



CITY COUNCIL SPECIAL CALLED MEETING CITY OF BAY CITY

Tuesday, January 13, 2026 at 5:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K. Nelson

Mayor Pro Tem: Jim Folse

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

Vision Statement

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

AGENDA

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

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

CALL TO ORDER AND CERTIFICATION OF QUORUM

INVOCATION & PLEDGE

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

Councilwoman Susan Reardon

MISSION STATEMENT

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

Councilwoman Susan Reardon

APPROVAL OF AGENDA

PUBLIC COMMENTS

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

ACKNOWLEDGEMENT FROM CITY MANAGER

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

1. Special Called Meeting minutes of November 18, 2025.
2. City Council Workshop minutes of December 9, 2025.
3. City Council Regular Meeting minutes of December 9, 2025.
4. Special Called meeting minutes of December 16, 2025

DEPARTMENT REPORTS

5. **Municipal Court 1st Quarter Report.** Katy Plunkett, Magistrate/Court Administrator

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

6. **Ordinance ~ Review and discuss the Public Input received and the proposed Animal Control Ordinance.** Christella Rodriguez, Chief of Police
7. **Contract ~ Discuss, consider, and/or approve Change Order No. 3 request for additional construction work to the Cottonwood Lift Station Improvements Project and authorize the Mayor to execute a change order between the City of Bay City and LEM Construction in an amount not to exceed \$389,109.85.** Herb Blomquist, Public Works Director
8. **Ordinance ~ Discuss, Consider, and/or approve an Ordinance of the City of Bay City, Texas adopting a “Budget Amendment #3 Final” to the “Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2025”; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.** Jennifer Davis, Finance Manager
9. **Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas committing the City to provide local matching funds to secure and complete application for the Boat Access Grant Program, for Phase 1 Engineering.** Kelly Penewitt, Parks & Recreation Manager

CLOSED / EXECUTIVE SESSION**RECONVENE AND ACTION****ITEMS / COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER****ADJOURNMENT****AGENDA NOTICES:**

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards,

commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

CERTIFICATION OF POSTING

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on **January 7, 2026 before 5:00 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.



CITY COUNCIL SPECIAL CALLED MEETING CITY OF BAY CITY

Tuesday, November 18, 2025 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K. Nelson

Mayor Pro Tem: Jim Folse

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

Vision Statement

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

MINUTES

CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order by Mayor Pro Tem Jim Folse at 6:12 PM.

PRESENT:

Council Member Benjamin Flores

Mayor Pro Tem Jim Folse

Council Member Bradley Westmoreland

Council Member Susan Reardon

Council Member Blayne Finlay

ABSENT:

Mayor Robert K. Nelson

INVOCATION & PLEDGE

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

Mayor Pro Tem Jim Folse

MISSION STATEMENT

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

Mayor Pro Tem Folse

APPROVAL OF AGENDA

Council Member Flores stated he was opposed to approving the agenda because item number 16 was not descriptive enough.

Motion made by Council Member Finlay to approve the agenda with the removal of item number 8.

Seconded by Council Member Reardon. Voting Yea: Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Voting Nae, Council Member Flores. Motion carried.

PUBLIC COMMENTS

There were no public comments.

AWARDS AND PROCLAMATIONS

1. **Proclamation declaring "Priscilla Ann Robinson Day"**
2. **Proclamation supporting the City of Bay City's application for the Tourism Friendly Texas designation, a statewide initiative of Travel Texas and the Governor's Office for Tourism and Economic Development and proclaiming the City of Bay City as a "Tourism Friendly Community".**

ACKNOWLEDGEMENT FROM CITY MANAGER

City Manager, Scotty Jones, presented slides of acknowledgments and gave shout-outs to the Public Works crew for their quick work on the water main break at 10th street and Pine Avenue, as well as the improvements they made to the stormwater draining at Wyatt Avenue. Ms. Jones acknowledged the Tribune "Best of" awards given out to City departments and employees: Best Park - Riverside Park; Best Park Runner Up - LeTulle Park; Best Event Runner Up - CamoFest; Best Officer - Vickie Pursley; Second Best Officer - Dylan Wakefield. She then acknowledged that Bay City is now an affiliate with Keep Texas Beautiful. She then announced upcoming City events.

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

Council Member Finlay commented on the Day of The Dead event, stating the staff and volunteers did a great job. He also acknowledged Public Works for a job well done. Council Member Flores stated the Lions were talking about combining the Rice Festival Parade with the Veterans Day Parade in the future. He then stated that resources available for homeless veterans as well as mental health resources. He also announced that November is Native American Heritage Month. Public Works Director, Herb Blomquist gave a brief update on the lift station detection monitoring device and said that it will provide real-time data and updates. Mayor Pro Tem Folse spoke briefly about Voluntary Organizations Active in Disaster (VOAD), a long-term disaster recovery group.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

3. **Regular Council Meeting minutes of September 23, 2025.**
4. **Special Called Council Meeting minutes of October 14, 2025.**
5. **Consider and/or approve the sale of an approximately 0.1196 acre tract out of the tract conveyed from Calvin Morehead to the City of Bay City recorded in Volume 114, Page 561 of the Matagorda County Official Records, and authorize the Mayor to execute a deed without warranty and all closing documents.**

6. **Declare unusable equipment, supplies, and materials as surplus and authorize staff to sell said surplus equipment, supplies, and materials through the use of an online auction or other means.**
7. **Resolution supporting the Bay City Police Department's grant application to the Office of the Governor Public Safety Office, Criminal Justice Grants, for Ballistic Windshields.**

Council Member Flores asked to amend item number four, stating there were two public comments made, and only one was listed.

Motion made by Council Member Flores to approve amending item number four, being that two public comments were made. Seconded by Council Member Finlay. Voting Yea: Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

Motion made by Council Member Flores to approve all consent agenda items with the amendment made to item number four. . Seconded by Council Member Reardon. Voting Yea: Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

DEPARTMENT REPORTS

8. Public Works Department Report

Item number 8 was removed from the agenda.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

9. **Agreement ~ Discuss, consider, and/or approve Amendment No. 1 to the Professional Services Agreement between the City of Bay City and GrantWorks Inc. to amend the compensation and payment structure; and approve Task Order #DR-4485-0221-01 for the Storm Water Management Plan.** Gabriel Lopez, Engineering Tech

Motion made by Council Member Reardon to approve Amendment No.1 to the Professional Services Agreement between the City of Bay City and GrantWorks Inc. to amend the compensation and payment structure; and approve Task Order #DR-4485-0221-01 for the Storm Water Management Plan. Seconded by Council Member Flores. Voting Yea: Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

10. **Planning ~ Discuss, consider, and/or approve a Letter of Support for the Union Pacific and Norfolk Merger.** Robert K. Nelson, Mayor

The Letter of Support for the Union Pacific and Norfolk Merger was read by Mayor Pro Tem Folse.

