percent of Fiscal Year Complete

100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Property Taxes	\$ 3,442,500	\$ 3,442,500	\$ 3,428,358	\$ (14,142)	100%
Other Local Taxes	4,462,975	4,462,975.00	4,485,240	22,265	100%
Fines & Penalties	438,000	438,000	277,867	(160,133)	63%
Licenses & Permits	100,200	100,200	204,896	104,696	204%
Miscellaneous	3,261,304	3,261,304.00	3,312,846	51,542	102%
Transfers	113,126	113,126.00	94,675	(18,451)	84%
Other Revenue	62,700	62,700	14,569	(48,131)	23%
Total Revenues	\$ 11,880,805	\$ 11,880,805	\$ 11,818,452	\$ (62,353)	99%
<u>Expenditures</u>					
City Secretary	\$ 253,259	\$ 253,259.00	\$ 276,701	\$ 23,442	109%
City General Services	2,623,982	2,623,982.00	2,702,012	78,030	103%
Administrative Council	240,769	240,769.00	229,541	(11,228)	95%
Main Street	46,472	46,472.00	28,779	(17,693)	62%
Municipal Court	497,013	497,013.00	428,803	(68,210)	86%
Finance	243,914	243,914.00	244,075	161	100%
Code Enforcement	346,747	346,747.00	245,215	(101,532)	71%
Police	3,896,208	3,896,208	3,711,244	(184,964)	95%
Animal Impoundment	151,696	151,696.00	136,077	(15,619)	90%
Volunteer Fire Dept.	215,656	215,656.00	203,267	(12,389)	94%
Public Works	2,747,510	2,747,510.00	2,819,081	71,571	103%
Service Center	65,164	65,164.00	69,677	4,513	107%
Parks	534,399	534,399.00	488,119	(46,280)	91%
Riverside Park	180,447	180,447.00	163,069	(17,378)	90%
Recreation	120,493	120,493.00	99,270	(21,223)	82%
Swimming Pools	165,250	165,250.00	175,163	9,913	106%
Teen Center	7,500	7,500	5,362	(2,138)	71%
Total Expenditures	\$ 12,336,479	\$ 12,336,479	\$ 12,025,454	\$ (311,025)	97%
Net Revenue (Expenditures)	\$ (455,674)	\$ (455,674)	\$ (207,001)	\$ 248,673	
Beginning Fund Balance	\$ 3,055,285	\$ 3,055,285	\$ 2,736,876		
Ending Fund Balance	\$ 2,599,611	\$ 2,599,611	\$ 2,529,875		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Emergency & Disaster Recovery Fund (Fund 23)

Percent of Fiscal Year Complete 100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Utility Fees	\$ -	\$ -	\$ (6)	\$ (6)	N/A
Interest	-	-	408	408	N/A
Total Revenues	\$ -	\$ -	\$ 402	\$ 402	N/A
<u>Expenditures</u>					
Bad Debt	\$ -	\$ -	\$ 589	\$ 589	N/A
Total Expenditures	\$ -	\$ -	\$ 589	\$ 589	
Net Revenue (Expenditures)	\$ -	\$ -	\$ (186)	\$ (186)	
Beginning Fund Balance	\$ 555,689	\$ 555,689	\$ 554,921		
Ending Fund Balance	\$ 555,689	\$ 555,689	\$ 554,735		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Civic & Cultural Arts Fund (Fund 25)

Percent of Fiscal Year Complete 100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Hotel Occupancy Tax	\$ 415,000	415,000	\$ 521,064	\$ 106,064	126%
Miscellaneous	77,650	77,650	65,348	(12,302)	84%
Total Revenues	\$ 492,650	\$ 492,650	586,411	\$ 93,761	119%
<u>Expenditures</u>					
Civic & Cultural Art	\$ 46,471	\$ 46,471	\$ 28,020	\$ (18,451)	60%
Convention & Visitors Bureau	201,300	201,300	216,983	15,683	108%
Civic Center	262,750	262,750	270,204	7,454	103%
Matagorda County Museum	48,000	48,000	48,000	-	100%
Total Expenditures	\$ 558,521	\$ 558,521	\$ 563,208	\$ 4,687	101%
Net Revenue (Expenditures)	\$ (65,871)	\$ (65,871)	\$ 23,204	\$ 89,075	
Beginning Fund Balance	\$ 200,149	\$ 200,149	\$ 221,561		
Ending Fund Balance	\$ 134,278	\$ 134,278	244,765		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Police Forfeiture Fund (Fund 24)
Percent of Fiscal Year Complete

100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Interest	\$ 25	\$ 25	\$ 40	\$ 15	161%
Forfeiture Revenue	5,000	\$ 5,000	22,218	17,218	444%
Total Revenues	\$ 5,025	\$ 5,025	\$ 22,259	\$ 17,234	443%
<u>Expenditures</u>					
Personnel	\$ 1,000	\$ 1,000	\$ 674	\$ (326)	67%
Supplies & Materials	2,500	2,500	8,458	5,958	338%
Other Charges & Services	-	-	4,661	4,661	N/A
Repairs & Maintenance	-	-	6,757	6,757	N/A
Capital Outlay	5,000	5,000	-	(5,000)	0%
Total Expenditures	\$ 8,500	\$ 8,500	20,550	\$ 12,050	242%
Net Revenue (Expenditures)	\$ (3,475)	\$ (3,475)	\$ 1,709	\$ 5,184	
Beginning Fund Balance	\$ 23,286	\$ 23,286	\$ 46,024		
Ending Fund Balance	\$ 19,811	\$ 19,811	\$ 47,733		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Municipal Court Technology Fund (Fund 29)

Percent of Fiscal Year Complete 100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Court Technology Fee	\$ 8,000	\$ 8,000.00	\$ 6,127	\$ (1,873)	77%
Interest	-	-	39	39	N/A
Total Revenues	\$ 8,000	\$ 8,000	\$ 6,166	\$ (1,834)	77%
<u>Expenditures</u>					
Supplies & Materials	\$ 700	\$ 700.00	\$ -	\$ (700)	N/A
Other Charges & Services	20,300	20,300.00	7,381	(12,919)	36%
Repairs & Maintenance	-	-	-	-	N/A
Total Expenditures	\$ 21,000	\$ 21,000	\$ 7,381	\$ (13,619)	35%
Net Revenue (Expenditures)	\$ (13,000)	\$ (13,000)	\$ (1,216)	\$ 11,784	
Beginning Fund Balance	\$ 46,939	\$ 46,939	\$ 53,871		
Ending Fund Balance	\$ 33,939	\$ 33,939	52,655		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Municipal Court Building Security Fund (Fund 27)

Percent of Fiscal Year Complete 100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Building Security Fee	\$ 6,000	\$ 6,000	\$ 4,594	\$ (1,406)	77%
Interest	-	-	34	34	N/A
Total Revenues	\$ 6,000	\$ 6,000	4,628	\$ (1,372)	77%
<u>Expenditures</u>					
Personnel	\$ 8,700	\$ 8,700	\$ 8,725	\$ 25	100%
Total Expenditures	\$ 8,700	\$ 8,700	8,725	\$ 25	100%
Net Revenue (Expenditures)	\$ (2,700)	\$ (2,700)	\$ (4,097)	\$ (1,397)	
Beginning Fund Balance	\$ 43,563	\$ 43,563	\$ 47,704		
Ending Fund Balance	\$ 40,863	\$ 40,863	43,607		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Donation Fund (Fund 21)

Percent of Fiscal Year Complete

100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Interest	\$ -	\$ -	\$ 75	\$ 75	N/A
Grants	34,400	34,400.00	-	(34,400)	0%
USO Restoration Donations	-	-	8,565	8,565	#DIV/0!
KBCB Donations	-	-	-	-	N/A
Train Depot Donations	-	-	3,000	3,000	N/A
Animal Impoundment Donations	-	-	45	45	N/A
Total Revenues	\$ 34,400	\$ 34,400	11,685	\$ (22,715)	
<u>Expenditures</u>					
USO Restoration	\$ 34,400	\$ 34,400	\$ 1,422	\$ (32,978)	N/A
KBCB	-	-	-	-	N/A
Transfer to Other Funds	-	-	-	-	N/A
Animal Impoundment	-	-	-	-	N/A
Total Expenditures	\$ 34,400	\$ 34,400	1,422	\$ (32,978)	N/A
Net Revenue (Expenditures)	\$ -	\$ -	\$ 10,263	\$ 10,263	
Beginning Fund Balance	\$ 63,532	\$ 63,532	\$ 72,230		
Ending Fund Balance	\$ 63,532	\$ 63,532	82,494		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Library Fund (Fund 26)

Percent of Fiscal Year Complete

100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Fines	\$ 7,000	\$ 7,000.00	\$ 8,108	\$ 1,108	116%
Interest	-	-	55	55	N/A
Rental Proceeds	78,840	78,840	72,270	(6,570)	92%
Grants	-	-	9,935	-	N/A
Donations	10,000	10,000	10,378	378	104%
County Funding	200,000	200,000	200,000	-	100%
Other Income-Other Entitiy	5,000	5,000	-	(5,000)	0%
Other Income	16,000	16,000	20,460	4,460	128%
Transfer from General Fund	131,480	131,480	131,480	(0)	100%
Total Revenues	\$ 448,320	\$ 448,320	452,686	\$ (5,569)	101%
<u>Expenditures</u>					
Personnel	\$ 250,149	\$ 250,149	\$ 232,239	\$ (17,910)	93%
Supplies & Materials	61,878	61,878	58,897	(2,981)	95%
Other Charges & Services	124,235	124,235	116,163	(8,072)	94%
Repairs & Maintenance	15,000	15,000	14,362	(638)	96%
Total Expenditures	\$ 451,262	\$ 451,262	421,661	\$ (29,601)	93%
Net Revenue (Expenditures)	\$ (2,942)	\$ (2,942)	\$ 31,025	\$ 24,032	
Beginning Fund Balance	\$ 43,563	\$ 43,563	\$ 43,653		
Ending Fund Balance	\$ 40,621	\$ 40,621	74,678		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statments September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Police Task Force Fund (Fund 30)
Percent of Fiscal Year Complete

100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Interest	\$ -	\$ -	\$ 12,954	\$ 12,954	N/A
County Funding	-	-	-	-	N/A
City Funding	-	-	-	-	N/A
Total Revenues	\$ -	\$ -	\$ 12,954	\$ 12,954	N/A
<u>Expenditures</u>					
Personnel	\$ -	\$ -	\$ 171	\$ 171	N/A
Supplies & Materials	-	-	4,769	4,769	N/A
Other Charges & Services	-	-	5,862	5,862	N/A
Repairs & Maintenance	-	-	-	-	N/A
Capital Outlay	-	-	-	-	N/A
Total Expenditures	\$ -	\$ -	10,802	\$ 10,802	N/A
Net Revenue (Expenditures)	\$ -	\$ -	\$ 2,152	\$ 2,152	
Beginning Fund Balance	\$ 20,000	\$ 20,000	\$ 9,967		
Ending Fund Balance	\$ 20,000	\$ 20,000	\$ 12,119		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Utility Fund (Fund 61)

Percent of Fiscal Year Complete 100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Charges for Services	\$ 6,759,500	\$ 6,759,500	\$ 6,487,484	\$ (272,016)	96%
Fines & Penalties	-	-	-	-	N/A
License & Permits	-	-	(300)	(300)	N/A
Miscellaneous	815,000	815,000	692,655	(122,346)	85%
Total Revenues	\$ 7,574,500	\$ 7,574,500	7,179,838	\$ (394,662)	95%
<u>Expenditures</u>					
General Operation	\$ 4,329,048	\$ 4,329,048	\$ 4,092,553	\$ (236,495)	95%
Water	923,925	923,925	990,203	66,278	107%
Sewer	2,471,790	2,471,790	1,928,014	(543,776)	78%
Electrical Division	-	-	-	-	N/A
Inspection Division	-	-	-	-	N/A
Warehouse Operations	49,100	49,100	60,417	11,317	123%
Total Expenditures	\$ 7,773,863	\$ 7,773,863	7,071,186	\$ (702,677)	91%
Net Revenue (Expenditures)	\$ (199,363)	\$ (199,363)	\$ 108,652	\$ 308,015	
Beginning Fund Balance	\$ 1,490,351	\$ 1,490,351	\$ 22,027,155		
Ending Fund Balance	\$ 1,290,988	\$ 1,290,988	\$ 22,135,807		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Utility Debt Service Fund (Fund 63)
Percent of Fiscal Year Complete

100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Interest	\$ -	\$ -	\$ 443	\$ 443	N/A
Transfer from General Fund	103,050	103,050	103,050	-	100%
Transfer from Utility Fund	910,950	910,950	910,950	-	100%
Transfer from Const. Fund	-	-	-	-	N/A
Total Revenues	\$ 1,014,000	\$ 1,014,000	1,014,443	\$ 443	100%
<u>Expenditures</u>					
Other Charges & Services	\$ 2,000	\$ 2,000	\$ 98,840	\$ 96,840	4942%
Debt Service	1,012,000	1,012,000	1,012,000	-	100%
Total Expenditures	\$ 1,014,000	\$ 1,014,000	\$ 1,110,840	\$ 96,840	110%
Net Revenue (Expenditures)	\$ -	\$ -	\$ (96,396)	\$ (96,396)	
Beginning Fund Balance	\$ 365,872	\$ 365,872	\$ 143,470		
Ending Fund Balance	\$ 365,872	\$ 365,872	47,074		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Municipal Airport Fund (Fund 64)

Percent of Fiscal Year Complete 100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Miscellaneous	\$ 85,900	\$ 85,900	\$ 102,976	\$ 17,076	120%
Transfers	120,464	120,464	120,464	(0)	100%
Other Revenue	155,000	155,000	225,328	70,328	145%
Cost of Fuel	(120,000)	(120,000)	(166,384)	(46,384)	139%
Total Revenues	\$ 241,364	\$ 241,364	282,384	\$ 41,020	117%
<u>Expenditures</u>					
Personnel	\$ 99,106	\$ 99,106	\$ 86,537	\$ (12,569)	87%
Supplies & Materials	8,300	8,300	10,580	2,280	127%
Other Charges & Services	61,400	61,400	50,249	(11,151)	82%
Repairs & Maintenance	16,000	16,000	21,355	5,355	133%
Capital Expenditures	78,000	78,000	41,156	(36,844)	53%
Total Expenditures	\$ 262,806	\$ 262,806	209,878	\$ (52,928)	80%
Net Revenue (Expenditures)	\$ (21,442)	\$ (21,442)	\$ 72,506	\$ 93,948	
Beginning Fund Balance	\$ 61,923	\$ 61,923	\$ 44,962		
Ending Fund Balance	\$ 40,481	\$ 40,481	117,469		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Debt Service Fund (Fund 80)

Percent of Fiscal Year Complete

100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Property Taxes	\$ 405,447	\$ 405,447	\$ 398,184	\$ (7,263)	98%
Miscellaneous	-	-	272	272	N/A
Transfers	2,019,823	2,019,823	758,642	(1,261,181)	38%
Total Revenues	\$ 2,425,270	\$ 2,425,270	1,157,099	\$ (1,268,171)	48%
<u>Expenditures</u>					
Debt Service	\$ 933,344	\$ 933,344	\$ 1,334,159	\$ 400,815	143%
Total Expenditures	\$ 933,344	\$ 933,344	\$ 1,334,159	\$ 400,815	143%
Net Revenue (Expenditures)	\$ 1,491,926	\$ 1,491,926	\$ (177,061)	\$ (1,668,987)	
Beginning Fund Balance	\$ 34,567	\$ 34,567	\$ 30,568		
Ending Fund Balance	\$ 1,526,493	\$ 1,526,493	\$ (146,492)		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statments September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Information Services Fund (Fund 81)

Percent of Fiscal Year Complete 100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Interest	\$ -	\$ -	\$ 72	\$ 72	N/A
Transfers	667,330	667,330	583,038	(84,292)	87%
Other Revenue	-	-	-	-	N/A
Total Revenues	\$ 667,330	\$ 667,330	\$ 583,110	\$ (84,220)	87%
<u>Expenditures</u>					
Personnel	\$ 243,943	\$ 243,943	\$ 214,629	\$ (29,314)	88%
Supplies & Materials	31,600	31,600	27,792	(3,808)	88%
Other Charges & Services	226,897	226,897	217,776	(9,121)	96%
Repairs & Maintenance	43,392	43,392	22,994	(20,398)	53%
Capital Outlay	121,500	121,500	139,305	17,805	115%
Total Expenditures	\$ 667,332	\$ 667,332	622,496	\$ (44,836)	93%
Net Revenue (Expenditures)	\$ (2)	\$ (2)	\$ (39,387)	\$ (39,385)	
Beginning Fund Balance	\$ 291	\$ 291	112,875		
Ending Fund Balance	\$ 289	\$ 289	73,488		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statements September 2014)

**City of Bay City
Financial Statement
As of September 30, 2014**

Maintenance Fund (Fund 82)
Percent of Fiscal Year Complete

100%

	Total Budget	Budget as of 9 - 14	Actuals	Over(Under) Budget to Date	Percent to Total Budget
<u>Revenues</u>					
Interest	\$ -	\$ -	\$ 218	\$ 218	N/A
Transfers	526,100	526,100	503,489	(22,611)	96%
Other Revenue	-	-	-	-	N/A
Total Revenues	\$ 526,100	\$ 526,100	\$ 503,707	\$ (22,393)	96%
<u>Expenditures</u>					
Equipment Maintenance	\$ 247,723	\$ 247,723	\$ 227,081	\$ (20,642)	92%
Facility Maintenance	317,848	317,848	283,812	(34,036)	89%
Total Expenditures	\$ 565,571	\$ 565,571	510,893	\$ (54,678)	90%
Net Revenue (Expenditures)	\$ (39,471)	\$ (39,471)	\$ (7,186)	\$ 32,285	
Beginning Fund Balance	\$ (5,361)	\$ (5,361)	7,724		
Ending Fund Balance	\$ (44,832)	\$ (44,832)	537		

Attachment: 20141023 - September Financial Reports (1658 : Financial Statments September 2014)

**City of Bay City
Analysis of Legal Fees
YTD as of 9/30/14**

Dept	Vendor	Total
City Secretary	Municipal Code Corp	4,370.49
City Secretary Total		4,370.49
City General	Denton, Navarro, Rocha	175,677.15
City General Total		175,677.15
Municipal Court	Deadrick Post, LLC	27,000.00
	Denton, Navarro, Rocha	413.50
Municipal Court Total		27,413.50
Finance	Bay City Tribune	27.00
Finance Total		27.00
PD Forfeiture	Court Costs	647.75
	Dist Attorney Costs	845.00
PD Forfeiture Total		1,492.75
PD Pending Forfeiture	Court Costs	880.00
PD Pending Forfeiture Total		880.00
Capital Projects	Bay City Tribune	85.00
	Record 2014 Cert of Obligations	65,893.04
Capital Projects Total		65,978.04
Utility General	Denton, Navarro, Rocha	1,833.00
Utility General Total		1,833.00
Airport	Denton, Navarro, Rocha	6,389.95
Airport Total		6,389.95
Sanitation	Denton, Navarro, Rocha	2,844.50
Sanitation Total		2,844.50
Information Tech	Bay City Tribune	320.50
Information Tech Total		320.50
		287,226.88

Please note that on 8/28/14 the total legal fees that was reported was \$283,891.22. Subsequently we found that \$4,200 for Coastal Staffing; \$61,932.30 for Christopher Holtkamp and \$6,600 for Goodman Insurance had been miscoded.

Engineering Fees Analysis

<u>Department:</u>	<u>2012-2013</u>	<u>2013-2014</u>
City General (11-410)	\$ 1,208.75	\$ 1,415.00
Municipal Court (11-425)	\$ 6,750.00	\$ 4,210.00
Public Works (11-475)	\$ -	\$ 127,667.40
BC Civic Ctr (25-415)	\$ -	\$ 500.00
Street Maint. & Const. (28-475)	\$ 35,100.05	\$ (1,420.00)
Capital Projects (31-405)	\$ -	\$ 2,700.00
Paving Projects (34	\$ 10,250.00	\$ 28,250.00
Utility General (61-405)	\$ 25,545.60	\$ 31,229.18
Water Division (61-410)	\$ -	\$ 59,365.80
Sewer Division (61-415)	\$ 17,426.41	\$ 172,445.28
Water Meter Repl. (62-415)	\$ -	\$ 8,549.90
Airport (64-405)	\$ -	\$ 4,575.00
Facility Maint. (82-410)	\$ -	\$ 1,000.65
Totals:	\$ 96,280.81	\$ 440,488.21

As of 10/13/2014 we had received \$574,126.90 in reimbursement from Tenaris

As of 10/20/2014 we have billed Tenaris \$76,792.67 for reimbursement



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 1664)

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Policy
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1664

**CONSIDER AND/OR APPROVE DR. HOLT'S REQUEST FOR A
SETBACK REDUCTION OF 15 FT TO 8 FT TO ALLOW FOR
PARKING AT LOTS 8 AND 9 OF BLOCK 161 OF BAY CITY
ORIGINAL TOWNSITE, AND PROVIDE GUIDANCE TO STAFF
REGARDING ANY NECESSARY CHANGES TO ANY RELATED
ORDINANCES.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Chrystal Folse, Councilwoman
AYES:	Folse, Johnson, Thames, Estlinbaum, Cornman



CITY OF BAY CITY

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

AGENDA ITEM REQUEST FORM

Complete Submissions Required:

Any item, to be considered for action by the City Council, must be presented on this form, along with any unprivileged documentation and must be filed and complete to have an item placed on the City Council Agenda for consideration (This process is not required for members of the governing body, but it is encouraged). Before being considered filed for placement on the agenda, a summary of the item, all supporting documentation and review of the item from each City Department must be performed for the request to be complete. If the request is from a citizen, the City shall expedite review through internal means. Request forms must be complete and received by the City Secretary's office no later than 5:00 p.m. on the Wednesday of the week prior to the Regular Council meeting to be placed on that meeting's agenda. The item may be placed on workshop or special council meeting agenda if deemed appropriate by the City. Only completed request forms are considered for placement on the agenda.

Regular Council meetings are held on the second and fourth Thursday of the month at 7:00 p.m. in the Council Chambers at City Hall. Agenda items shall be set for consideration pursuant to City Code Section 2-47, as amended.

Requestor: Steven Johnson
PRINTED NAME and/or CITY DEPARTMENT

Date Submitted: 9/12/14

☐ Citizen

☐ City Department

☒ Council Member

Address: 1901 5th Street
Bay City TX

Preferred contact: ☐ Cell _____ ☐ Work phone _____
☒ E-mail: SWJohnson@ ☐ Fax _____
cityofbaycity

I respectfully request the below item be placed on the 25th Sept Agenda for City Council consideration.

1) Describe Item to be considered and area of City involved, if any: Extend Parking
Lot For New Business on 8th Street Cangle Parking Lot

2) Executive Summary of Item and action by council sought: _____

3) Do you need time to present this item? ☒ Yes ☐ No

If so, how much? 5 min

ADMIN / OFFICIAL USE ONLY:

Consent Item: ☐ Yes ☐ NoAny Prior City Council Action: ☐ Yes ☐ No

Deadline for City Council Action: _____

Projected Future City Council Action: _____

Fiscal Impact: _____

Staff Recommendation on this requested item:

Mayor's Office ☐ Yes ☐ No ☐ Na
 City Attorney's Office ☐ Yes ☐ No ☐ Na
 City Secretary Department ☐ Yes ☐ No ☐ Na
 Finance Department ☐ Yes ☐ No ☐ Na
 Police Department ☐ Yes ☐ No ☐ Na

Public Works ☐ Yes ☐ No ☐ Na
 Community Service ☐ Yes ☐ No ☐ Na
 (AP, PR, MS, and LB)
 Utility Department ☐ Yes ☐ No ☐ Na

Staff Comments: _____

Anticipated Time necessary for Item: _____

TRACKING:Received by City Secretary: 9-12-14OX Staff Initial

Administratively Complete: _____

_____ Staff Initial

Date of Agenda placed for consideration: _____

_____ Staff Initial

Council action taken: _____ on _____

☐ Yes ☐ No ☐ Na

SIGNATURE – City Secretary's Office

CITY OF BAY CITY

COPY

5.1.a

MARK BRICKER
MAYOR



CITY COUNCIL
CAROLYN THAMES
MAYOR PRO TEM

GEORGE HYDE
CITY ATTORNEY

RHONDA CLEGG
CITY SECRETARY

BILL CORNMAN
JULIE ESTLINBAUM

CHRYSTAL FOLSE
STEVEN JOHNSON

2014-L-128

September 12, 2014

Dr. Matthew Holt, DC
2129 Avenue G
Bay City, TX 77414

Dear Dr. Holt:

On August 18, 2014, you submitted a Variance Request for property located behind 3104 Avenue F. On September 11, 2014, the Variance Committee denied your request. The Variance Committee stated that your request would pose a safety concern by allowing parking in the requested area.

Pursuant to Section 2-267(c) of the City's Code of Ordinances, all decisions may be appealed to the City Council. Enclosed is an agenda request form, should you want to appeal to City Council. In accordance with Section 4.06(1) of the City Charter any interested party may request, in writing, for an item to be placed on the agenda, with a Councilmember or Mayor sponsorship.

If you have questions, or if I can be of further assistance, please do not hesitate to contact my office at (979) 245-5311.

Sincerely,


Cecelia Allen
Deputy City Secretary

Enclosure: Agenda Request Form
Cc: Variance Committee



CITY OF BAY CITY

1901 FIFTH STREET
BAY CITY, TEXAS 77414
(979) 245-5311
FAX: (979) 323-1681

VARIANCE REQUEST FORM

Note:

All requests for a variance shall be filed with the City Secretary and shall be accompanied by a \$25.00 filing fee, along with any support documentation that is to be considered / approved by the Variance Committee. The committee shall meet as often as necessary to properly discharge its duties.

Decisions of the committee shall be filed with the City Secretary and promptly reported to the City Council, Mayor, and requestor. All decisions may be appealed to the City Council.

NAME: Matthew Holt, DC
PRINTED NAME

Date Submitted: 8-18-14

ADDRESS: 2129 Ave. G
Bay City, TX 77414

Please indicate preferred contact: ☐ Home phone ☐ Work phone ☐ Fax ☒ E-mail
TELEPHONE: (HOME) (979) 245-1973 (WORK) (979) 476-3141
(FAX) (979) 476-3141 E-MAIL: drmattholt@gmail.com

Location for Variance: Lots 8+9 of Block 161 of Original Bay City Townsite

What is variance for: Construction of a Chiropractic office so
that the office front would be in-line with the NAPA Auto
building and so that parking spaces would also be in-line
with NAPA auto parking. This would also reduce the distance of
a wheelchair ramp from parking spaces to the front entrance.

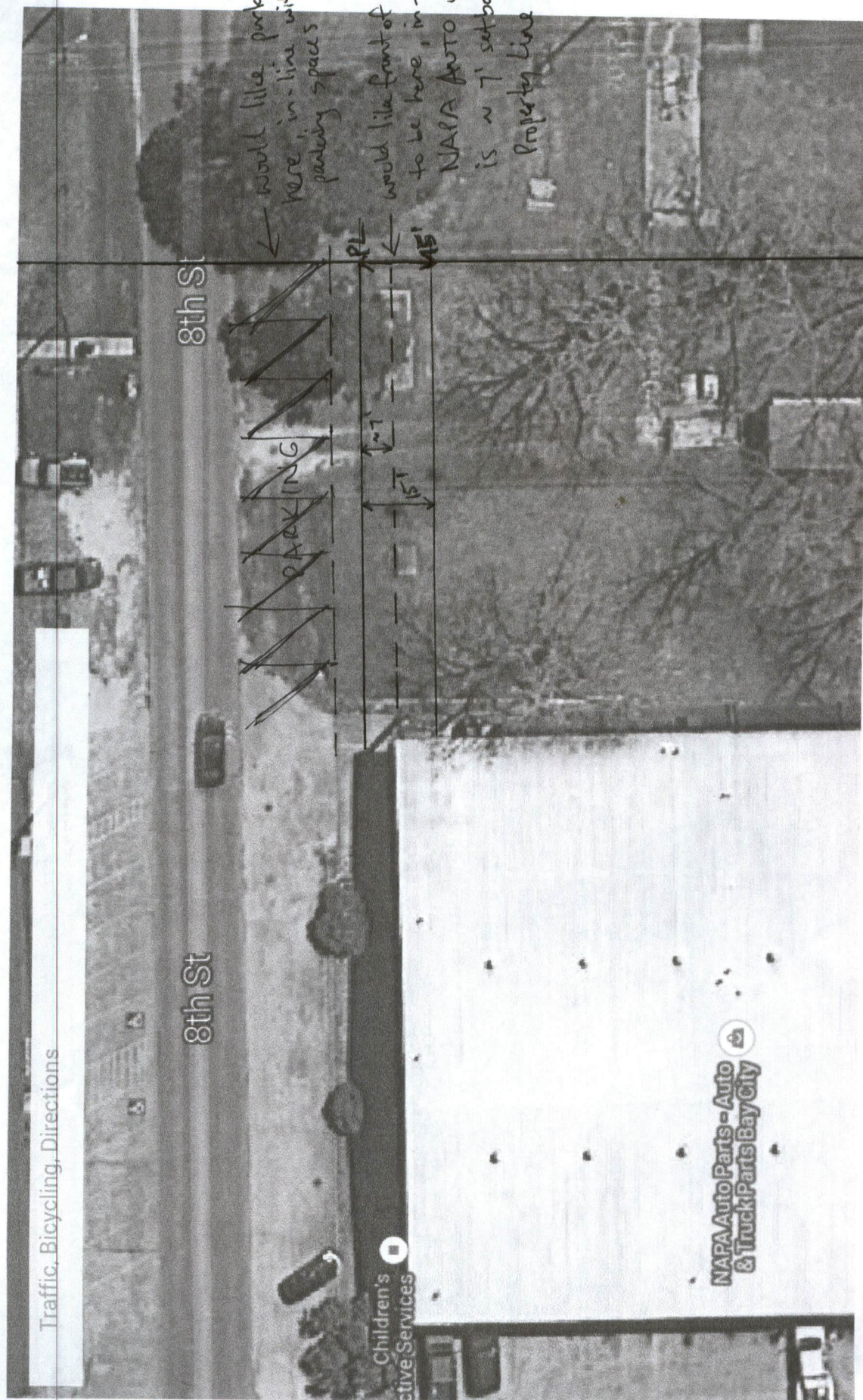
Matthew Holt DC
Requestor's Signature

RECEIVED
AUG 18 2014
BY: R. C. Legg

Variance Committee's approval: _____

Date: _____

Attachment: Matthew Holt - 08182014 (1664 : Variance Request - Holt)



Map data ©2014 Google 20 ft

5.1.a

Attachment: Matthew Holt - 08182014 (1664 : Variance Request - Holt)

07/10/2014

ADDRESS - 2212 & 2216, 8TH ST.
80' EIGHTH STREET

1" = 20'

48.65'

20" Cedar
50'

30" Pine
4' off fence

50'

LOT 9

LOT 8

LOT 7

MATTHEW
LOTS 8, 9
ORIGINAL TOWN SITE
MATAGORDA CO., TEXAS.