Motion made by Council Member Reardon to approve a Letter of Support for the Union Pacific and Norfolk Merger. Seconded by Council Member Finlay. Voting Yea: Mayor Pro Tem Folse, Council

Member Westmoreland, Council Member Reardon, Council Member Finlay. Voting Nay: Council Member Flores. Motion carried.

11. Budget ~ Discuss, consider, and/or approve the amendments to the BCCDCs 2024-25 Budget. Jim Folse, Mayor Pro Tem

Motion made by Council Member Flores to approve the amendments to the BCCDCs 2024-25 Budget. Seconded by Council Member Reardon. Voting Yea: Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

12. Resolution ~ A Resolution of the Bay City Community Development Corporation approving and adopting the amendments to the Bylaws of the Bay City Community Development Corporation.

Mayor Pro Tem Folse discussed the amendments to the Bylaws of the Bay City Community Development Corporation.

Motion made by Mayor Pro Tem Folse to table item number twelve until further notice. Seconded by Council Member Finlay. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

This item was tabled until further notice.

13. Report ~ Discuss, Consider, and/or Approve the City's Quarterly Financial and Investment Report for the Quarter Ending September 30, 2025.

Finance Manager, Jennifer Davis, presented the City's Quarterly Financial Report for the quarter ending September 30, 2025. She stated they are very preliminary/ unaudited numbers. The final numbers will be available once the audit is presented.

Motion made by Council Member Flores to approve the City's Quarterly Financial Report for the Quarter Ending September 30, 2025. Seconded by Council Member Finlay. Voting Yea: Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

14. Resolution ~ Discuss, consider, and/or approve a Resolution authorizing the City of Bay City to cast its official ballot for the Board of Directors for the Matagorda County Appraisal District.

Mayor Nelson discussed a Resolution authorizing the City of Bay City to cast its official vote for the Board of Directors for the Matagorda County Appraisal District. He stated there were 342 available votes and 6 candidates; Jeanna Thompson will get all 342 of Bay City's votes. Council Member Flores pointed out that the resolution stated there are 328 votes. That will be corrected.

Motion made by Mayor Pro Tem Folse to approve a Resolution authorizing the City of Bay City to cast its official ballot for the Board of Directors for the Matagorda County Appraisal District. Seconded by Council Member Flores. Voting Yea: Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned and went into executive session at 7:11 P.M.

- 15. Executive Session ~ Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**
- 16. Executive Session ~ Executive session pursuant to Texas Government Code §551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: Personnel**

RECONVENE AND ACTION

Council reconvened into regular session at 7:52 P.M.

Motion made by Council Member Finlay to approve item number 15 extending the Evans Lease for 25 years. Seconded by Mayor Pro Tem Folse. Voting Yea: Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried. No action taken on item number 16.

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

There were no comments.

ADJOURNMENT

Council adjourned at 7:54 P.M.

PASSED AND APPROVED, this 13th day of January 2026.

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

JEANNA THOMPSON
CITY SECRETARY



CITY COUNCIL WORKSHOP CITY OF BAY CITY

Tuesday, December 9, 2025 at 5:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K. Nelson

Mayor Pro Tem: Jim Folse

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

Vision Statement

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

MINUTES

CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order by Mayor Robert K. Nelson at 5:10 PM.

PRESENT:

Mayor Robert K. Nelson

Council Member Benjamin Flores via Teams

Mayor Pro Tem Jim Folse

Council Member Susan Reardon

ABSENT:

Council Member Bradley Westmoreland

Council Member Blayne Finlay

There was not a physical quorum present. Mayor Nelson stated that the meeting will continue for discussion only and Council will not take a vote.

PUBLIC COMMENTS

There were no public comments.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

1. **Presentation and discussions regarding the findings from the Animal Task Force online survey.** Communications Department and Animal Control Task Force
 - Community Input Results
 - Review Ordinance
 - Provide Timeline

Scotty Jones, City Manager, opened up the discussions regarding findings from the Animal Task Force. Ms. Jones stated that additional information will be collected from the upcoming public input session on the 16th at the Service Center. Ray Beltran, Communications Manager, reviewed the online survey that received 140 responses. Over half the respondents were opposed to the five pet limit, over half were in support of the spay/neuter requirement, over half were unsure of the breeding permit requirement, and

respondents were split on microchipping. Chief Christella Rodriguez reviewed the task force goals for the ordinance revisions that included reducing euthanasia rates, humanely manage the stray cat population, encouraging responsible pet ownership and protecting the neighborhood's quality of life. Councilman Flores asked about spay and neuter programs.

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

Councilwoman Reardon thanked the task force for all their efforts.

ADJOURNMENT

The workshop adjourned at 5:46 p.m.

PASSED AND APPROVED, this 13th day of January 2026.

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

JEANNA THOMPSON
CITY SECRETARY



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, December 9, 2025 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K. Nelson

Mayor Pro Tem: Jim Folse

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

Vision Statement

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

MINUTES

CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order by Mayor Robert K. Nelson at 6:00 PM.

PRESENT:

Mayor Robert K. Nelson

Council Member Benjamin Flores via TEAMS

Mayor Pro Tem Jim Folse

Council Member Susan Reardon

ABSENT:

Council Member Bradley Westmoreland

Council Member Blayne Finlay

There was not a physical quorum present and the meeting re-scheduled. Scotty Jones, City Manager, announced that there was a bond ordinance on the agenda and will be moved to December 16th tentatively at 5pm.

ADJOURNMENT

Mayor Nelson adjourned the meeting at 6:02 p.m.

PASSED AND APPROVED, this 13th day of January 2026.

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

JEANNA THOMPSON
CITY SECRETARY



CITY COUNCIL SPECIAL CALLED MEETING CITY OF BAY CITY

Tuesday, December 16, 2025 at 5:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K. Nelson

Mayor Pro Tem: Jim Folse

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

Vision Statement

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

MINUTES

CALL TO ORDER AND CERTIFICATION OF QUORUM

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

PRESENT:

Mayor Robert K. Nelson

Council Member Benjamin Flores via TEAMS

Mayor Pro Tem Jin Folse

Council Member Bradley Westmoreland

Council Member Susan Reardon

Council Member Blayne Finlay

INVOCATION & PLEDGE

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

Councilman Bradley Westmoreland

MISSION STATEMENT

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

Councilman Bradley Westmoreland

APPROVAL OF AGENDA

Motion made by Mayor Pro Tem Folse to move item number eleven to the number one spot on the agenda. Seconded by Council Member Westmoreland. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

PUBLIC COMMENTS

There were no public comments.

ACKNOWLEDGEMENT FROM CITY MANAGER

City Manager, Scotty Jones, gave a shout-out and congratulations to the airport staff. She then spoke about the parade and Jingle Jog. She stated she received many compliments on the holiday decorations around town, and then announced upcoming City events. Ms. Jones also commented that the Santa Fly-In event was phenomenal, and she was so impressed by the group effort between the City departments that came together to make it happen.

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

Council Member Westmoreland stated Scotty Jones did a great job on the updates to City Hall, and stated the events in town are great for the community. He then asked for an update on the Quiet Zone and Nile Valley Phase 2. Lastly, he commented he had multiple complaints about the holiday hours for the Recycling Center and asked a better solution can be discussed. Mayor Pro Tem Folse made a comment that Shop With a Cop is very heartwarming, and he is so proud to be a part of it every year. He also thanked Bay City Police Department for their work at that event. He then asked for an update on the North Water Well. Mayor Nelson recognized all City employees for their hard work in 2025.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

1. **Council Workshop meeting minutes of November 18, 2025.**
2. **Special Called meeting minutes of October 14, 2025.**

Motion made by Council Member Reardon to approve all consent agenda items. Seconded by Council Member Finlay. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

DEPARTMENT REPORTS

3. **Public Works Department Report.**

Assistant Public Works Director, Krystal Mason, presented and discussed the Public Works Department Report and briefly addressed the Recycling Center hours concern brought up by Council Member Westmoreland.

4. **Chamber of Commerce update.**

Bay City Chamber of Commerce President, Mitch Thames, gave updates on the Chamber of Commerce.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

5. **Ordinance ~ Discuss, consider, and/or approve an Ordinance authorizing the issuance of the City of Bay City, Texas, Tax and Revenue Certificates of Obligation, Series 2026 (DWSRF); Authorizing execution and delivery of paying agent/registrar agreement and an escrow agreement relating to such certificates; Prescribing the form of said certificates; Levying a tax and pledging surplus**

revenues of the Water and Sewer System in payment thereof; and enacting other provisions relating thereto.

City Manager, Scotty Jones discussed the ordinance. She stated it was the last of the issuances with the Texas Water Development Board. It is an ordinance authorizing the issuance of a certificate of obligation.

Motion made by Council Member Westmoreland to approve an Ordinance authorizing the issuance of the City of Bay City Texas, Tax and Revenue Certificates of Obligation, Series 2026 (DWSRF). Seconded by Council Member Finlay. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

6. Policy ~ Discuss, consider and/or approve the revised Communications Policy.

Communications and Cultural Arts Director, Samantha Denbow, gave brief background information. Communications Director, Ray Beltran, discussed the amendments to the Communications policy based on the feedback received. The Policy is for City of Bay City employees only. It does not include City Council members.

Motion made by Council Member Westmoreland to approve the revised Communications Policy. Seconded by Council Member Reardon. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

7. Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting guidelines for the Library Advisory Board. Samantha Denbow, Communications and Cultural Arts Director

The Library Advisory Board is a new board. There is an interest form online for the public to apply for their board of choice.

Motion made by Council Member Finlay to approve a Resolution of the City of Bay City, Texas adopting guidelines for the Library Advisory Board. Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

8. Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting guidelines for the Tourism Advisory Board. Samantha Denbow, Communications and Cultural Arts Director

Motion made by Mayor Pro Tem Folse to Approve a Resolution of the City of Bay City, Texas adopting guidelines for the Tourism Advisory Board. Seconded by Council Member Reardon. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

9. Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting guidelines for the Parks and Recreation Advisory Board. Kelly Penewitt, Parks and Recreation Manager

Motion made by Council Member Reardon to approve a Resolution of the City of Bay City, Texas adopting guidelines for the Parks and Recreation Advisory Board. Seconded by Council Member Westmoreland. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

10. **Resolution ~Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting guidelines for the Main Street Historic Preservation Advisory Board.** Tina Israel, Main Street Manager

Motion made by Council Member Westmoreland to approve a Resolution of the City of Bay City, Texas adopting guidelines for the Main Street Historic Preservation Advisory Board. Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

11. **Agreement ~ Discuss, consider, and/or approve a lease agreement with Allegiance Mobile Health for air ambulance crew quarters and helicopter storage.**

Airport Manager, James Mason, explained that the quarters would be a hurricane-rated four-bedroom, two-bathroom modular home on a hurricane-rated concrete slab located directly behind the terminal building, offset from the taxi lane. They will also have helicopter space in the main hangar for storage. This will not affect the airports' function or abilities. The City will not be out any money for this lease but will receive \$22,500 per year for the crew quarters and helicopter storage, not including the water and electricity fees.

Motion made by Mayor Pro Tem Folse to approve a lease agreement with Allegiance Mobile Health for air ambulance crew quarters and helicopter storage. Seconded by Council Member Westmoreland. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

12. **Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the City Code of Ordinances Chapter 42 "Fire Prevention and Protection"; Article II ("Fire Marshall); Providing for a severability clause; and providing for an effective date.**

City Manager, Scotty Jones, explained that the ordinance update provides flexibility. If the City wants to contract out or provide in-house Fire Marshall employment services, the City has the right to do so either way.

Motion made by Mayor Pro Tem Folse to approve an Ordinance amending the City Code of Ordinances Chapter 42 "Fire Prevention and Protection"; Article II ("Fire Marshall). Seconded by Council Member Westmoreland. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

13. **Resolution ~ Discuss, consider, and/or adopt a resolution by the City Council of the City of Bay City, TX requesting financial assistance from the Texas Water Development Board (TWDB) under eligible programs, including the Drinking Water State Revolving Fund.**

Public Works Director, Herb Blomquist, explained the resolution and the reason for the request for financial assistance. In Section 1, wording needs to be changed to reflect a single water plant versus two.

Mr. Blomquist requested the resolution be adopted with the proposed language change. City Manager, Scotty Jones, stated that the City is not bonding, so a financial advisor and bond council are not needed, but City Attorney stated she will update the document to read "if necessary".

Motion made by Council Member Westmoreland to adopt a resolution by the City Council of the City of Bay City, Texas with the language changes in section one to reflect a singular water well instead of two, and in section three to read "if necessary" in regard to bond council and financial advisor, requesting financial assistance from the Texas Water Development Board (TWDB) under eligible programs, including the Drinking Water State Revolving Fund. Seconded by Council Member Reardon. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Westmoreland, Council Member Reardon, Council Member Finlay. Motion carried.