HOLT
BLOCK 161
BAY CITY
MATAGORDA CO., TEXAS.

BLK. 161,

BAY

CITY, MATAGORDA

CO., TEXAS.

SCALE
1" = 20'

30" Pecan
2 1/2' off fence

30" Pecan
3' off fence

24" Pecan
3.5' off fence

24" Pecan
20'

24" Pecan

24" Pecan

50'

LOT 4

LOT 5

50'

LOT 6

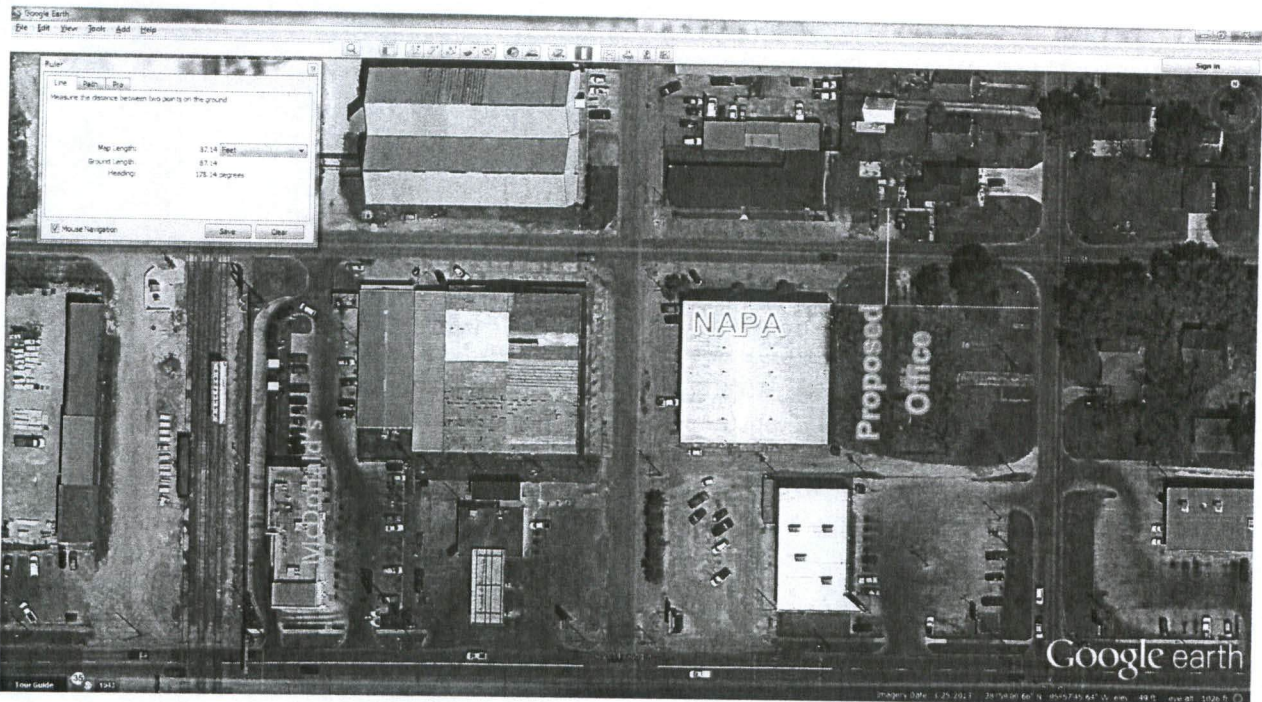
50'

● - find iron rod

○ - NAIL IN ASPHALT

SURVEY PLAT OF MATTHEW HOLT LOT 8 AND LOT 9, IN BLOCK 161, BAY CITY, MATAGORDA COUNTY, TEXAS.

SITUATED IN MATAGORDA COUNTY, TEXAS, IN THE CITY OF BAY CITY, AND BEING ALL OF LOT 8 AND LOT 9 IN BLOCK 161 OF THE ORIGINAL TOWN SITE OF BAY CITY, TEXAS.



Sec. 98-100. Building lines.

- (a) Building lines shall be at least 15 feet on the front of all lots, ten feet on side of corner lots, and five feet on side of interior lots. Lots adjacent to major thoroughfares shall have a minimum 35-foot front building line when lots are facing or a minimum 20-foot side building line when lots are siding on thoroughfares.
- (b) Transitional building lines having a minimum angle of 45 degrees are to be provided where an offset in building lines is greater than five feet.

(Code 1985, § 27-65; Code 2000, § 98-110; Ord. of 4-26-2001)

Dr. Holt's request to be "in line with the NAPA Auto building" gives an approximate setback of 5-7 ft.

Sec. 78-20. Required.

- (a) In all residential areas, commercial areas and industrial use districts, parking space as defined in this article shall be provided and maintained as accessory to every principal use, building, structure or mobile home enumerated in this article which principal use, building, structure or mobile home is erected or enlarged or moved into or within the city limits after June 28, 1984.
- (b) Such parking space shall be provided for any principal use of a building or structure or mobile home in compliance with the following table. The city council may revise the schedule from time to time, but such revision shall not be retroactive. For buildings or structures containing more than one occupancy use, the total number of parking spaces required shall be the sum of the number of parking spaces for each individual occupancy or use.

Medical, dental or chiropractic offices or clinics	One parking space for each 150 square feet of gross floor area, but not less than four parking spaces.
--	--

(Code 1985, § 23-17; Code 2000, § 78-32)

Sec. 78-21. Permit.

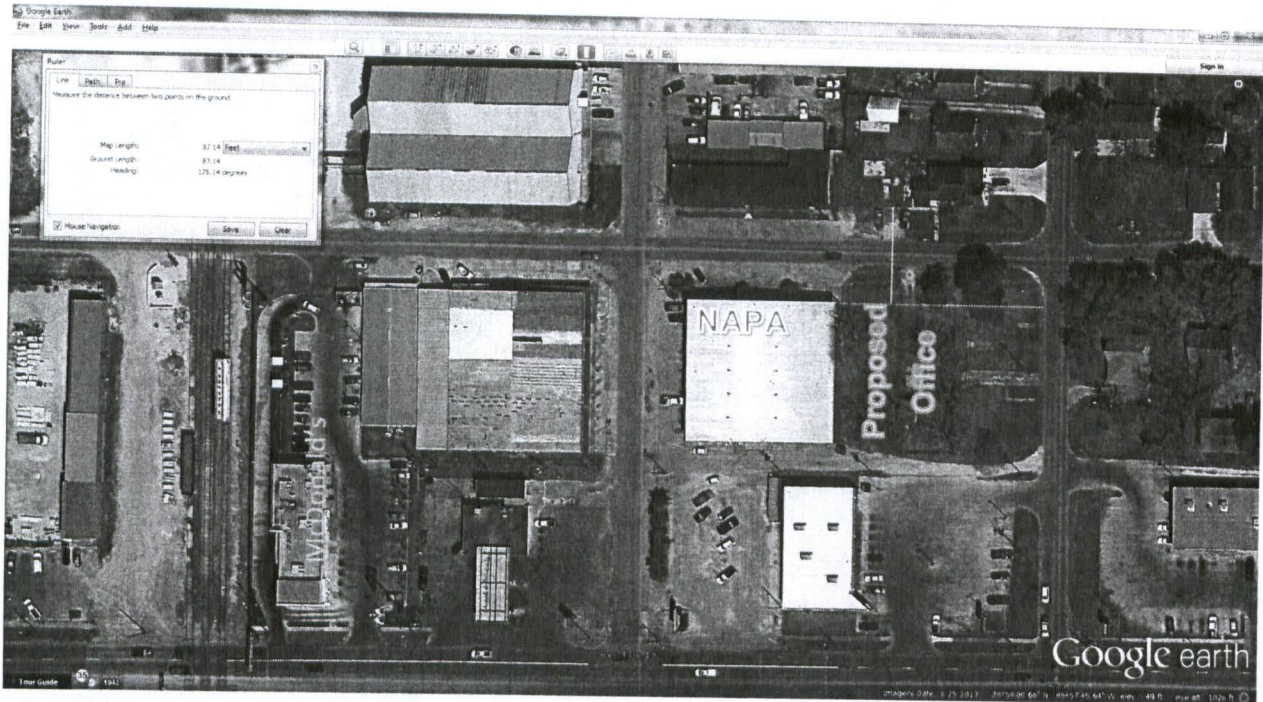
- (a) The building department shall maintain a schedule of minimum parking spaces per building, mobile home and/or structure, depending on its use. Before any building, structure or mobile home is hereafter erected, enlarged, moved or its basic occupancy use changed, an off-street parking permit must be applied for on an application form at the city building department and granted. Granting of an off-street parking permit shall be by the city's building inspector, who may suggest minor variations to the minimum schedule for council approval prior to a permit being issued.
- (b) If the permit is denied, the applicant may appeal to the city council by a written request to be placed upon the agenda of a regular council meeting. A representative of the building department shall attend the council meeting and explain the reason for denial of the permit. The city council may, in its sole discretion, then grant or deny the off-street parking permit with or without certain preconditions being required of the applicant.

(Code 1985, § 23-18; Code 2000, § 78-33)

Sec. 78-22. Development and use of parking spaces.

The development and maintenance of the premises for the parking of motor vehicles shall be in compliance with the following:

- (1) Parking spaces as regulated in this article shall not be reduced in number or in size, except upon approval of the city council.
- (2) Parking spaces shall not be located within the required courts, side yards or setback of the principal single-family residential building, but such space may be utilized for a commercial building or commercial residential building, but such courts, yards or setbacks may be used as access lanes to the parking space.
- (3) All open-air, off-street parking spaces shall be graded, and drainage shall be provided in a manner approved by the building official to prevent surface water flowing from the premises onto streets, walks or adjoining premises.
- (4) Parking spaces shall be surfaced with material approved by the building inspector to prevent the raising of dust.
- (5) All lights used to illuminate such parking spaces shall be installed to prevent glare into abutting property.
- (6) Parking spaces required pursuant to this section and the minimum schedule shall be located on the same lot as the principal building or on an adjoining lot, except that if insufficient space exists on the same or adjoining lot, all or any part of the required parking spaces may be located in any area permitting parking within 600 feet of the principal building, provided that the location and plan of operation of the parking area shall be approved by the building inspector after due hearing.
- (7) Parking required by this section and the minimum schedule may be provided by written contract for the permanent allocation of the requisite number of spaces per use in a cooperative or common parking facility; however, upon expiration or cancellation of such contract, the



Sec. 98-100. Building lines.

- (a) Building lines shall be at least 15 feet on the front of all lots, ten feet on side of corner lots, and five feet on side of interior lots. Lots adjacent to major thoroughfares shall have a minimum 35-foot front building line when lots are facing or a minimum 20-foot side building line when lots are siding on thoroughfares.
- (b) Transitional building lines having a minimum angle of 45 degrees are to be provided where an offset in building lines is greater than five feet.

(Code 1985, § 27-65; Code 2000, § 98-110; Ord. of 4-26-2001)

Dr. Holt's request to be "in line with the NAPA Auto building" gives an approximate setback of 5-7 ft.

Sec. 78-20. Required.

- (a) In all residential areas, commercial areas and industrial use districts, parking space as defined in this article shall be provided and maintained as accessory to every principal use, building, structure or mobile home enumerated in this article which principal use, building, structure or mobile home is erected or enlarged or moved into or within the city limits after June 28, 1984.
- (b) Such parking space shall be provided for any principal use of a building or structure or mobile home in compliance with the following table. The city council may revise the schedule from time to time, but such revision shall not be retroactive. For buildings or structures containing more than one occupancy use, the total number of parking spaces required shall be the sum of the number of parking spaces for each individual occupancy or use.

Medical, dental or chiropractic offices or clinics	One parking space for each 150 square feet of gross floor area, but not less than four parking spaces.
--	--

occupancy permit for the principal building is voided until parking is provided in accord with this section and the minimum schedule.

- (8) Land designated as the required parking area shall be considered as a part of the site of the principal building and the certificate of occupancy for any such principal building shall be valid only during such time as the required number of parking spaces are provided in accordance with this section, and where the parking spaces are on adjoining lots the certificate of occupancy shall so state.
- (9) Joint use of required parking space by nonconflicting uses is to be encouraged and shall be permitted provided that the maximum parking demands of joint uses occur at nonoverlapping times.

(Code 1985, § 23-19; Code 2000, § 78-34)

Sec. 110-178. Parallel and angle parking.

- (a) No person shall stand or park a vehicle in a roadway other than parallel with the edge of the roadway headed in the direction of lawful traffic movement and with the right-hand wheels of the vehicle within 18 inches of the curb or edge of the roadway, except as otherwise provided in this section. On one-way streets, vehicles may be parked on the left side of the street, with the left-hand wheels within 18 inches of the curb or edge of the roadway, unless signs prohibit parking.
- (b) Upon those streets which have been signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings.
- (c) Whenever parking spaces are marked by lines on the pavement, whether for parallel or angle parking, a vehicle must be parked entirely within the lines of the parking space.
- (d) The director of public works, with approval of the city council, shall determine upon which streets angle parking shall be permitted and shall mark or sign such streets, but such angle parking shall not be indicated upon any federal-aid or state highway within the city unless the state highway engineer has determined that the roadway is of sufficient width to permit angle parking without interfering with the free movement of traffic. Angle parking shall not be indicated or permitted at any place where passing traffic would thereby be caused or required to drive upon the left side of the street or upon any railway tracks.

(Code 1985, § 29-203; Code 2000, § 110-171)

State law reference— *Parallel and angle parking, V.T.C.A., Transportation Code § 545.303.*

Dr. Holt is requesting that parking for the proposed clinic be "in line with NAPA Auto parking." NAPA has angled parking along 8th Street. This would require parking within the City roadway ROW instead of off-street or within the setback area.

FYI—minimum distance required for angled parking at 45° angle is 15 ft from curb to end of parking space with 19 ft for safe backing. This is 34 ft required from edge of travel lane to allow for parking and backing to not interfere with traffic.

Ceceila Allen

From: Barry Calhoun
Sent: Wednesday, September 10, 2014 6:16 PM
To: Byron Smith
Cc: Ceceila Allen; Mark Bricker; Carolyn S. Thames
Subject: Re: Variance - Matthew Holt - 2129 Avenue G

Follow Up Flag: Follow up
Flag Status: Flagged

I am not in favor of granting this variance. We are trying fix these types of issues we have all over town and it's a problem we don't want. This has a potential of causing a serious accident and I don't believe it would be in the City's best interest to have it on record that we granted such a request. Thanks.

Barry Calhoun
 Sent from my iPad

On Sep 10, 2014, at 2:40 PM, "Byron Smith" <bsmith@cityofbaycity.org> wrote:

Greetings

There are many businesses that have parking in the ROW. I have heard several complaints about it over the years too. There may be a safety issue by vehicles backing out of the space into the street. If that's the case I would not favor the variance. It might be a good idea to ask PD for an opinion about the safety factor.

Have A Blessed Day!

Byron Smith

Bay City Building/Fire Inspector, Floodplain Administrator
 979 323 1639

From: Ceceila Allen
Sent: Thursday, September 04, 2014 8:16 AM
To: Barry Calhoun; Mark Bricker; Byron Smith
Subject: FW: Variance - Matthew Holt - 2129 Avenue G

This is Mayor Pro Tem's response, I am still waiting to hear from the rest of you.

Thank you,

C.C.