CLOSED / EXECUTIVE SESSION

There was no executive session.

RECONVENE AND ACTION

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

Council wished everyone a Merry Christmas and Happy New Year.

ADJOURNMENT

Council adjourned at 6:46 PM

PASSED AND APPROVED, this 13th day of January 2026.

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

JEANNA THOMPSON
CITY SECRETARY



**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF BAY CITY, TEXAS**

Meeting Date:	1/13/2026	Date Submitted:	1/6/2026
Prepared By:	Katy Plunkett	Presented By <i>(if different)</i>	Katy Plunkett
Department:	Municipal Court	Type of Agenda Item:	Department Report

ITEM TITLE: Municipal Court Report

AGENDA LANGUAGE:

Oct-Dec. 2025 Quarterly Update for Municipal Court

EXECUTIVE SUMMARY/BACKGROUND

Power Point-Quarterly Update for Municipal Court presented by Katy Plunkett

STRATEGIC PLAN GOALS ADDRESSED:

	☐		☐		☐		☐		☐		☒
Safety & Community Appearance		Community & Civic Engagement		Infrastructure		Planning & Development		Culture & recreation		Operational Excellence	

FINANCIAL NOTES

- N/A

RECOMMENDATION:

ATTACHMENTS:

QUARTERLY UPDATE
OCT.-DEC. 2025



CASH COLLECTIONS

□ \$5,616.90 from last quarter
and

□ \$11,551.06 from same quarter
of 2024

CASH	CHECK	MONEY ORDER	CREDIT CARD	TOTAL
\$34,123.95	\$2,670.00	\$891.00	\$891.00	\$87,790.45

CLERK STATS

Clerk	Cash	Check	Money Order	Credit Card	Total
Debbi	\$9096.20	\$475.00	\$167.00	\$14,437.16	\$24,175.36
Ginger	\$8,844.10	\$234.00	\$144.00	\$16,122.40	\$25,344.50
Katy	\$870.75	0.00	0.00	\$284.00	\$1,154.75
Lillie	\$15,312.90	\$1,961.00	\$580.00	\$19,261.94	\$37,115.84
Totals	\$34,123.95	\$2,670.00	\$891.00	\$50,105.50	\$87,790.45

MUNICIPAL COURT



NON-CASH COLLECTIONS

Jail Time	Waived	Community Service	Indigent	Total
\$39,341.30	\$261.70	\$4,884.13	\$7,941.10	\$52,428.23

↓\$2,740.17 from last quarter and
↓\$1,668.55 from same quarter of 2023



Country Western Day-CSW 2025

FILED CASES

Violations Filed	Oct	Nov	Dec	Total
Felony	25	17	16	58
A/B	29	22	25	76
State Law	21	6	27	54
Traffic	134	146	120	400
City Ordinance	7	3	9	19
Parking	0	0	2	2
Total	216	194	199	609

ISSUED WARRANTS

Warrants Issued	Oct	Nov	Dec	Total
Class C	60	60	38	158
Felony	3	3	2	8
A/B Misd.	3	3	3	9
Total	66	66	43	175

DISPOSED CASES

Method	Oct	Nov	Dec	Total
Comm Serve	16	15	17	48
Dismissed DSC	12	6	14	32
Dismissed after Def.	2	10	12	24
Compliance Dismissal	8	12	6	26
Dismissed by Prosecutor	2	11	11	24
Jail Credit	41	31	53	125
Total	81	85	113	279

CLEARED WARRANTS

Warrant Type	Oct	Nov	Dec	Total
Class C	43	41	38	122
Felony	4	4	4	12
A/B Misd.	7	7	5	19
Total	54	52	47	153

MAGISTRATIONS

	Oct	Nov	Dec	Total
Class A/B	30	22	26	78
Felonies	23	16	14	53
Req. For Counsel A/B	1	1	2	4
Req. for Counsel Fel.	4	1	0	5
Search Warrants	4	0	5	9
EPO's Issued	11	7	0	18
Ignition Interlock	1	0	3	4
Totals	74	47	50	171

THANK YOU

1st Place Non-
Commercial Parade
Winner





AGENDA REQUEST BUSINESS OF THE CITY COUNCIL CITY OF BAY CITY, TEXAS

Meeting Date:	1/13/2026	Date Submitted:	1/5/2026
Prepared By:	Christella Rodriguez	Presented By <i>(if different)</i>	Chief Rodriguez
Department:	Police	Type of Agenda Item:	Regular

ITEM TITLE: Animal Control Ordinance Update

AGENDA LANGUAGE:

Review and discuss the Public Input received and the proposed Animal Control Ordinance.

EXECUTIVE SUMMARY/BACKGROUND

The draft Animal Control Ordinance was presented to City Council on August 26, 2025. As part of the public input phase, a Community Survey was conducted to gather feedback on core components of the ordinance, including registration and microchipping, nuisance and dangerous animal provisions, breeding restrictions, and enforcement expectations. In addition, City held a public input session on December 16, 2025. The proposed ordinance was updated after consideration of public feedback.

Strategic Plan 1.1- Animal Capacity

STRATEGIC PLAN GOALS ADDRESSED:

	☒		☐		☐		☐		☐		☒
Safety & Community Appearance		Community & Civic Engagement		Infrastructure		Planning & Development		Culture & recreation		Operational Excellence	

FINANCIAL NOTES

RECOMMENDATION:

ATTACHMENTS: Proposed Animal Control Ordinance

Exhibit A Redline

Sec. 14-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apiary means a place where a bee colony is kept.

Bee means any stage of the common domestic honey bee, *Apis mellifera* species.

Cat means any live or dead animal of the *felis catus* species.

Colony means a hive and related equipment and appurtenances including bees, comb, honey, pollen, and brood.

Currently vaccinated means vaccinated and satisfying the criteria in V.T.C.A., Health and Safety Code § 826.001 et seq. and the rules of the state board of health.

Dangerous dog means a dog described in section 14-9.

Dog means any live or dead animal of the *canis familiaris* species.

Domestic animals means all species of animals commonly and universally accepted as being domesticated.

Flyaway barrier means a solid wall, fence, dense vegetation, or combination of these materials at least six feet high that extends at least ten feet beyond the hives on each end of a bee colony.

Harboring means the act of keeping and caring for an animal or of providing a premises to which the animal returns for food, shelter or care for a period of ten days or more; [or providing food in the same or generally same area so as to encourage stray animals to return to the area in expectation of food or shelter.](#)

Hive means a structure intended to house a bee colony.

Menacing fashion means the show by an animal of a disposition, determination or intent to attack or inflict injury or harm to a person.

Owner means any person, firm, corporation, organization or department possessing, harboring, keeping in or having in control or custody of an animal.

Pet animals means dogs, cats, rabbits, rodents, birds, reptiles, and any other species of animals which are sold or retained as household pets. The term "pet animals" does not include skunks, nonhuman primates and any other species of wild, exotic or carnivorous animal that may be further restricted in this chapter.

Running at large means not completely confined within a building, wall or fence of sufficient strength or construction to restrain the animal, or when such animal is neither on a leash nor held in the hands of the owner or keeper or under direct supervision of the owner when not within the limits of the owner's private property. An animal confined within an automobile or other vehicle of its owner shall not be deemed running at large.

Secure enclosure means a fenced area or structure that is:

- (1) Locked;
- (2) Capable of preventing the entry of the general public, including children;
- (3) Capable of preventing the escape or release of the animal; and
- (4) In conformance with the requirements of an enclosure established by the animal control department.

Stray animal means any animal for which there is no identifiable owner or harborer.

Tract means a contiguous parcel of land under common ownership.

Vaccinate means to properly inject with a rabies vaccine licensed for use in that species by the United States Department of Agriculture and administered by a veterinarian licensed by the state.

Vicious animal means any animal described in section 14-8.

Wild animals' means all species of animals which commonly exist in a natural unconfined state and usually are not domesticated; this shall apply regardless of the state or duration of captivity.

Sec. 14-2. Records.

It shall be the duty of the animal control officer, chief of police or other enforcing agency to maintain such records as deemed necessary to the enforcement of all provisions of this chapter and have those records available for display to the city council or any interested citizen of the city as public records.

Sec. 14-3. Standing to complain.

Any person directly harmed or whose immediate relative is directly harmed, or any police officer of the city shall have standing to file a complaint under this chapter.

Sec. 14-4. Interference with enforcement.

It shall be unlawful for any person to interfere with, molest, hinder or prevent the animal control officer or his authorized representative in the discharge of their duties as prescribed in this chapter.

Sec. 14-5. Prohibited animals.

- (a) It shall be unlawful and a public nuisance for any person to place or keep upon any premises situated within the corporate limits of the city:
 - (1) Swine, except two or fewer domesticated pot belly pigs; or
 - (2) Any receptacle similar to a pigeon roost designed or used for roosting or collecting pigeons, unless the pigeons are completely penned.
- (b) It shall be unlawful and a public nuisance for any person to place or keep upon any premises situated within the corporate limits of the city any receptacle similar to a pigeon roost designed or used for roosting or collecting pigeons, unless the pigeons are completely penned.

Sec. 14-6. Nuisance.

It shall be unlawful for any person to harbor any dog, cat or other pet animal or domestic animal or wild animal which by any long continued noise, cry, odor or other activity shall disturb the peace, comfort, sensibilities and/or property of any reasonable person. Such disturbance is hereby declared to be a public nuisance.

Sec. 14-7. Running at large.

It shall be unlawful for any owner or harbinger of a dog, cat, domestic pet, horse, mule, cow, bull, steer, calf, sheep, goat, hog, fowl or other domestic or wild animal or livestock to allow the same to run at large on the streets, sidewalks, alleys, parks or other public places or upon another person's or business's private property.

Sec. 14-8. Vicious animal.

- (a) A vicious animal is:
 - (1) Any animal that, on one previous occasion without provocation, attacked or bitten any person or other animal;

- (2) Any animal which, when unprovoked, chases or approaches a person upon the streets, sidewalks or any public or private property in a menacing fashion or apparent attitude of attack such that the person reasonably believes that the animal will cause physical injury to that person;
 - (3) Any animal with a known propensity, tendency, or disposition to attack unprovoked, to cause injury or to otherwise threaten the safety of persons or otherwise domestic animals; or
 - (4) Any animal which a city-designated veterinarian has reason to believe has a dangerous disposition likely to be harmful to humans or other animals.
- (b) Any vicious animal found running at large may be destroyed by a peace officer or animal control officer in the interest of public safety.
 - (c) If a person reports an incident that would qualify the animal as a vicious animal described in subsection 14-8(a), an animal control officer shall investigate the incident. The animal may be seized if it is determined that it is, in fact, a vicious animal. If the reported animal is or has been impounded, the animal shall be held at the city's designated animal shelter during the pendency of an animal disposition hearing.
 - (d) The municipal court, after a notice and hearing, may order any owner or person having care, control, or custody of any vicious animal to take such animal permanently from the city, or the court may, upon making a finding that such animal is vicious or that it represents a clear and present danger or nuisance to the citizens or other animals in the community, order the humane destruction of the animal by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended. This animal must be removed immediately following receipt of such an order, even if an appeal is initiated.
 - (e) The owner of the animal shall be responsible for all impoundment and medical fees incurred during the impoundment period, including, but not limited to, daily impound fees, veterinarian costs and fees, or euthanasia fees as set in the city's Code of Ordinances.
 - (f) If the owner or person having care, custody, or control of a vicious animal fails to remove such animal as provided in subsection (d) of this section, such animal may be impounded and/or destroyed humanely by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended.
 - (g) The owner or person having care, custody, or control of a vicious animal must report the disposition and relocation of such animal to the chief of police in writing, within ten days after the expiration date for removal of such animal from the city. Each day thereafter such information is not provided shall constitute a separate offense.
 - (h) The chief of police or his deputy shall be authorized to obtain a search and seizure warrant if there is reason to believe that an animal ordered removed from the city for being vicious has not been so removed.

Sec. 14-9. Dangerous dog.

- (a) A dangerous dog means a dog that:
 - (1) Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog is being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
 - (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.
- (b) Any dangerous dog found running at large may be destroyed in the interest of public safety by a peace officer or animal control officer.
- (c) On receipt of a written, sworn complaint by any person charging that a particular dog is dangerous, the animal control officer, or his or her designee, shall investigate the animal to determine whether the dog is, in fact, dangerous as described in subsection 14-9(a)