From: Thames, Carolyn S. [<mailto:Carolyn.Thames@wrksolutions.com>]
Sent: Tuesday, September 02, 2014 11:32 AM
To: Ceceila Allen
Subject: FW: Variance - Matthew Holt - 2129 Avenue G

Here is my response dated 8/21/14...has Barry answered?
 Thanks,
 CT

From: Thames, Carolyn S.
Sent: Thursday, August 21, 2014 6:41 PM
To: 'Ceceila Allen'
Subject: RE: Variance - Matthew Holt - 2129 Avenue G

I don't think we want them in our ROW, do we?
 I will wait on Barry's recommendation before I approve.

Thanks,

CT

From: Ceceila Allen [<mailto:callen@cityofbaycity.org>]
Sent: Thursday, August 21, 2014 11:42 AM
To: Mark Bricker; Thames, Carolyn S.; Barry Calhoun
Cc: Byron Smith
Subject: Variance - Matthew Holt - 2129 Avenue G

Good Morning,

Attached you will find a Variance Request submitted by Matthew Holt. Dr. Holt is requesting that parking for the proposed clinic be in line with NAPA auto parking. NAPA has angled parking along 8th Street. This would require parking within the City roadway ROW instead of off-street or within the setback area.

I have also included the Code's for Development and use of parking spaces and Parallel and Angle Parking.

Please review that attached request. If you have any questions or comments, please contact me.

Thank you,

Cecelia Allen

Deputy City Secretary

1901 5th Street

Bay City, TX 77414

(979)245-5311

(979)323-1681 – FAX

CONFIDENTIALITY NOTICE

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City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 1634)

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Contract
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1634

**CONSIDER AND/OR APPROVE INTO A CONTRACT WITH
BUREAU VERITAS FOR CONSULTING SERVICES.**

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Carolyn Thames, Mayor Pro-Tem
SECONDER:	William Cornman, Councilman
AYES:	Folse, Johnson, Thames, Estlinbaum, Cornman



City Council
1901 5Th Street
Bay City, TX 77414

Meeting: 10/23/14 07:00 PM
Department: City Council
Category: Policy
Prepared By: Mark Bricker
Initiator: Mark Bricker
Sponsors:
DOC ID: 1646

TABLED

ORDINANCE (ID # 1646)

Discuss, Consider, and/or Approve adjusting fee's for building permits and inspections.

If needed, city needs to adjust building permitting fee's to cover costs of contracted services. This item depends is dependent on whether the contract with Bureau Veritas is approved and if current permitting fee's are not sufficient to cover costs.

RESULT: TABLED

Next: 11/6/2014 7:00 PM



City Council
1901 5Th Street
Bay City, TX 77414

Meeting: 10/23/14 07:00 PM
Department: Finance
Category: Budget
Prepared By: Phill Conner
Initiator: Phill Conner
Sponsors:
DOC ID: 1630

ADOPTED

AGENDA ITEM (ID # 1630)

**CONSIDER AND/OR APPROVE AN ORDINANCE OF THE CITY
OF BAY CITY, TEXAS, AMENDING THE 2013-2014 FISCAL
YEAR BUDGET.**

This budget amendment is the year end budget amendment and will realign various revenue and expenditure account to actuals.

HISTORY:

09/25/14 City Council TABLED Next: 10/23/14

RESULT: APPROVED [UNANIMOUS]
MOVER: William Cornman, Councilman
SECONDER: Steven Johnson, Councilman
AYES: Folse, Johnson, Thames, Estlinbaum, Cornman

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, ADOPTING A “BUDGET AMENDMENT #10” TO THE “ANNUAL BUDGET OF THE CITY OF BAY CITY, TEXAS, FOR THE FISCAL YEAR 2013-2014”; 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. 1471, the City council of the City of Bay City, Texas, adopted its “Annual Budget” for Fiscal Year 2013-2014;

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 2013-2014; 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 found to be true and correct.

Section 2. The “Annual Budget” of the City of Bay City, Texas, for the Fiscal Year 2013-2014, is hereby amended as shown on “Budget Amendment #10” to the Original Budget of the City of Bay City, Texas, for the Fiscal Year 2013-2014, attached hereto. 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 and correct copy of which is attached hereto as Exhibits “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 unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bay City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED on first and final reading this _____ day of October 2014.

CITY OF BAY CITY, TEXAS

Mark Bricker, Mayor**ATTEST:**

Rhonda Clegg, City Secretary**APPROVED as to FORM:**

**George Hyde, City Attorney
City of Bay City
DENTON, NAVARRO, ROCHA,
BERNAL, HYDE & ZECH, P.C.**

<u>Council Member:</u>	<u>Voted Aye</u>	<u>Voted No</u>	<u>Absent</u>
Julie L. Estlinbaum	_____	_____	_____
Bill Cornman	_____	_____	_____
Chrystal Folse	_____	_____	_____
Steven Johnson	_____	_____	_____
Carolyn Thames, Mayor Pro Tem	_____	_____	_____

Mark Bricker, Mayor

ATTEST:

Rhonda Clegg, City Secretary

APPROVED AS TO FORM:

George E. Hyde, City Attorney
City of Bay City
DENTON, NAVARRO, ROCHA,
BERNAL, HYDE & ZECH, P.C.

BUDGET AMENDMENT

DEPARTMENT: _____

Date: _____

10/23/14

Reason for Budget Amendment: (Please indicate)

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

Brief description of request: **This budget adjustment is the year end adjustment. It's purpose is to update the FY 2014 Budget with significant changes resulting from unbudgeted revenues and expenditures, and reallocating budget funds based on requests from Directors**

Account Description	Fund #	Account #	Expenditure Increase Debit	Exp. Decrease or Rev. Increase Credit	Notes
CE - Furniture & Equipment	34	477-4605	3,788.64		USO Building Repairs
CE - Furniture & Equipment	34	477-4605	2,600.00		
Legal & Professional Fees	11	475-4420	4,177.68		Coastal Staffing - S&B Maint Tech
Salaries & Wages	11	475-4105		4,177.68	
Utilities	61	415-4415		110,500.00	Reallocate Budget Funds-Sewer Dept
Unitforms	61	415-4240	500.00		
General Supplies	61	415-4310	10,000.00		
R&M Furniture & Equipment	61	415-4505	60,000.00		
CE-Furniture & Equipment	61	415-4605	40,000.00		
Utilities	61	410-4415		29,300.00	Reallocate Budget Funds-Water Dept
Unitforms	61	405-4240	3,100.00		
Miscellaneous	61	405-4499	1,200.00		
Infrastructure	61	410-4520	21,000.00		
Contracted Svcs	82	410-4425	1,700.00		
Contracted Svcs	61	440-4425	900.00		
Leases & Rentals	61	440-4427	400.00		
Professional Services	61	415-4421		25,000.00	Reallocate Budget Funds-Sewer Dept
Contracted Svcs	61	415-4425	25,000.00		
CE - Infrastructure	61	415-4620		4,100.00	
CE-Furniture & Equipment	61	405-4605	4,100.00		
R&M Furniture & Equipment	61	440-4505		3,500.00	Reallocate Budget Funds-Whse
R&M - Buildings	61	440-4515	2,500.00		
General Supplies	61	440-4310	2,000.00		
R&M Vehicles	82	410-4510		1,500.00	Reallocate Budget Funds - Equip Mnt
General Supplies	82	410-4310	1,500.00		
Overtime	64	405-4215		1,460.00	Reallocate Budget Funds - Airport
Worker's Compensation	64	405-4215	460.00		
Travel & Training	64	405-4230		4,000.00	
Uniforms	64	405-4240	350.00		
Postage & Freight	64	405-4305	400.00		
General Supplies	64	405-4310	1,400.00		
Dues/Membership	64	405-4315		725.00	
Fuel	64	405-4320	1,700.00		
Telephone	64	405-4410	600.00		
Cell Phones	64	405-4411	165.00		
Utilities	64	405-4420		3,500.00	
LeQal & Professional	64	405-4420	3,500.00		
Credit Card Fees	64	405-4430		4,500.00	

Attachment: 20141023 - FY 2014 Year End Budget Amendment (1630 : FY 2014 Year End Budget Amendment)

			Expenditure Increase	Exp. Decrease or Rev. Increase	
Account Description	Fund #	Account #	Debit	Credit	Notes
Credit Card Fees	64	405-4433	6,960.00		
Miscellaneous	64	405-4499		650.00	
R&M Vehicles	64	405-4510	4,000.00		
R&M Building	64	405-4515	300.00		
R&M Infrastructure	64	405-4520		5,000.00	
Professional Fees	11	435-4421	10,000.00		Increased plan review fees
Building Permit	11	3535		120,000.00	Additional revenue - building permits
Permits	11	475-4429		4,975.00	Reallocate budget funds - Public Works
Contracted Services	11	475-4425	3,475.00		
Uniforms	11	475-4240	500.00		
R&M Building	11	475-4515	1,000.00		
Other Earnings	11	475-4110		1,375.00	
Miscellaneous	11	475-4499	1,375.00		
R&M Building	11	475-4515	2,115.00		Reallocate budget funds - Public Works
R&M Infrastructure	11	475-4520		2,115.00	
LIBRARY SUPPLIES	26	405-4325	2,000.00		Reallocate budget funds - Library
PROCESSING SUPPLIES	26	405-4326		2,000.00	
Salaries	11	455-4105		2,750.00	Reallocate budget funds - Animal Impound
Miscellaneous	11	455-4499	2,750.00		
Contracted Workforce	11	455-4426	1,600.00		
Overtime	11	455-4106		200.00	
General Supplies	11	455-4310		1,000.00	
Operational Support	11	455-4440		400.00	
PD Other Income	11	3697		9,000.00	Additional revenue - auctions & calendar sales
Misc Furn & Equip	11	450-4498	1,100.00		Reallocate budget funds - Police Dept
Fuel	11	450-4320		4,100.00	
Op Support	11	450-4440	500.00		
Dues & Subs	11	450-4315	400.00		
PD CE Vehicles	11	450-4615	7,446.00		
Contract Services	11	450-4425	500.00		
Leases & Rentals	11	450-4427	2,400.00		
EMPLOYEE PROGRAMS	11	405-4235	9,600.00		Reallocate budget funds - City Secretary
DUES & PUBLICATION	11	405-4315	5,500.00		
SAFETY SUPPLIES	11	405-4320		4,000.00	
MISCELLANEOUS	11	405-4499	1,018.00		
Salaries & Wages	11	450-4105		2,200.00	Reallocate budget funds - Police Dept
Other Compensation	11	450-4110	2,200.00		
CE - Furniture & Equipment	11	483-4605		18,403.00	Reallocate budget funds - Aquatics
Misc Furniture & Equipment	11	483-448	18,403.00		
Fuel	11	477-4320	1,338.47		Reallocate budget funds - Service Center
Furniture and Equipment	11	477-4498	333.00		
Utilities	11	477-4415		1,671.47	
Travel and Training	11	480-4230	701.38		Reallocate budget funds - Parks
General Supplies	11	480-4310	2,046.46		
Dues and Memberships	11	480-4315	330.00		
Telephone	11	480-4410	984.40		
Contracted Services	11	480-4425	708.42		
Credit Card Fees	11	480-4430	2,061.87		
R&M Vehicles	11	480-4510	2,133.27		

Attachment: 20141023 - FY 2014 Year End Budget Amendment (1630 : FY 2014 Year End Budget Amendment)

			Expenditure Increase	Exp. Decrease or Rev. Increase	
Account Description	Fund #	Account #	Debit	Credit	Notes
CE- Furniture and Equipment	11	480-4605	2,000.00		
Rec - Summer Camps	11	480-4910	3,758.00		
Utilities	11	480-4415		14,723.80	
Traveland Training	11	481-4230	5.06		Reallocate budget funds - Riverside Park
General Suoolies	11	481-4310	1,884.15		
Telephone	11	481-4410	146.10		
R&M Vehicles	11	481-4510	1,222.96		
R&M Infrastructure	11	481-4520	4,605.11		
Utilities	11	481-4415		7,863.38	
General Suoolies	11	483-4310		25.08	Reallocate budget funds - Aquatics
R&M Furniture and Equipment	11	483-4505	25.08		
R&M Furniture & Equipment	11	481-4505	4,445.10		Additional Expenditures - Riverside Park
General Supplies	11	481-4310	642.90		
CE - Equipment	11	475-4605	96,784.35		Additional Expenditures - Public Works
CE - Equipment	61	405-4605	54,782.70		Additional Expenditures - Public Works
General Supplies	11	410-4310	1,671.63		Additional Expenditures - City General
R&M Building	11	410-4515	3,828.62		
Misc. Equipment	11	475-4498	3,000.00		Additional Expenditures - Public Works
R&M Building	11	475-4515	3,855.00		Additional Expenditures - Public Works
CE - Equipment	11	475-4605	50,474.73		Additional Expenditures - Public Works
CE - Equipment	61	405-4605	32,343.53		Additional Expenditures - Public Works
Utilities	61	410-4415		8,978.24	Reallocate budget funds - Water
CE- Furniture & Equipment	11	475-4606	8,049.06		Additional Expenditures - Recycling Center
R&M Building	61	440-4515	8,131.76		Additional Expenditures - Warehouse
CE - Equipment	11	475-4605	2,000.00		Additional Expenditures - Public Works
CE - Equipment	11	475-4605	3,000.00		Additional Expenditures - Public Works
CE - Equipment	61	405-4605	2,000.00		Additional Expenditures - Public Works
CE - Equipment	11	480-4605	2,000.00		Additional Expenditures - Public Works
CE - Furniture & Equipment	64	405-4498	2,285.78		Reallocate Budget Funds - Airport
General Supplies	64	405-4310		200.00	
Gain on Disposal of Assets	11	3695		189,000.00	Additional Revenues - Proceeds from Auctions
Gain on Disposal of Assets	61	3695		80,000.00	
Gain on Disposal of Assets	64	3695		2,000.00	
Salaries & Wages	11	452-4105	40,000.00		Lifegaured salary expense not budgeted
FICA Expense	11	452-4205	3,100.00		Lifegaured FICA expense not budgeted
TOTAL			624,862.21	674,892.65	

Dept. Supervisor Signature: _____

Date

City Treasurer Signature: _____

Date

Authorized by: _____

Council Authorized Signature [Ord #]

Date



City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 1660)

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1660

DISCUSS, CONSIDER AND/OR APPROVE QUARTERLY INVESTMENT REPORT ENDING SEPTEMBER 30, 2014.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	William Cornman, Councilman
SECONDER:	Carolyn Thames, Mayor Pro-Tem
AYES:	Folse, Johnson, Thames, Estlinbaum, Cornman

**CITY OF BAY CITY, TEXAS
QUARTERLY INVESTMENT REPORT
FOR THE QUARTER ENDED SEPTEMBER 30, 2014**

The investment portfolio detailed in the attached report includes all investment transactions made during the above referenced period. The investment portfolio and all related transactions comply with the investment policy of the City of Bay City, Texas and the Public Funds Investment Act of the State of Texas.

Investment Officer: _____

Phill Conner

Phill Conner, Finance Director

Date: _____

10/21/2014

CITY OF BAY CITY, TEXAS
Quarterly Investment Report
As of September 30, 2014

Balance Comparison by Quarter

INVESTMENT BALANCES BY TYPE	Book Value 12/31/2013	Book Value 3/31/2014	Book Value 6/30/2014	Book Value 9/30/2014
INVESTMENT POOLS	4,408,412	4,408,886	4,409,368	8,419,251
PROSPERITY BANK	24,570	24,579	24,589	24,598
IBC BANK	5,470,531	7,106,410	6,865,800	3,875,124
TOTAL CASH AND INVESTMENTS	\$ 9,903,512	\$ 11,539,876	\$ 11,299,757	\$ 12,318,972

CITY OF BAY CITY, TEXAS
INVESTMENTS OUTSTANDING AS OF SEPTEMBER 30, 2014

Purchase Date	Description	Maturity Date	# Days to Maturity	Cost	Par Value	Coupon Yield	6/30/2014			Quarterly Activity				9/30/2014			Unrealized Gain/Loss
							Book Value	Market Value		Purchases	Maturities	Interest	Book Value	Market Price	Market Value		
INVESTMENT POOLS																	
N/A	Texpool - General	N/A	N/A		7,417,426	0.03%	\$ 3,407,784	\$ 3,407,784		\$ 4,009,098	\$ -	\$ 545	\$ 7,417,426	\$ -	\$ 7,417,426		
N/A	TexStar - CO 2012	N/A	N/A		(0)	0.05%	(0)	(0)		-	-	-	\$ (0)	-	(0)		
N/A	TexStar - TAN 2013	N/A	N/A		0	0.05%	0	0		-	-	-	\$ 0	-	0		
N/A	Class - General	N/A	N/A		1,001,824	0.10%	1,001,584	1,001,584		-	-	240	\$ 1,001,824	-	1,001,824		
							4,409,368	4,409,368		4,009,098	-	785	\$ 8,419,251	-	8,419,251		
							39%						68% OF TOTAL				
N/A	Prosperity Bank - USO	N/A	N/A		24,598	0.15%	24,589	24,589		-	-	9	\$ 24,598	-	24,598		
							24,589	24,589		-	-	9	\$ 24,598	-	24,598		
							0%						0% OF TOTAL				
CITY DEPOSITORY- IBC Bank																	
N/A	Consolidated Cash	N/A	N/A		3,801,904	0.10%	6,787,580	6,787,580		4,885,541	(7,872,453)	1,236	\$ 3,801,904	-	3,801,904		
N/A	Police Pending Forfeiture	N/A	N/A		9,663	0.10%	10,541	10,541		3,380	(4,260)	2	\$ 9,663	-	9,663		
N/A	Police Forfeiture	N/A	N/A		49,067	0.10%	49,292	49,292		5,966	(6,201)	10	\$ 49,067	-	49,067		
N/A	Police Task Force	N/A	N/A		13,114	0.10%	16,017	16,017		1,845	(4,750)	2	\$ 13,114	-	13,114		
N/A	Police Task Force Pending	N/A	N/A		1,375	0.10%	2,370	2,370		-	(995)	0	\$ 1,375	-	1,375		
							6,865,800	6,865,800		4,896,732	(7,888,660)	1,251	\$ 3,875,124	-	3,875,124		
							61%						31% OF TOTAL				
TOTAL PORTFOLIO					\$ 12,256,791	0.06%	\$ 11,299,757	\$ 11,299,757		\$ 8,905,830	\$ (7,888,660)	\$ 2,045	\$ 12,318,972	\$ -	\$ 12,318,972		

Attachment: 20141023 - Quarterly Investment Report ending Sept 30, 2014 (1660 : Quarterly Investment Report)



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1661

DISCUSSION ITEM (ID # 1661)

**DISCUSS, CONSIDER AND/OR APPROVE VARIOUS
APPROACHES FOR THE DEVELOPMENT OF A PROJECT TO
RECONDITION THE NILE VALLEY ROAD, RENDERING IT
OPEN FOR TRAFFIC FROM HIGHWAY 35 TO HIGHWAY 60.**

NILE VALLEY ROAD NOTES

			<u>Miles</u>	<u>Condition</u>	
Hwy 35	to	MLK	0.50	-	Reconditioned (~ \$ 200 M) (35 mph)
MLK	to	E of Bridge	1.35	-	Poor (~ 10/11 bad spots)
E of bridge	to	Rogers	0.60	-	Decent to good
Rogers	to	HWY 60	<u>0.20</u>	-	Good
Total			<u>2.65 Miles</u>		

Objective

Open the Nile Valley Road from HWY 35 to HWY 60 (do the due diligence to make a good faith effort to find a way)

Why

1. Public Safety.
 - Emergency access.
 - Reduce downtown traffic load, thereby reducing the probability of an accident in the center of the City.
2. Economic Development.
3. Erase public embarrassment - bolster public pride.
4. Will be a goal identified in the Comprehensive Plan.

Possible Actions to Take

1. Brainstorm with County Commissioners, City Engineer, local TxDot inspector, Assistance Public Works Director and anyone else that knows how to build and repair roads (perhaps a trusted contractor) to develop the most affordable and reasonable reconditioning scope and method.
2. Develop a +/- 20% “scope” estimate for the above.
3. Meet with the Mayor, County Judge, both Economic Development Directors, Chamber of Commerce CEO and (possibly) our State Representative to search for creative ways to fund the reconditioning.

Possible Reconditioning Scope

1. Kill vegetation growing on the road and shoulder immediately.
2. Repair bad spots and overlay with asphalt (in similar fashion as was done from Hwy 35 to MLK) from MLK to the east end of the bridge.
3. Develop a creative, affordable method to eliminate the subsidence on the east and west bridge approaches.
4. Place ~ 4' high concrete barriers on the shoulders of the bridge and bridge approaches - feather out at the ends. Would eliminate most of the shoulder width at these locations.
5. Resign for 35 mph throughout.
6. Repair lights and signs.

7. Repair small bad spot at Hwy 35.

WGC 10/16/2014



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Policy
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1665

DISCUSSION ITEM (ID # 1665)

**DISCUSS AND PROVIDE DIRECTION TO STAFF AND CITY
ATTORNEY REGARDING DRILLING PERMIT ON PROPERTY
LOCATED IN THE ETJ.**



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1655

DISCUSSION ITEM (ID # 1655)

RECEIVE ORDINANCE COMMITTEE UPDATE.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1662

DISCUSSION ITEM (ID # 1662)

**PROVIDE STATUS UPDATE RELATIVE TO THE PREVIOUSLY
PUBLISHED HR SUMMARY REPORT ON PERSONNEL
CHANGES WITHIN THE CITY.**



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 10/23/14 07:00 PM
Department: Public Works
Category: Presentation
Prepared By: Barry Calhoun
Initiator: Barry Calhoun
Sponsors:
DOC ID: 1657

DISCUSSION ITEM (ID # 1657)

**RECEIVE AND DISCUSS THE UPDATE TO THE CITY'S
DROUGHT CONTINGENCY PLAN AND WATER
CONSERVATION PLAN.**

Included is the draft copy of the Drought Contingency Plan and the Water Conservation Plan.



City of Bay City
Utility Department

Drought Contingency Plan
September 17, 2014

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Section I: Declaration of Policy, Purpose and Intent

In order to conserve the available water supply and protect the integrity of water supply facilities, with particular regard for domestic water use, sanitation and fire protection and to protect and preserve public health, welfare and safety and minimize the adverse impacts of water supply shortage or other water supply emergency conditions, the City of Bay City Utility Department hereby adopts the following regulations and restrictions on the delivery and consumption of water.

Water uses regulated or prohibited under this Drought Contingency Plan are considered to be non-essential and continuation of such uses during times of water shortage or other emergency water supply condition are deemed to constitute a waste of water which subjects the offender(s) to penalties as defined in Section XI of this Plan.

Section II: Public Involvement

Opportunity for the public to provide input into the preparation of the plan was provided by the City of Bay City Utility Department by means of scheduling and provided public notice of a public meeting to accept input on the Plan.

Section III: Public Education

The City of Bay City Utility Department will periodically provide the public with information about the Plan, including information about the conditions under which each stage of the Plan is to be initiated or terminated and the drought response measures to be implemented in each stage. This information will be provide by means of handouts, press releases and/or utility bill inserts.

Section IV: Coordination with Regional Water Planning Groups

The service area of the City of Bay City Utility Department is located within Region K Planning Group. The City of Bay City Utility Department has provided a copy of this Plan to the Lower Colorado Regional Planning Area.

Section V: Authorization

The Mayor of the City of Bay City or his/her designee is hereby authorized and directed to implement the applicable provision f this Plan upon determination that such implementation is necessary to protect public health, safety and welfare. The Mayor of Bay City or his/her designee, shall have the authority to initiate or terminate drought or other water supply emergency response measures as described in this Plan.

Section VI: Application

The provisions of this Plan shall apply to all persons, customers and property utilizing water provided by the City of Bay City Utility Department. The terms “person” and “customer” as used in the Plan include individuals, corporations, partnerships, associations, and all other legal entities.

Section VII: Definitions

For the purposes of this Plan, the following definitions shall apply:

Aesthetic water use: water use for ornamental or decorative purposes such as fountains, reflecting pools, and water gardens.

Commercial and institutional water use: water use which is integral to the operations of commercial and non-profit establishments and governmental entities such as retail establishments, hotels and motels, restaurants and office buildings.

Conservation: those practices, techniques, and technologies that reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water or increase the recycling and reuse of water so that a supply is conserved and made available for future or alternative uses.

Customer: any person, company or organization using water supplied by the City of Bay City Utility Department.

Domestic water use: water use for personal needs or for household or sanitary purposes such as drinking, bathing, heating, cooking, sanitation or for cleaning a residence, business, industry or institution.

Even number address: street addresses, box numbers, or rural postal route numbers ending in 0, 2, 4, 6 or 8 and locations without addresses.

Industrial water use: the use of water in processes designed to convert material of lower value into forms having greater usability and value.

Landscape irrigation use: water used for the irrigation and maintenance of landscaped areas, whether publicly or privately owned, including residential and commercial lawns, gardens, golf courses, parks and rights-of-way and medians.

Non-essential water use: water uses that are not essential nor required for the protection of public, health, safety and welfare, including:

- a. Irrigation of landscape areas, including parks, athletic fields and golf courses, except otherwise provided under this Plan;
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle;
- c. Use of water to wash down any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced areas;
- d. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
- e. Flushing gutters or permitting water to run or accumulate in any gutter or street;
- f. Use of water to fill, refill, or add to any indoor or outdoor swimming pools or Jacuzzi-type pools;
- g. Use of water in a fountain or pond for aesthetic or scenic purposes except where necessary to support aquatic life;

- h. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s); and
- i. Use of water from hydrants for construction purposes or any other purposes other than firefighting.

Odd numbered address: street addresses, box numbers or postal route numbers in in 1, 3, 5, 7 or 9.

Section VIII: Triggering Criteria for Initiation and Termination of Drought Response Stages

The City of Bay City's water system is comprised of six water wells and five water plants. Bay City personnel monitor these plants on a twenty-four hour basis with the help of a SCADA system. Water usage is tracked by metering and daily reading of the water wells and water plants. This also allows the City to determine which areas have the most demand. The Mayor of the City of Bay City or his/her designee, shall monitor water supply and/or demand conditions on a monthly basis and shall determine when conditions warrant initiation or termination of each stage of the Plan. Public notification of the initiation or termination of drought response stages shall be by means of publication in social media, newspaper of general circulation, direct mail to each customer, signs posted in public places, etc...

The triggering criteria described below are based on average daily usage and known system capacity limits of the water system wells.

Stage 1 – Mild Water Shortage Conditions

Requirements for initiation:

Customers shall be requested to voluntarily conserve water and adhere to the prescribed restrictions on certain water uses, defined in Section VII – Definitions when the total daily water demand equals or exceeds 75% of the City of Bay City's water wells pumping capacity for 7 consecutive days.

Requirements for termination:

Stage 1 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days.

Stage 2 – Moderate Water Shortage Conditions

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses provided in Section VII of the Plan when the total daily water demand equals or exceeds 85% of the City of Bay City's water wells pumping capacity for 7 consecutive days.

Requirements for termination:

Stage 2 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days. Upon termination of Stage 2, Stage 1 becomes operative.

Stage 3 – Severe Water Shortage Conditions

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions on certain non-essential water uses for Stage 3 of this Plan when the total daily water demand equals or exceeds 90% of the City of Bay City's water wells pumping capacity for 7 consecutive days.

Requirements for termination:

Stage 3 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days. Upon termination of Stage 3, Stage 2 becomes operative.

Stage 4 – Emergency Water Shortage Conditions

Requirements for initiation:

Customers shall be required to comply with the requirements and restrictions for Stage 4 of this Plan when the Mayor of the City of Bay City or his/her designee determines that water supply emergency exists based on:

- a. Major water line breaks, pump or system failures occur which cause unprecedented loss of capability to provide water service; or maintain an adequate level in the storage facilities
- b. Natural or man-made contamination of the water supply source(s)

Requirements for termination:

Stage 4 of the Plan may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days.

Stage 5 - Water Allocation

Requirements for initiation:

Customers shall be required to comply with the water allocation plan prescribed in Section X of this Plan and comply with the requirements and restrictions for Stage 4 of this Plan **when the Mayor of the City of Bay City or his/her designee determines that water shortage conditions threaten the public's health, safety and welfare. Conditions may include (but are not limited to): catastrophic system failure, major water line breaks which cause loss of capability to provide water service and natural or man-made disasters that affect the water supply source(s).**

Requirements for termination:

Water rationing may be rescinded when all of the conditions listed as triggering events have ceased to exist for a period of 30 consecutive days.

Section IX: Drought Response Stages

The Mayor of the City of Bay City or his/her designee, shall monitor water supply and/or demand conditions on a daily basis and in, accordance with the triggering criteria set forth in section VIII of the plan, shall determine that a mild, moderate, severe, critical or emergency condition exists and shall implement **the following notification procedures:**

Notification

Notification of the Public

The Mayor of the City of Bay City or his/her designee shall notify the public by means of publication in a newspaper or general circulation, public service announcements via social media, direct mail to each customer, posted signs and/or take-home fliers for schools.

Additional Notifications

The Mayor of the City of Bay City or his/her designee shall notify directly or cause to be notified directly, the following individuals and entities: Members of City Council, Police Chief, Fire Chief, County Emergency Management Coordinators, Texas Commission on Environmental Quality (TCEQ), critical water users such as hospitals and dialysis clinics, and other individuals or entities as deemed necessary.

Stage 1 – Mild Water Shortage Conditions

Goal: Achieve a voluntary 10 percent reduction in the total daily water demand.

Supply Management Measures:

The City of Bay City Utility Department will reduce flushing of water mains and irrigation of public landscape areas to manage limited water supplies and/or reduce water demand.

Voluntary Water Use Restrictions:

- a. Water customers are requested to voluntarily limit the irrigation of landscaped areas to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 or 8) and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9) and to irrigate landscapes only between the hours of midnight and 10:00 am and 8:00 pm to midnight on designated watering days.

- b. Water customers are requested to practice water conservation and to minimize or discontinue water use for non-essential purposes.

Stage 2 – Moderate Water Shortage Conditions

Goal: Achieve a 15 percent reduction in total daily water demand.

Supply Management Measures:

The City of Bay City Utility Department will reduce flushing of water mains and will reduce irrigation of public landscape areas to once per week to manage limited water supplies and/or reduce water demand.