- (d) The owner of the dog shall deliver the dog to the animal control department for impoundment within five days of being served with notice that a sworn complaint has been filed and that the owner is required to deliver the dog to the animal control department.
- (e) The owner of the dog shall be served with notice in one or more of the following ways:
 - (1) Hand-delivery to the owner in person by a city employee;
 - (2) Delivery to the owner by courier-receipted delivery;
 - (3) Delivery to the owner's agent or attorney of record, as the case may be, either in person or by courier-receipted delivery;
 - (4) Hand-delivery to any adult person at the owner's last known address who agrees to accept notice and deliver it to the owner;
 - (5) By certified or registered mail, return receipt requested, postage prepaid, to the owner's last known address;
 - (6) By posting notice prominently on the door of the property of the owner's last known address; or
 - (7) By first-class mail through the United States Postal Service, provided that service is also attempted by one or more of the other methods in this subsection.
 - a. A certificate or affidavit of any person showing service of notice under this provisions of this section shall be prima facie evidence of the fact of service. Nothing herein shall preclude the owner from offering proof that the notice was not received.
 - b. It shall be an offense for an owner to refuse or fail to deliver a dog to the animal control department after being served with notice that a sworn complaint has been filed under this section. Each day an owner fails or refuses to deliver the dog shall constitute a separate offense.
 - c. If the owner fails to deliver the dog to the animal control department, the municipal court may issue a warrant authorizing the seizure of the dog.
 - d. If the dog is impounded with the animal control department, the dog shall remain in the custody of the animal control department until the animal control officer has completed his or her investigation.
- (f) Investigation of sworn complaint by the animal control officer.
 - (1) The animal control officer, or his or her designee, shall complete an investigation and determine whether the dog is to be declared a dangerous dog within ten days of the date of the sworn complaint or within ten days of the date the dog is delivered to or seized by the animal control department, whichever is later. Notwithstanding the foregoing, the animal control officer may make a determination if the owner does not deliver the dog to the animal control department.
 - (2) During the investigation, any interested person shall be given the opportunity to present evidence by sworn statement on the issue of whether the dog is to be declared dangerous.
 - (3) If the animal control officer finds that the dog is not dangerous, the dog shall be returned to the owner, provided that the dog is properly vaccinated against rabies in conformance with the Code of Ordinances and that all impoundment and medical fees have been paid.
 - (4) If the animal control officer declares the dog to be dangerous, the dog's owner shall:
 - a. Comply with the requirements for the keeping of a dangerous dog as provided in section 14-11. The dog shall remain impounded at the owner's expense until such compliance has been attained; or
 - b. Provide for the humane destruction of the dog by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended.

Sec. 14-10. Appeal of dangerous dog determination.

- (a) An owner of a dog that is declared to be a dangerous dog by the animal control officer may appeal that determination to the municipal court by filing a written notice with the court clerk within ten days of the date the determination is made.
- (b) The court shall set a cash bond to secure payment of the fees for impoundment and any other reasonable costs incurred in caring for the dog during impoundment. The owner shall post the cash bond within ten days of filing the written notice of appeal. Notwithstanding the foregoing requirement, the court may waive payment of the bond for good cause shown.
- (c) The municipal court shall hold a hearing within ten days of receiving written notice of the owner's appeal provided the owner has posted the cash bond set by the court, unless the court has waived the bond. If the owner has not posted the cash bond within ten days, and the court has not waived the requirement of bond, the appeal shall be dismissed, and the animal control officer's determination shall be final. Notwithstanding the foregoing, if the court has not held the hearing within ten days, the court shall hold the hearing as soon as practicable.
- (d) Any interested person may provide evidence at the hearing.
- (e) The dog shall continue to be impounded at the owner's expense during the pendency of the appeal, and, if the court finds the dog to be dangerous, until the requirements for the keeping of a dangerous dog are satisfied or provision has been made by the owner for the humane destruction of the dog.
- (f) If the court finds that the dog is not dangerous, the dog shall be returned to the owner, provided that the dog has been properly vaccinated against rabies in conformance with the Code of Ordinances and that all impoundment and medical fees have been paid.
- (g) If the municipal court finds the dog to be dangerous, the municipal courts shall order:
 - (1) The dog to be permanently removed from the city;
 - (2) The dog to be humanely destroyed by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended; or
 - (3) The dog to be allowed to remain in the city provided that the owner comply with the requirements for the keeping of dangerous dog as provided by section 14-11.
- (h) The owner of the dog shall be responsible for all fees incurred during the impoundment period, including, but not limited to, daily impound fees, veterinarian costs and fees, or euthanasia fees as set in the city's Code of Ordinances.
- (i) The city and an owner may appeal the decision of the municipal court to the county court in the same manner as state law provides for other appeals of similar cases from municipal court.

Sec. 14-11. Requirements for owners of dangerous dogs.

- (a) In addition to the requirements under state law applicable to the owner of a dangerous dog, the owner of a dangerous dog shall also comply with the following:
 - (1) Register the dangerous dog with the animal control department;
 - (2) Restrain the dangerous dog at all times on a leash in the immediate physical control of a person or in a secure enclosure, and post signs on all sides of the enclosure in one-inch letters warning of the presence of a dangerous dog;
 - (3) Further secure the dangerous dog with a muzzle in a manner that will not cause injury to the dog nor interfere with its vision or respiration, but shall prevent it from biting any person or dog when the dangerous dog is taken off the property of the owner for any reason;

- (4) Obtain and maintain liability insurance coverage or show financial responsibility in an amount of at least \$100,000.00 to cover damages resulting from an attack by the dangerous dog causing bodily injury to a person or dog and provide proof of the required liability insurance coverage or financial responsibility to the animal control department;
 - (5) Provide the dangerous dog with a fluorescent yellow collar visible at 50 feet in normal day light so that the dog can be identified and affix the registration tags to the collar to be worn at all times;
 - (6) Spay or neuter the dangerous dog;
 - (7) Have the dangerous dog microchipped for its lifetime with a national registry, and present proof to the animal control officer. The cost of this service shall be at the owner's expense; and
 - (8) Comply with any other restriction or requirement of the animal control officer or the municipal court.
- (b) If the owner or person having care, custody or control of a dangerous dog fails to remove a dog ordered to be removed by the municipal court, such dog may be impounded and humanely destroyed by a person listed in V.T.C.A., Health and Safety Code § 822.004, as amended.
 - (c) The owner or person having care, custody or control of a dangerous dog must report the disposition and relocation of such dog to the chief of police in writing, within ten days after the expiration date for removal of such dog from the city. Each day thereafter such information is not provided shall constitute a separate offense.
 - (d) The chief of police or his deputy shall be authorized to obtain a search and seizure warrant if there is reason to believe that a dog ordered removed from the city for being dangerous has not been so removed.

Sec. 14-12. Bird sanctuary.