Water Use Restrictions: Under threat of penalty for violation, the following water use restrictions shall apply to all persons:

- a. Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems shall be limited to Sundays and Thursdays for customers with a street address ending in an even number (0, 2, 4, 6 and 8) and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9) and irrigation of landscaped areas is further limited to the hours of midnight until 10:00 am and between 8:00 pm and midnight on designated watering days. However, irrigation of landscaped areas is permitted at any time if it is by means of a hand-held hose, a faucet filled bucket or watering can of five (5) gallons or less, or drip irrigation system.
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is prohibited except on designated watering days between the hours of midnight and 10:00 am and between 8:00 pm and midnight. Such washing, when allowed, shall be done with a hand-held bucket or hand-held hose equipped with a positive shutoff nozzle for quick rinses. Vehicle washing may be done at any time on the immediate premises of a commercial car wash or commercial service station. Further, such washing may be exempted from these regulations if the health, safety and welfare of the public is contingent upon frequent vehicle cleansing, such as garbage trucks and vehicles used to transport food and perishables.
- c. Use of water to fill, refill or add to any indoor or outdoor swimming pools, wading pools, or Jacuzzi-type pools is prohibited exception designated watering days between the hours of midnight and 10:00 am and between 8:00 pm and midnight.
- d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculating system.
- e. Use of water from hydrants shall be limited to fire-fighting related activities or other activities necessary to maintain public health, safety and welfare, except that use of water from designated fire hydrants for construction purposes may be allowed under special permit from the City of Bay City Utility Department.
- f. The following uses of water are defined as non-essential and are prohibited:
 - 1. Wash down of any sidewalks, walkways, driveways, parking lots, tennis courts or other hard-surfaced areas;

2. Use of water to wash down buildings or structures for purposes other than immediate fire protection;
3. Use of water for dust control;
4. Flushing gutters or permitting water to run or accumulate in any gutter or street; and
5. Failure to repair a controllable leak(s) within a reasonable period after having been given notice directing the repair of such leak(s).

Stage 3 – Severe Water Shortage Conditions

Goal: Achieve a 20 percent reduction in total daily water demand.

Supply Management Measures:

The City of Bay City Utility Department will cease watering all public landscape areas and will only flush main lines to prevent health risks to manage limited water supplies and/or reduce water demand.

Water Use Restrictions: All requirements of Stage 2 shall remain in effect during Stage 3 except:

- a. Irrigation of landscaped areas shall be limited to designated watering days between the hours of 6:00 am and 10:00 am and between 8:00 pm and midnight and shall be by means of hand-held hoses, hand-held buckets or drip irrigation only. The use of hose-end sprinklers or permanently installed automatic sprinkler systems are prohibited at all times.
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle not occurring on the premises of a commercial car wash and commercial service stations and not in the immediate interest of public health, safety and welfare is prohibited. Further, such vehicle washing at commercial car washes and commercial service stations shall occur only between the hours of 6:00 am and 10:00 am and between 6:00 pm and 10:00 pm.
- c. The filling, refilling or adding of water to swimming pools, wading pools and Jacuzzi-type pools is prohibited.
- d. Operation of any ornamental fountain or pond for aesthetic or scenic purposes is prohibited except where necessary to support aquatic life or where such fountains or ponds are equipped with a recirculating systems.
- e. No applications for new, additional, expanded or increased-in-size water service connections, meters, service lines, pipeline extensions, mains, or water service facilities of any kind shall be allowed or approved.
- f. The use of water for construction purposes from designated fire hydrants under special permit is to be discontinued.

Stage 4 – Emergency Water Shortage Conditions

Goal: Achieve a 40 percent reduction in daily water demand.

Supply Management Measures:

The City of Bay City Utility Department will cease watering all public landscape areas, discontinue flushing main lines and will utilize alternative supply source(s) to manage limited water supplies and/or reduce water demand.

Water Use Restrictions:

- a. Irrigation of landscaped areas is absolutely prohibited.
- b. Use of water to wash any motor vehicle, motorbike, boat, trailer, airplane or other vehicle is absolutely prohibited.

Section X: Water Allocation

In the event that water shortage conditions threaten public health, safety and welfare the Mayor the City of Bay City or his/her designee is hereby authorized to ration water according to the following water allocation plan:

Single-Family Residential Customers

The allocation to residential water customers residing in a single-family dwelling shall be as follows:

Persons per household	Gallons per month
1 or 2	6,000
3 or 4	7,000
5 or 6	8,000
7 or 8	9,000
9 or 10	10,000
11 or more	12,000

"Household" means the residential premises served by the customer's meter. "Persons per household" includes only those persons currently physically residing at the premises and expected to reside there for the entire billing period. It shall be assumed that a particular customer's household is comprised of two (2) persons unless the customer notifies the City of Bay City Utility Department of a greater number of persons per household on a form prescribed by the Mayor of the City of Bay City or his/her designee. The Mayor of the City of Bay City or his/her designee shall give his best effort to see that such forms are mailed, otherwise provided, or made available to every residential customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City of Bay City Utility Department offices to complete and sign the form claiming more than two (2) persons per household. New customers may claim more persons per household at the time of applying for water service on the form prescribed by the Mayor of the City of Bay City or his/her designee. When the number of persons per household increases so as to place the customer in a different allocation category, the customer may notify the City of Bay City Utility Department on such form and the change will be implemented in the next practicable billing period. If the number of persons in a household is reduced, the customer shall notify the City of Bay City Utility Department in writing within two (2) days. In prescribing the method for claiming more than two (2) persons per household, the Mayor of the City of Bay City or his/her designee shall adopt methods to insure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of persons in a household or fails to timely notify the City of

Bay City Utility Department of a reduction in the number of person in a household shall be fined not less than \$50.00. Residential water customers shall pay the following surcharges:

\$2.00 for each 1,000 gallons over allocation up to 3,000 gallons

\$2.50 for each additional 1,000 gallons per allocation

Surcharges shall be cumulative.

Master-Metered Multi-Family Residential Customers

The allocation to a customer billed from a master meter which jointly measures water to multiple permanent residential dwelling units (i.e. apartments, mobile homes, etc...) shall be allocated 6,000 gallons per month for each dwelling unit. It shall be assumed that such a customer's meter serves two dwelling units unless the customer notifies the City of Bay City Utility Department of a greater number on a form prescribed by the Mayor of the City of Bay City or his/her designee. The Mayor of the City of Bay City or his/her designee shall give his best effort to see that such forms are mailed, otherwise provided, or made available to every such customer. If, however, a customer does not receive such a form, it shall be the customer's responsibility to go to the City of Bay City Utility Department offices to complete and sign the form claiming more than two (2) dwellings. A dwelling unit may be claimed under this provision whether it is occupied or not. New customers may claim more dwelling units at the time of applying for water service on the form prescribed by the Mayor of the City of Bay City or his/her designee. If the number of dwelling units served by a master meter is reduced, the customer shall notify the City of Bay City Utility Department in writing within two (2) days. In prescribing the method for claiming more than two (2) dwelling units, the Mayor of the City of Bay City or his/her designee shall adopt methods to ensure the accuracy of the claim. Any person who knowingly, recklessly, or with criminal negligence falsely reports the number of dwelling units served by a master meter or fails to timely notify the City of Bay City Utility Department of a reduction in the number of person in a household shall be fined not less than \$50.00. Customers billed from a master meter under this provision shall pay the following monthly surcharges:

\$1.75 for 1,000 gallons over allocation up through 1,000 gallons for each dwelling unit

\$2.00 thereafter, for each additional 1,000 gallons over allocation up through a second 1,000 gallons for each dwelling unit

\$2.25 thereafter, for each additional 1,000 gallons over allocation up through a third 1,000 gallons for each dwelling unit

\$2.50 thereafter for each additional 1,000 gallons over allocation

Surcharges shall be cumulative.

Commercial Customers

A monthly water usage allocation shall be established by the Mayor of the City of Bay City or his/her designee or for each non-residential commercial customer other than an industrial customer who uses water for processing purposes. The non-residential customer's allocation shall be approximately 75 percent of the customer's usage for corresponding month's billing period for the previous 12 months. If the customer's billing history is shorter than 12 months, the monthly average for the period for which there is a record shall be used for any monthly period

for which no history exists. Provided, however, a customer, 75 percent of whose monthly usage is less than 2,000 gallons, shall be allocated 2,000 gallons. The Mayor of the City of Bay City or his/her designee shall give his best effort to see that notice of each non-residential customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the City of Bay City Utility Department to determine the allocation. Upon request of the customer or at the initiative of the Mayor of Bay City or his (designated official), the allocation may be reduced or increased if, (1) the designated period does not accurately reflect the customer's normal water usage, (2) one non-residential customer agrees to transfer part of its allocation to another non-residential customer, or (3) other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Mayor of the City of Bay City or his (designated official). Non-residential commercial customers shall pay the following surcharges:

Customers whose allocation is 50,000 gallons per month or more:

- 1.5 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- 2.0 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 2.5 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 3.0 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

Industrial Customers

A monthly water usage allocation shall be established by the Mayor of the City of Bay City or his/her designee, for each industrial customer, which uses water for processing purposes. The industrial customer's allocation shall be approximately 90% percent of the customer's water usage baseline. Ninety (90) days after the initial imposition of the allocation for industrial customers, the industrial customer's allocation shall be further reduced to 85% percent of the customer's water usage baseline. The industrial customer's water usage baseline will be computed on the average water usage for the last three month period ending prior to the date of implementation of Stage 2 of the Plan. If the industrial water customer's billing history is shorter than six months, the monthly average for the period for which there is a record shall be used for any monthly period for which no billing history exists. The Mayor of the City of Bay City or his/her designee shall give his best effort to see that notice of each industrial customer's allocation is mailed to such customer. If, however, a customer does not receive such notice, it shall be the customer's responsibility to contact the City of Bay City Utility Department to determine the allocation, and the allocation shall be fully effective notwithstanding the lack of receipt of written notice. Upon request of the customer or at the initiative of the Mayor of the City of Bay City or his/her designee the allocation may be reduced or increased, (1) if the designated period does not accurately reflect the customer's normal water usage because the customer had shut down a major processing unit for repair or overhaul during the period, (2) the customer has added or is in the process of adding significant additional processing capacity, (3) the customer has shut down or significantly reduced the production of a major processing unit, (4) the customer has previously implemented significant permanent water conservation measures such that the ability to

further reduce usage is limited, (5) the customer agrees to transfer part of its allocation to another industrial customer, or (6) if other objective evidence demonstrates that the designated allocation is inaccurate under present conditions. A customer may appeal an allocation established hereunder to the Mayor of Bay City or his (designated official

Industrial customers shall pay the following surcharges:

Customers whose allocation is 100,000 gallons per month or more:

- 1.5 times the block rate for each 1,000 gallons in excess of the allocation up through 5 percent above allocation.
- 2.0 times the block rate for each 1,000 gallons from 5 percent through 10 percent above allocation.
- 2.5 times the block rate for each 1,000 gallons from 10 percent through 15 percent above allocation.
- 3.0 times the block rate for each 1,000 gallons more than 15 percent above allocation.

The surcharges shall be cumulative. As used herein, "block rate" means the charge to the customer per 1,000 gallons at the regular water rate schedule at the level of the customer's allocation.

Section XI: Enforcement

- a. No person shall knowingly or intentionally allow the use of water from the City of Bay City Utility Department for residential, commercial, industrial, agricultural, governmental, or any other purpose in a manner contrary to any provision of this Plan, or in an amount in excess of that permitted by the drought response stage in effect at the time pursuant to action taken by Mayor of the City of Bay City or his/her designee, in accordance with provisions of this Plan.
- b. Any person who violates this Plan is guilty of a misdemeanor and, upon conviction shall be punished by a fine of not less than Fifty dollars (\$50.00) and not more than One Hundred Dollars (\$100.00). Each day that one or more of the provisions in this Plan is violated shall constitute a separate offense. If a person is convicted of three or more distinct violations of this Plan, the Mayor of the City of Bay City or his/her designee, shall upon due notice to the customer, be authorized to discontinue water service to the premises where such violations occur. Services discontinued under such circumstances shall be restored only upon payment of a re-connection charge, hereby established at \$50.00, and any other costs incurred by the City of Bay City Utility Department in discontinuing service. In addition, suitable assurance must be given to the Mayor of the City of Bay City or his/her designee that the same action shall not be repeated while the Plan is in effect. Compliance with this plan may also be sought through injunctive relief in the district court.
- c. Any person, including a person classified as a water customer of the City of Bay City Utility Department, in apparent control of the property where a violation occurs or originates shall be presumed to be the violator, and proof that the violation occurred on the person's property shall constitute a rebuttable presumption that the person in apparent control of the property committed the violation, but any such person shall have the right to show that he/she did not commit the violation. Parents shall be presumed to be responsible for violations of their minor children and proof that a violation, committed by a child, occurred

on property within the parents' control shall constitute a rebuttable presumption that the parent committed the violation, but any such parent may be excused if he/she proves that he/she had previously directed the child not to use the water as it was used in violation of this Plan and that the parent could not have reasonably known of the violation.

- d. Any employee of the City of Bay City Utility Department, police officer, or other employee designated by the Mayor of the City of Bay City or his/her designee, may issue a citation to a person he/she reasonably believes to be in violation of this Ordinance. The citation shall be prepared in duplicate and shall contain the name and address of the alleged violator, if known, the offense charged, and shall direct him/her to appear in the City of Bay City Municipal Court on the date shown on the citation for which the date shall not be less than 3 days nor more than 5 days from the date the citation was issued. The alleged violator shall be served a copy of the citation. Service of the citation shall be complete upon delivery of the citation to the alleged violator, to an agent or employee of a violator, or to a person over 14 years of age who is a member of the violator's immediate family or is a resident of the violator's residence. The alleged violator shall appear in City of Bay City Municipal Court to enter a plea of guilty or not guilty for the violation of this Plan. If the alleged violator fails to appear in City of Bay City Municipal Court, a warrant for his/her arrest may be issued. A summons to appear may be issued in lieu of an arrest warrant. These cases shall be expedited and given preferential setting in City of Bay City Municipal Court before all other cases

Section XII: Variance

The Mayor of the City of Bay City or his/her designee, may, in writing, grant temporary variance for existing water uses otherwise prohibited under this Plan if it is determined that failure to grant such variance would cause an emergency condition adversely affecting the health, sanitation, or fire protection for the public or the person requesting such variance and if one or more of the following conditions are met:

- a. Compliance with this Plan cannot be technically accomplished during the duration of the water supply shortage or other condition for which the Plan is in effect.
- b. Alternative methods can be implemented which will achieve the same level of reduction in water use.

Persons requesting an exemption from the provisions of this Ordinance shall file a petition for variance with the City of Bay City Utility Department within 5 days after the Plan or a particular drought response stage has been invoked. All petitions for variances shall be reviewed by the Mayor of the City of Bay City or his/her designee, and shall include the following:

- a. Name and address of the petitioner(s)
- b. Purpose of water use
- c. Specific provision(s) of the Plan from which the petitioner is requesting relief
- d. Detailed statement as to how the specific provision of the Plan adversely affects the petitioner or what damage or harm will occur to the petitioner or others if the petitioner complies with this Ordinance
- e. Description of the relief requested
- f. Period of time for which the variance is sought
- g. Alternative water use restrictions or other measures the petitioner is taking or proposes to take to meet the intent of this Plan and the compliance date
- h. Other pertinent information

Variances granted by the City of Bay City Utility Department shall be subject to the following conditions, unless waived or modified by the Mayor of the City of Bay City or his/her designee:

- a. Variances granted shall include a timetable for compliance
- b. Variances granted shall expire when the Plan is no longer in effect, unless the petitioner has failed to meet specified requirements.

No variance shall be retroactive or otherwise justify any violation of this Plan occurring prior to the issuance of the variance.

Section XIII: Severability

It is hereby declared to be the intention of the City of Bay City, City Council (the governing body of City of Bay City Utility Department) that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Plan shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Plan, since the same would not have been enacted by the City of Bay City, City Council (governing body of the City of Bay City Utility Department) without the incorporation into this Plan of any such unconstitutional phrase, clause, sentence, paragraph, or section.



City of Bay City
Utility Department

Water Conservation Plan

September 17, 2014

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Section I: Introduction and Objectives

Welcome to the City of Bay City's Water Conservation Plan. This document was created in an effort to efficiently manage our existing water supplies and encourage our residents to conserve one of our most important natural resources. Water supply has been a key issue in the development of Texas. In recent years, increase in population and economic development in our region have led to growing demands for water.

Texas Commission on Environmental Quality (TCEQ) has developed guidelines and requirements governing the development of water conservation plans for public water suppliers. Those guidelines can be found in Appendix A (Texas Administrative Code, Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2). The City of Bay City has formulated this Water Conservation Plan pursuant to TCEQ guidelines and requirements. For the purpose of these rules, a water conservation plan is defined as:

“A strategy or combination of strategies for reducing the volume of water withdrawn from a water supply source, for reducing the loss or waste of water, for maintaining or improving the efficiency in the use of water, for increasing the recycling and reuse of water and for preventing the pollution of water. A water conservation plan may be a separate document identified as such or may be contained within another water management document.”

The objectives of the Water Conservation Plan are:

- Reduce water consumption
- Reduce the loss and waste of water
- Identify levels of water reuse
- Improve efficiency in the use of water
- Extend the life of our current water supplies through public education

Section II: Service Area Description

The City of Bay City is situated in Matagorda County, Texas along the Texas Gulf Coast. It is a Governmental Agency of the State of Texas operating under the provisions of Chapter 54, of the Texas Water Code and the Authority of Article XVI, Section 59, of the Constitution of Texas. The Mayor and City Council Members have the managing control and operation of the City of Bay City's water system. Mayor and City Council Members are elected to four year terms by the Citizens of Bay City. The City's water system serves an area of approximately 10.5 square miles and has approximately 8,000 connections. The City's water supply comes from the Gulf Coast Aquifer. The water system consists of six water wells, providing 100% of the City's water demand. The City's water system serves approximately 17,500 citizens. The City of Bay City is located within Region K of the Lower Colorado Regional Planning Area.

Section III: Minimum Content Required

The Texas Administrative Code outlines the minimum content that is required for water conservation plans for Municipal uses by public drinking water suppliers. Content required in this plan includes the following:

a. Utility Profile

The Utility Profile contains important information and data about the City's water system. It is the first component in developing a Water Conservation Plan. Appendix B to this water conservation plan is the current Utility Profile for the City of Bay City.

b. Classification of water sales and detailed water use data

As required by TAC Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(2)(B) The City of Bay City will maintain a customer billing and record management system that allows for the separation of water sales and uses into:

- Single family and multi-family residences
- Commercial
- Institutional
- Industrial
- Agricultural
- Wholesale

Should additional customer classes be required in the future, the City of Bay City will add the required classes to its billing and records management system.

c. Quantitative five-year and ten-year targets for water saving

TCEQ rules require the adoption of specific water conservation goals. The development of this plan involved the identification and examination of numerous conservation strategies. The conservation strategies chosen for the plan were derived from numerous sources including state agency recommendations, the Region K Planning Group, water conservation literature, and the City's existing Water Conservation Plan. Specific water conservation goals are as follows:

- Public awareness of water conservation through distribution of water conservation information
- Demonstrate and publicize Xeriscape landscaping and the use of native plants and grasses to reduce lawn water demands
- Test, repair and replace water meters and increase leak detection efforts in order to reduce and maintain an unaccounted-for water loss of 8-10 percent.

Five-Year and Ten-Year Water Savings Targets				
Description	Unit	2014	2019	2024
Population		17,614	18,797	19,786
Total Gallons Per Capita per Day	gpcd	122	127	136
Residential Gallons Per Capita per Day	gpcd	79	83	89
Savings from Reuse	gpcd	.13	.25	.25
Savings from water conservation	gpcd	.05	1	2
Projected per capita savings	gpcd	.18	1.25	2.25
Projected unaccounted water loss	percent	13%	10%	10%

d. Accurate Metering

The City of Bay City meters the quantity of water that is pumped from each of the system's six water wells. Each meter has an accuracy of plus or minus three percent which, is below the minimum requirement of five percent as set forth in TAC, Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(1)(D). The meters are verified and calibrated on an annual basis by an independent contractor. Meters are repaired or replaced as needed.

e. Universal Metering

The City of Bay City Utility Department meters all water sales and public uses. In 2012-2013, the City of Bay City underwent a city-wide meter change out program. All residential, commercial buildings and City-owned facilities are now equipped with satellite read meters. Meters are read at 15-minute intervals throughout the day with billings made monthly to each residential and commercial customer. Meters registering any unusual or questionable readings are flagged in the billing process to be tested and repaired to full functionality. In addition, the City plans to implement a meter replacement program with the objective to replace 10 percent of meters each year based on a 10-year cycle, replacing the oldest meters in the system first. Meters that are 3-inch or larger will be tested every year and repaired or replaced as necessary.

f. Measures to determine and control water loss

City of Bay City staff performs yearly water audits to determine unaccounted water loss using the International Water Association / American Water Works Association (IWA/AWWA) method required by the TWDB. Unaccounted water is the difference between water pumped by the City's water system and metered water sales to customers plus authorized, unmetered uses which includes water uses such as fire-fighting and flushing of water lines. The City of Bay City strives to maintain an unaccounted water loss percentage of 10 percent or lower.

Measures to control water loss are part of routine operations of the City of Bay City. Crews and personnel observe for, test and report evidence of leaks in the distribution system. Meter Readers and Service Person(s) report signs of water loss and illegal connections.

g. Public Education and Information Program

The Mayor and City Council of the City of Bay City will designate an employee to carry out the City's water conservation program. This may include conducting water conservation presentations at various community organizations; and conducting or sponsoring exhibits on water conservation and water saving devices to promote water conservation and efficiency.

The continuing public education and information campaign on water conservation includes the following elements:

- Promote the City's water conservation measures as outlined in this Plan
- Utilize public education materials available through the Texas Water Development Board or similar organizations
- Include water conservation information with water bills periodically throughout the year
- Provide and distribute water conservation brochures to citizens, local organizations, schools and civic groups
- Promote Xeriscape landscaping and provide related brochures and materials
- Make information concerning water conservation and irrigation conservation available on the City's website at www.cityofbaycity.org

h. Non-promotional water rate structure

In October 2013, the City of Bay City introduced and adopted new water conservation oriented rates. This new rate structure was developed with the intent of encouraging water conservation while discouraging waste and excessive use of water. A base rate is charged for each residential customer; volumetric rates are then charged for use over 2,001 gallons per month. Non-residential customers are charged a base rate based upon meter size; a standard volumetric is charged per 1,000 gallons. The current rate structure can be found in Appendix C.

i. Reservoir System Operation Plan, if applicable

The City of Bay City's water system relies solely on ground water. No reservoir system operation plan is required.

j. Means of implementation and enforcement

The Mayor and City Council of the City of Bay City are responsible for implementing and enforcing the City of Bay City's Water Conservation Plan. Appendix D contains a copy of the resolution adopting this Water Conservation Plan and Drought Contingency Plan.

k. Coordination with Regional Water Planning Group

The City of Bay City will provide a copy of the Water Conservation and Drought Contingency Plans to the Region K Planning Group. Appendix E includes a copy of the letter sent to the Chair of the Region K Planning Group.

Section IV: Additional Content Requirements

The Texas Administrative Code requires additional water conservation plan content for municipalities serving a current population of 5,000 or more and must include the following elements:

a. Leak detection, repair and water loss accounting

Various measures to control unaccounted water loss are part of the City of Bay City's routine operations. Water and wastewater crews, Service Person(s), Meter Readers and the public report leaks in the system. Utility crews are on call 24-hours a day and respond as quickly as possible to repair reported leaks.

The City of Bay City takes proactive steps in decreasing water loss through the waterline replacement program. Each year, the City budgets funds specifically to repair and replace aging water distribution lines. In addition, regular inspections of all water main fittings, connections and valves are conducted during periods of maintenance and repair.

b. Requirements of wholesale customers to implement a water conservation plan

Currently, the City of Bay City does not sell water to wholesale customers. In the event this status changes, the City of Bay City will ensure that each contract for sale of wholesale water will include the requirement for the wholesale customer to develop and implement a water conservation plan meeting the requirements of the Texas Administrative Code, Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(2)(B).

Section V: Optional Conservation Strategies

The Texas Administrative Code, Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2(a)(3) outlines additional conservation strategies that may be implemented. The City of Bay City has elected to implement these additional conservation strategies:

a. Recycling of wastewater

The City of Bay City's Water Resource Division underwent several changes in 2013. One of the changes focused on recycling of wastewater for on-site irrigation and plant wash down. This new reuse program is delivering approximately .13 MGD of reclaimed wastewater effluent.

b. Ordinances, Plumbing Codes or Rules on Water-Conserving Fixtures

In 1991, the Texas Legislature passed legislation requiring that the plumbing fixtures sold in Texas after January 1, 1992 meet the following standards:

- Shower heads – no more than 2.75 gallons per minute (gpm) at 80 psi
- Lavatory/sink faucets and aerators – no more than 2.2 gpm at 60 psi
- Wall-mounted, flush-o-meter toilets – no more than 2.0 gallons per flush
- All other toilets – no more than 1.6 gallons per flush
- Drinking water fountains – must be self-closing

In addition, these water-conserving fixtures are required in new construction and renovations. The City of Bay City's Plumbing Code complies with the State of Texas requirements.

c. *Program for landscape water management for parks and athletic fields*

The Texas Water Development Board Water Conservation Best Management Practices Guide includes guidelines for water conservation in parks and athletic fields. Also in 2013, the irrigation system of the City's largest athletic field was replaced in an effort to reduce costs and water loss. The City will evaluate the efficiency of the new system and assess if the same measures should be applied to other City-owned parks, athletic fields and landscaped areas.

Section VI: Additional Water Conservation Measures

In an on-going effort to encourage water conservation, when resources are available, the City of Bay City may offer rebates to its citizens for the purchase of water conserving devices. The items for the rebate program may change from as the Water Conservation Rebate Program evolves. Some items may include:

- Low-flow toilet replacement rebate
- Low-flow showerhead and sink aerator replacement rebate
- Rebates for rain and freeze sensors and/or ET or smart controllers on irrigation systems
- Water efficient clothes washer rebates
- On-demand hot water heater rebates
- Rainwater harvesting rebate
- Other incentive programs that may prove beneficial to water conservation

Appendix A: TAC, Title 30, Part 1, Chapter 288, Subchapter A, Rule 288.2

Texas Administrative Code

TITLE 30 ENVIRONMENTAL QUALITY

PART 1 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 288 WATER CONSERVATION PLANS, DROUGHT CONTINGENCY PLANS, GUIDELINES AND REQUIREMENTS

SUBCHAPTER A WATER CONSERVATION PLANS

RULE §288.2 **Water Conservation Plans for Municipal Uses by Public Water Suppliers**

(a) A water conservation plan for municipal water use by public water suppliers must provide information in response to the following. If the plan does not provide information for each requirement, the public water supplier shall include in the plan an explanation of why the requirement is not applicable.

(1) Minimum requirements. All water conservation plans for municipal uses by public water suppliers must include the following elements:

(A) a utility profile in accordance with the Texas Water Use Methodology, including, but not limited to, information regarding population and customer data, water use data (including total gallons per capita per day (GPCD) and residential GPCD), water supply system data, and wastewater system data;

(B) a record management system which allows for the classification of water sales and uses into the most detailed level of water use data currently available to it, including, if possible, the sectors listed in clauses (i) - (vi) of this subparagraph. Any new billing system purchased by a public water supplier must be capable of reporting detailed water use data as described in clauses (i) - (vi) of this subparagraph:

- (i) residential;
 - (I) single family;
 - (II) multi-family;
- (ii) commercial;
- (iii) institutional;
- (iv) industrial;
- (v) agricultural; and,
- (vi) wholesale.

(C) specific, quantified five-year and ten-year targets for water savings to include goals for water loss programs and goals for municipal use in total GPCD and residential GPCD. The goals established by a public water supplier under this subparagraph are not enforceable;

(D) metering device(s), within an accuracy of plus or minus 5.0% in order to measure and account for the amount of water diverted from the source of supply;

(E) a program for universal metering of both customer and public uses of water, for meter testing and repair, and for periodic meter replacement;

(F) measures to determine and control water loss (for example, periodic visual inspections along distribution lines; annual or monthly audit of the water system to determine illegal connections; abandoned services; etc.);

(G) a program of continuing public education and information regarding water conservation;

(H) a water rate structure which is not "promotional," i.e., a rate structure which is cost-based and which does not encourage the excessive use of water;

(I) a reservoir systems operations plan, if applicable, providing for the coordinated operation of reservoirs owned by the applicant within a common watershed or river basin in order to optimize available water supplies; and

(J) a means of implementation and enforcement which shall be evidenced by:

(i) a copy of the ordinance, resolution, or tariff indicating official adoption of the water conservation plan by the water supplier; and

(ii) a description of the authority by which the water supplier will implement and enforce the conservation plan; and

(K) Documentation of coordination with the regional water planning groups for the service area of the public water supplier in order to ensure consistency with the appropriate approved regional water plans.

(2) Additional content requirements. Water conservation plans for municipal uses by public drinking water suppliers serving a current population of 5,000 or more and/or a projected population of 5,000 or more within the next ten years subsequent to the effective date of the plan must include the following elements:

(A) a program of leak detection, repair, and water loss accounting for the water transmission, delivery, and distribution system;

(B) a requirement in every wholesale water supply contract entered into or renewed after official adoption of the plan (by either ordinance, resolution, or tariff), and including any contract extension, that each successive wholesale customer develop and implement a water conservation plan or water conservation measures using the applicable elements in this chapter. If the customer intends to resell the water, the contract between the initial supplier and customer must provide that the contract for the resale of the water must have water conservation requirements so that each successive customer in the resale of the water will be required to implement water conservation measures in accordance with the provisions of this chapter.

(3) Additional conservation strategies. Any combination of the following strategies shall be selected by the water supplier, in addition to the minimum requirements in paragraphs (1) and (2) of this subsection, if they are necessary to achieve the stated water conservation goals of the plan. The commission may require that any of the following strategies be implemented by the water supplier if the commission determines that the strategy is necessary to achieve the goals of the water conservation plan:

(A) conservation-oriented water rates and water rate structures such as uniform or increasing block rate schedules, and/or seasonal rates, but not flat rate or decreasing block rates;

(B) adoption of ordinances, plumbing codes, and/or rules requiring water-conserving plumbing fixtures to be installed in new structures and existing structures undergoing substantial modification or addition;

(C) a program for the replacement or retrofit of water-conserving plumbing fixtures in existing structures;

(D) reuse and/or recycling of wastewater and/or gray water;

(E) a program for pressure control and/or reduction in the distribution system and/or for customer connections;

(F) a program and/or ordinance(s) for landscape water management;

(G) a method for monitoring the effectiveness and efficiency of the water conservation plan; and

(H) any other water conservation practice, method, or technique which the water supplier shows to be appropriate for achieving the stated goal or goals of the water conservation plan.

(b) A water conservation plan prepared in accordance with 31 TAC §363.15 (relating to Required Water Conservation Plan) of the Texas Water Development Board and substantially meeting the requirements of this section and other applicable commission rules may be submitted to meet application requirements in accordance with a memorandum of understanding between the commission and the Texas Water Development Board.

(c) A public water supplier for municipal use shall review and update its water conservation plan, as appropriate, based on an assessment of previous five-year and ten-year targets and any other new or updated information. The public water supplier for municipal use shall review and update the next revision of its water conservation plan every five years to coincide with the regional water planning group.