- (a) The entire area embraced within the corporate limits of the city is hereby designated as a bird sanctuary.
- (b) ~~It shall be unlawful for any person to trap, hunt, shoot or attempt to shoot or molest in any manner any bird or wild fowl or to rob bird nests or wild fowl nests; provided, however, The Migratory Bird Treaty Act (MBTA) prohibits the taking (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service. This shall include all indigenous wild avian species except common pigeons, European starlings and house sparrows. If starlings or similar unprotected~~ birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or a menace to health or property in the opinion of the chief of police, his designated agent or proper health authorities, such birds may be destroyed in such numbers and in such manner as is deemed advisable by ~~the city-designated veterinarian~~ permitted pest control agent under the supervision of the chief of police.
- (c) ~~It shall also be a violation and separate offense under this chapter for anyone owning, harboring or having any pet animal under their care, custody or control to allow said pet to intentionally or by failing to secure and control said animal to: kill, attack, bite or injure any bird protected by the MBTA or any other wild animal protected by State or federal law.~~

Sec. 14-13. Keeping horses and similar animals.

~~All horses, mules, jacks, jennets, or similar animals shall be kept in a stable, shed, pen or other enclosure. Such stable, shed, pen or other shall be at least 100 feet from every adjoining lot and at least 50 feet from every building or structure used for sleeping, dining, or living. This section shall not apply to such animals trailered into the city on a temporary basis not to exceed eight hours, nor shall it apply to such animals entered in a special event (rodeo, circus, etc.) for the period during which such event is held.~~

- (a) All equine shall be provided shelter in the form of a shed, barn or covered stall which shall not be within 50 feet of any home or structure used for sleeping, dining or living. This shelter shall be a minimum of 100 square feet per equine (10'x10' or similar) and tall enough that the equine can comfortably raise their heads

without making contact with the roof. The perimeter fence around the property shall be a minimum of 4 strands of barbed wire or 4' tall welded or net style fencing erected according to industry standards for such enclosures and in such manner as to avoid escape or injury to subject equine and shall be maintained in good repair.

(b) No equine may be tied out on a lead rope, other rope, lariat or similar device.

(c) This section shall not apply to equine temporarily in the City for a period not to exceed 8 hours nor shall it apply to animals involved with special events such as horse shows, rodeos, parades or circuses for the period of time such event is held.

Sec. 14-14. Horses on streets.

It shall be lawful for a person to lead or ride a horse, mule, jack, jennet or similar animal upon the streets of the city, so long as such person obeys all traffic laws and lawfully removes all waste material created by such animal. However, it shall be unlawful for any person acting under the provisions of this section in a manner that would create a public safety risk. Nothing in this section shall be construed as to permit the use of and/or access to the private property of another.

Sec. 14-15. Beekeeping.

- (a) A person may not keep a colony that causes a threat to human or animal health, or interferes with normal use and enjoyment of public or private property.
- (b) A person shall keep a colony in a man-made hive that is maintained in sound and usable condition.
- (c) A person shall provide a source of water to a colony to prevent the bees from congregating at a water source used by a human, bird, or domestic pet.
- (d) A person shall store or dispose of bee comb or other material removed from a hive in a sealed container, building, or other beeproof enclosure.
- (e) A person who keeps a colony within 25 feet of the property line of a tract, as measured from the nearest point of a hive to the property line, shall establish and maintain a flyway barrier parallel to the property line. A person is not required to construct a flyway barrier if the apiary tract is adjoined by undeveloped property for a distance of at least 25 feet from the property line of the tract that is closest to location of the colony.
- (f) A person shall immediately replace the queen in a colony that exhibits aggressive characteristics, including stinging or attempting to sting without provocation, or a disposition towards swarming. A person required to replace a queen under this subsection shall select the replacement from bee stock bred for gentleness and non-swarming characteristics.
- (g) A person may not keep more than:
 - (1) Two colonies on a tract one-quarter-acre or smaller;
 - (2) Four colonies on a tract larger than one-quarter-acre but smaller than one-half-acre;
 - (3) Six colonies on a tract one-half-acre or more but smaller than one-acre;
 - (4) Eight colonies on a tract one-acre or more.
- (h) A person shall brand, paint, or otherwise clearly mark the apiary owner's name or telephone number on at least two hives placed at opposite ends of an apiary; or post a conspicuous sign displaying the apiary owner's name and telephone number at the entrance to the apiary tract. A person is not required to place owner identification on or near a colony located on a tract on which the owner resides.
- (i) No person may remove a colony without possessing a bee removal permit issued by a person authorized to issue such a permit in accordance with state law.

- (j) The city may order relocation of a colony of bees not residing in a hive, a swarm of bees, or a colony residing in an abandoned standard or man-made hive if the relocation of the bees can be done without threatening human or animal health or interfering with the normal use and enjoyment of public or private property. If the city determines that relocation of bees under is not possible then, without notice and a hearing, the health authority may order destruction of a colony of bees not residing in a hive, a swarm of bees, or a colony residing in an abandoned standard or man-made hive.

~~Sec. 14-16. Animals in heat.~~

~~Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding or under direct supervision of the owner.~~

Sec. 14-~~17~~ 16. Animal waste removal.

- (a) An owner of a dog commits an offense if he knowingly permits, or by insufficient control allows, the dog to defecate in the city on private property or on property located in a public place.
- (b) An owner of a dog commits an offense if he:
 - (1) Knowingly permits the dog to enter or be present on private property or on property located in a public place; and
 - (2) Fails to have in his possession materials or implements that, either alone or in combination with each other, can be used to immediately and in a sanitary and lawful manner both remove and dispose of any excreta the dog may deposit on the property.
- (c) It is a defense to prosecution under subsection (a) that the owner of the dog immediately and in a sanitary and lawful manner removed and disposed of, or caused the removal and disposal of, all excreta deposited on the property by the dog.
- (d) It is a defense to prosecution under subsection (a) or (b) that:
 - (1) The property was owned, leased, or controlled by the owner of the dog;
 - (2) The owner or person in control of the property had given prior consent for the dog to defecate on the property; or
 - (3) The dog was a service dog being used in official law enforcement activities.
- (e) This section does not apply to a service dog that is specially trained to assist a person with a disability and that was in the custody or control of that disabled person at the time it defecated or was otherwise present on private property or on property located in a public place.

Sec. 14-~~18~~ 17. Sale of animals.

- (a) A person commits an offense if he sells, trades, exchanges, barter, rents, leases, or gives away, or offers to sell, trade, exchange, barter, rent, lease, or give away, any animal on any roadside, public right-of-way, commercial parking lot, or at any flea market or festival.
- (b) A person commits an offense if he displays for a commercial purpose any animal on any roadside, public right-of-way, commercial parking lot, or at any garage sale, flea market, or festival.
- (c) It is a defense to prosecution under subsections (a) and (b) that the person is:
 - (1) Animal services;
 - (2) An animal adoption agency; or
 - (3) A non-profit organization founded for the purpose of providing humane sanctuary or shelter for abandoned or unwanted animals.