Appendix B: Utility Profile

Appendix C: Water and Sewer Rates

Industrial Rates		
	Price discount	Rate/1000 gal
Usage of 0 to 900,000 gal	0%	\$ 4.08
From 900,001 to 4,500,000 gal	10%	\$ 3.67
Everything over 4,500,000 gal	20%	\$ 3.26

APPROVED
3/13/2014
 DATE
 CITY COUNCIL

City of Bay City Water and Sewer Rates Effective October 1, 2013

WATER			
Monthly Minimum Bill – Residential		Volumetric Rates - Residential	
Meter Size	Base Rate		
0.625 Inch	\$18.00	1-1,000 Gallons	-
0.750 Inch	\$18.00	1,001 – 2,000 Gallons	-
1.000 Inch	\$18.00	2,001 – 5,000 Gallons	\$1.68
1.500 Inch	\$18.00	5,001 – 10,000 Gallons	\$2.10
2.000 Inch	\$18.00	10,001 – 15,000 Gallons	\$2.52
3.000 Inch	\$18.00	15,001 – 20,000 Gallons	\$2.52
4.000 Inch	\$18.00	20,001 – 25,000 Gallons	\$2.52
6.000 Inch	\$18.00	Over 25,000 Gallons	\$2.52
8.000 Inch	\$18.00		
10.000 Inch	\$18.00		
Monthly Minimum Bill – Non-Residential		Volumetric Rates – Non-Residential	
0.625 Inch	\$18.00	1-1,000 Gallons	\$2.10
0.750 Inch	\$18.00	1,001 – 2,000 Gallons	\$2.10
1.000 Inch	\$22.50	2,001 – 5,000 Gallons	\$2.10
1.500 Inch	\$45.00	5,001 – 10,000 Gallons	\$2.10
2.000 Inch	\$72.00	10,001 – 15,000 Gallons	\$2.10
3.000 Inch	\$135.00	15,001 – 20,000 Gallons	\$2.10
4.000 Inch	\$225.00	20,001 – 25,000 Gallons	\$2.10
6.000 Inch	\$450.00	Over 25,000 Gallons	\$2.10
8.000 Inch	\$720.00		
10.000 Inch	\$1,035.00		
SEWER			
Monthly Minimum Bill – Residential		Volumetric Rates - Residential	
Meter Size	Base Rate		
0.625 Inch	\$16.50	1-1,000 Gallons	-
0.750 Inch	\$16.50	1,001 – 2,000 Gallons	-
1.000 Inch	\$16.50	2,001 – 5,000 Gallons	\$4.08
1.500 Inch	\$16.50	5,001 – 10,000 Gallons	\$4.08
2.000 Inch	\$16.50	10,001 – 15,000 Gallons	\$4.08
3.000 Inch	\$16.50	15,001 – 20,000 Gallons	-
4.000 Inch	\$16.50	20,001 – 25,000 Gallons	-
6.000 Inch	\$16.50	Over 25,000 Gallons	-
8.000 Inch	\$16.50		
10.000 Inch	\$16.50		
Monthly Minimum Bill – Non-Residential		Volumetric Rates – Non-Residential	
0.625 Inch	\$16.50	1-1,000 Gallons	\$4.08
0.750 Inch	\$16.50	1,001 – 2,000 Gallons	\$4.08
1.000 Inch	\$20.63	2,001 – 5,000 Gallons	\$4.08
1.500 Inch	\$41.25	5,001 – 10,000 Gallons	\$4.08
2.000 Inch	\$66.00	10,001 – 15,000 Gallons	\$4.08
3.000 Inch	\$123.75	15,001 – 20,000 Gallons	\$4.08
4.000 Inch	\$206.25	20,001 – 25,000 Gallons	\$4.08
6.000 Inch	\$412.50	Over 25,000 Gallons	\$4.08
8.000 Inch	\$660.00		
10.000 Inch	\$948.75		

Appendix D: Resolution Adopting the Water Conservation and Drought Contingency Plans

Appendix E: Letter to Region K Water Planning Group

UTILITY PROFILE FOR RETAIL WATER SUPPLIER

Fill out this form as completely as possible.
If a field does not apply to your entity, leave it blank.

CONTACT INFORMATION

Name of Utility: _____

Public Water Supply Identification Number (PWS ID): _____

Certificate of Convenience and Necessity (CCN) Number: _____

Surface Water Right ID Number: _____

Wastewater ID Number: _____

Completed By: _____ Title: _____

Address: _____ City: _____ Zip Code: _____

Email: _____ Telephone Number: _____

Date: _____

Regional Water Planning Group: _____ [Map](#)

Groundwater Conservation District: _____ [Map](#)

Check all that apply:

Received financial assistance of \$500,000 or more from TWDB

Have 3,300 or more retail connections

Have a surface water right with TCEQ

Section I: Utility Data

A. Population and Service Area Data

- Current service area size in square miles: _____
(Attach or email a copy of the service area map.)
- Provide historical service area population for the previous five years, starting with the most current year.

Year	Historical Population Served By Retail Water Service	Historical Population Served By Wholesale Water Service	Historical Population Served By Wastewater Service

- Provide the projected service area population for the following decades.

Year	Projected Population Served By Retail Water Service	Projected Population Served By Wholesale Water Service	Projected Population Served By Wastewater Service
2020			
2030			
2040			
2050			
2060			

- Describe the source(s)/method(s) for estimating current and projected populations.

B. System Input

Provide system input data for the previous five years.

Total System Input = Self-supplied + Imported – Exported

Year	Self-supplied Water in Gallons	Purchased/Imported Water in Gallons	Exported Water in Gallons	Total System Input	Total GPCD
Historic 5-year Average					

C. Water Supply System (Attach description of water system)

- Designed daily capacity of system _____ gallons per day.
- Storage Capacity:
Elevated _____ gallons
Ground _____ gallons
- List all current water supply sources in gallons.

Water Supply Source	Source Type*	Total Gallons

*Select one of the following source types: *Surface water, Groundwater, or Contract*

- If surface water is a source type, do you recycle backwash to the head of the plant?
Yes _____ estimated gallons per day
No

D. Projected Demands

1. Estimate the water supply requirements for the next ten years using population trends, historical water use, economic growth, etc.

Year	Population	Water Demands (gallons)

2. Describe sources of data and how projected water demands were determined. Attach additional sheets if necessary.

E. High Volume Customers

1. List the annual water use, in gallons, for the five highest volume **RETAIL customers**. Select one of the following water use categories to describe the customer; choose Residential, Industrial, Commercial, Institutional, or Agricultural.

Retail Customer	Water Use Category*	Annual Water Use	Treated or Raw

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

2. If applicable, list the annual water use for the five highest volume **WHOLESALE customers**. Select one of the following water use categories to describe the customer; choose Municipal, Industrial, Commercial, Institutional, or Agricultural.

Wholesale Customer	Water Use Category*	Annual Water Use	Treated or Raw

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

F. Utility Data Comment Section

Provide additional comments about utility data below.

Section II: System Data

A. Retail Connections

- List the active retail connections by major water use category.

Water Use Category*	Active Retail Connections			
	Metered	Unmetered	Total Connections	Percent of Total Connections
Residential – Single Family				
Residential – Multi-family (units)				
Industrial				
Commercial				
Institutional				
Agricultural				
TOTAL				

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

- List the net number of new retail connections by water use category for the previous five years.

Water Use Category*	Net Number of New Retail Connections				
Residential – Single Family					
Residential – Multi-family (units)					
Industrial					
Commercial					
Institutional					
Agricultural					
TOTAL					

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use.](#)

B. Accounting Data

For the previous five years, enter the number of gallons of RETAIL water provided in each major water use category.

Water Use Category*	Total Gallons of Retail Water				
Residential - Single Family					
Residential – Multi-family					
Industrial					
Commercial					
Institutional					
Agricultural					
TOTAL					

*For definitions on recommended customer categories for classifying customer water use, refer to the online [Guidance and Methodology for Reporting on Water Conservation and Water Use](#).

C. Residential Water Use

For the previous five years, enter the residential GPCD for single family and multi-family units.

Water Use Category*	Residential GPCD				
Residential - Single Family					
Residential – Multi-family					

D. Annual and Seasonal Water Use

- For the previous five years, enter the gallons of treated water provided to RETAIL customers.

Month	Total Gallons of Treated Retail Water				
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

2. For the previous five years, enter the gallons of raw water provided to RETAIL customers.

Month	Total Gallons of Raw Retail Water				
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

3. Summary of seasonal and annual water use.

Water Use	Seasonal and Annual Water Use					Average in Gallons
Summer Retail (Treated + Raw)						_____
						5yr Average
TOTAL Retail (Treated + Raw)						_____
						5yr Average

E. Water Loss

Provide Water Loss data for the previous five years.

Water Loss GPCD = [Total Water Loss in Gallons ÷ Permanent Population Served] ÷ 365

Water Loss Percentage = [Total Water Loss ÷ Total System Input] x 100

Year	Total Water Loss in Gallons	Water Loss in GPCD	Water Loss as a Percentage
5-year average			

F. Peak Water Use

Provide the Average Daily Water Use and Peak Day Water Use for the previous five years.

Year	Average Daily Use (gal)	Peak Day Use (gal)	Ratio (peak/avg)

G. Summary of Historic Water Use

Water Use Category	Historic 5-year Average	Percent of Connections	Percent of Water Use
Residential SF			
Residential MF			
Industrial			
Commercial			
Institutional			
Agricultural			

H. System Data Comment Section

Provide additional comments about system data below.

Section III: Wastewater System Data

If you do not provide wastewater system services then you have completed the Utility Profile. Save and Print this form to submit with your Plan. Continue with the [Water Conservation Plan Checklist](#) to complete your Water Conservation Plan.

A. Wastewater System Data (Attach a description of your wastewater system.)

- Design capacity of wastewater treatment plant(s): _____
gallons per day.
- List the active wastewater connections by major water use category.

Water Use Category*	Active Wastewater Connections			
	Metered	Unmetered	Total Connections	Percent of Total Connections
Municipal				
Industrial				
Commercial				
Institutional				
Agricultural				
TOTAL				

- What percent of water is serviced by the wastewater system? ____%
- For the previous five years, enter the number of gallons of wastewater that was treated by the utility.

Month	Total Gallons of Treated Wastewater				
January					
February					
March					
April					
May					
June					
July					
August					
September					
October					
November					
December					
TOTAL					

4. Can treated wastewater be substituted for potable water?

Yes

No

B. Reuse Data

1. Provide data on the types of recycling and reuse activities implemented during the current reporting period.

Type of Reuse	Total Annual Volume (in gallons)
On-site irrigation	
Plant wash down	
Chlorination/de-chlorination	
Industrial	
Landscape irrigation (parks, golf courses)	
Agricultural	
Discharge to surface water	
Evaporation pond	
Other	
TOTAL	

C. Wastewater System Data Comment

Provide additional comments about wastewater system data below.

You have completed the Utility Profile. Save and Print this form to submit with your Plan. Continue with the [Water Conservation Plan Checklist](#) to complete your Water Conservation Plan.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 10/23/14 07:00 PM
Department: Public Works
Category: Report
Prepared By: Barry Calhoun
Initiator: Barry Calhoun
Sponsors:
DOC ID: 1656

DISCUSSION ITEM (ID # 1656)

RECEIVE AND DISCUSS AN UPDATE ON ONGOING PUBLIC WORKS PROJECTS.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Policy
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1659

DISCUSSION ITEM (ID # 1659)

IN ACCORDANCE WITH TEXAS GOVERNMENT CODE SECTIONS 551.071 (CONSULTATION WITH ATTORNEY) AND 551.074 (PERSONNEL) CITY COUNCIL SHALL CONVENE IN EXECUTIVE SESSION TO RECEIVE ADVICE FROM THE CITY ATTORNEY REGARDING REESTABLISHING THE FINANCE COMMITTEE, DELIBERATE ON THE APPOINTMENT OF A FINANCE CHAIRMAN, DELIBERATE ON THE APPOINTMENT OF AN ASSISTANT FINANCE CHAIRMAN.

FINANCE COMMITTEE

City of Bay City Home Rule Charter, Section 4.09 Current Charter

- (a) A Finance Committee is created to review all expenditures of the City, including regular budgeted salary payments, and review all financial policies. City Council shall appoint a Finance Chairman and Assistant Chairman, which may include the Mayor, to serve a 1 year term.
 - (b) The Finance Committee shall meet at least once a quarter to review expenditures and policies as necessary.
 - (c) At least once a quarter, Council shall vote to approve the City Expenditures made since the last Council approval.
-

PURPOSE

Assist the Finance Department in fulfilling it's fiduciary responsibility to maintain & protect the assets of the City.

The Committee will advise and recommend, and is not a decision making body.

MODE OF OPERATION

1. The Committee will meet monthly to begin with. Then the Committee is free to decide meeting frequency within the bounds of meeting at least once a quarter.
2. The chair or leader will be the Finance Director
3. Committee meetings will not be subject to the Open Meetings Act, but an agenda should be established prior each meeting and meeting notes should be published with distribution to it's membership, all City Directors, and Council members. Nonetheless, committee meetings will be posted and open to the public.

4. A status of the Committee's work is to be presented to Council in open meeting at least yearly - or more often if the Committee deems appropriate.

PRINCIPLE COMMITTEE ACTIVITIES

Below is a listing of topics the Committee is open and encouraged to discuss and address - it is not intended to be an all inclusive or limiting listing.

1. Conduct analysis of actual revenue and spending patterns
2. Identify new or enhanced revenue streams.
3. Recommend cost reduction / cost cutting measures and projects.
4. Conduct internal audits of finance and purchasing policies and procedures.
5. Conduct internal audit of continuing disclosure agreements.
6. Render an opinion relative to future indebtedness.
7. Recommend investment choices.
8. Assist in the recommended selection of an external audit firm, and review & study audit results prior to presentation to Council.
9. Advise methods to implement new accounting initiatives such as the implementation of Master Plan goals.
10. Conduct searches for best governmental financial and purchasing practices.
11. Act as a "sounding board" for the Finance Director and lend assistance as requested.

(Leave in place the current process of weekly reconciling of invoices vs payments by Council members on a rotating basis)

COMMITTEE MEMBER MAKE UP

- | | |
|-----------------------|--------------------------------|
| 1. Finance Director | - Phil Conner - Chair / Leader |
| 2. Mayor | - Mark Bricker |
| 3. Staff Depart. Head | - TBD |
| 4. Community member | - TBD |
| 5. Community member | - TBD |
| 6. Community Member | - TBD (Optional) |
| 7. Council Member | - TBD (Optional) |

This will be a “standing committee” with the Finance Director and Mayor as perpetual members, and all others to serve a 2 year term, open to reappointment without term limits. Community members living in our EJT are eligible for committee membership.

WGC Member Recommendations

- | | | |
|--|---|---|
| Staff Department Head | - D.C. Dunham
(or) | (Financial background and experienced in City affairs) |
| | - Roger Barker | (Experienced in City affairs) |
| Community Members
(not yet contacted) | - Ellen Dodd
- Jeanette Pustka
- Kerry Wycoff | (CPA, retired County Auditor)
(Retired Celanese Finance Section Leader - skilled in financial analysis & project economics)
(President Dow FCU) |

WGC 10/16/2014



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 10/23/14 07:00 PM
Department: City Secretary
Category: Report
Prepared By: Rhonda Clegg
Initiator: Rhonda Clegg
Sponsors:
DOC ID: 1663

DISCUSSION ITEM (ID # 1663)

**CITY COUNCIL SHALL RECONVENE IN OPEN SESSION AND
MAY CONSIDER AND/OR TAKE ACTION ON ANY ITEM
LISTED ABOVE FOR CONSIDERATION/DISCUSSION IN
EXECUTIVE SESSION (IF NECESSARY).**