Sec. 14-~~19~~ 18. Feeding of stray animals prohibited.

- (a) A person commits an offense if he knowingly places or permits the placement of food on any public or private property so that it is accessible to a stray animal.
- (b) It is a defense to prosecution under this section that the food was placed for the sole purpose of apprehending an animal for surrender to an animal control officer or humane organization.

(C) Stray animals may be fed for purposes of trapping “only” if coordinated directly with Animal Control.

Sec. 14-~~20~~ 19. Animal care; cruelty.

- (a) No owner shall fail to provide his animals with sufficient good and wholesome food and water, proper protection from the weather, veterinary care, shelter, shade, when needed to prevent suffering, and with humane care and treatment.
- (b) No person shall beat, cruelly ill-treat, torment, overload, overwork or otherwise abuse an animal, including a wild animal, or cause, instigate or permit any combat between animals and humans or another animal.
- (c) No owner of an animal shall abandon such animal.
- (d) Any person who, as the operator of a motor vehicle, strikes a domestic animal shall stop at once and render such assistance as may be possible and shall immediately report such injury or death to the animal's owner; if the owner cannot be ascertained and located, such operator shall at once report the accident to the police department.
- (e) If an animal is found in an enclosed vehicle without adequate ventilation and is in distress, an animal control officer, police officer, or personnel of the fire department may use reasonable force to remove the animal from the vehicle and the owner of the animal shall be subject to fine. Neither the city nor any of its employees will be held responsible for any damage done to the vehicle during the attempt to remove the animal from the vehicle.
- (f) No owner of an animal shall place such animal on vacant or abandoned property. If an animal is found on vacant or abandoned property, the animal control officer may remove and impound the animal on a 72-hour hold.

Sec. 14-~~21~~ 20. Tying and staking.

- (a) It shall be unlawful to tie or stake any animal unless:
 - (1) The tying or staking is accomplished by providing an overhead cable onto which is attached a lead or leash that allows the animal to be free to travel unrestricted between the extreme terminations of the overhead cable and the lead or leash is of sufficient length to allow the animal to move about laterally from the overhead cable without the possibility of strangulation but not so long to allow it to wrap around or become entangled on any obstacles that may restrict the movement of the animal; or
 - (2) The at-grade tying and staking systems include posts or rod stakes with 360-degree swivels to which the lead is attached and cable hoop and lead wherein the lead is free to slide 360 degrees around the cable hoop which is placed around a tree or fixed post and without the possibility of strangulation but not so long to allow it to wrap around or become entangled on any obstacles that may restrict the movement of the animal.
- (b) Within the range of travel of the lead or leash, the animal shall be provided ready access to water, food, shade, and shelter.

Section 14-21: Pet Limits

It shall be unlawful and a public nuisance to keep, harbor, possess, maintain or allow to be kept, harbored, possessed or maintained more than five (5) dogs or five (5) cats or a combination thereof, with the total number not exceeding five (5), over three (3) months old, upon or within any premises owned, occupied or under the control of such person within the city unless the pet owner has secured a "Multiple Pet Permit".

Commercial Breeders and Boarding facilities are exempt from requirements of this section.

(a) Multiple Pet Permits: To exceed the five (5) pet limit, you must secure and maintain a Multiple Pet Permit.

(1) Requirements for a Multiple Pet Permit

- a) All pets must be vaccinated, microchipped and or wear current tags at all times and altered.
- b) No enforcement actions for animal control ordinance violations in the last 12 months.
- c) The property must pass inspection by an Animal Control Officer.
- d) Multiple Pet Permits are issued only for the current pets residing in the home at the time of permit issuance. Any interchanging of animals in the home requires reapplication for a new Multiple Pet Permit.

(2) Property Standards:

- a) Adequate space, food, water, and shelter for each pet.
- b) Premises must be sanitary and free of pests.
- c) Noise must not disturb neighbors.

(3) Multiple Pet Permit Application Process

- a) Annual Permit: A Multiple Pet Permit Application must be completed and submitted with payment of the Annual Permit Fee. The fee may be found in Appendix B.
- b) Eligibility Requirements: Schedule an inspection with an Animal Control Officer.
- c) Permit Issued: Permits are issued only for the current pets residing in the home at the time of permit issuance.
- d) Maintain Compliance: Maintain compliance with all requirements for Multiple Pet Permit holders. Violations (e.g. unsanitary conditions, nuisance complaints) can result in permit revocation.
- e) Renewal and Changes: Permits must be renewed annually. If you move or change pets, you must apply for a new permit. Renewals will require payment of the Annual Permit Fee. The City reserves the right to re-inspect the property prior to issuing a renewal permit.
- f) If an owner reduces the number of animals in the home to the number allowed by this ordinance, then a multiple pet permit is not required, If the owner has a current multiple pet permit, the permit will be forfeited as it will no longer be required.

Section 14-22: Unaltered Dogs and Cats

- (a) All outdoor cats must be spayed or neutered.
- (b) Any unaltered cat or dog found running at large more than twice within a year, will be required to be spayed or neutered.
- (c) Every female dog or cat in heat shall be confined in a building or secure enclosure in such a manner that such female dog or cat cannot come into contact with another animal except for planned breeding or under direct supervision of the owner.

Section 14-23: Breeder Animal Permit

- (a) All persons owning an unaltered dog or cat over the age of six (6) months or who are selling, exchanging, or bartering animals are required to maintain a valid Breeding Animal Permit issued by the animal services manager.

For the purpose of this section, the term "animal" shall include only dogs and cats. Permits are valid for one year and must be renewed annually for the lifetime of the unaltered animal or until the owner shows proof that the animal has been altered. The annual breeders permit fee, applied per unaltered animal, is provided in Appendix B. A breeder's permit may not be issued if the applicant is found to be in violation of any city ordinance or state law or regulation governing the care, treatment or living conditions of dogs or cats including animal cruelty, abuse or neglect.

- (1) Reduced cost Breeding Permits are available for purebred pets, per year. To qualify for the reduced cost purebred pets permit, pets must be:
- a) microchipped
 - b) registered with the AKC, CKC, CFA or similar purebred registries
 - c) have received registration club champion status or be actively competing in performance or conformation classes.

The animal services manager or designee may inspect the premises before issuing a permit if he/she deems it advisable.

- (b) It shall be unlawful for:
- (1) Any person to sell, exchange, or barter any animal to another person without a breeder's permit.
 - (2) Any person to sell, exchange, or barter any animal that is not vaccinated and registered as required by this chapter.
 - (3) For a person to fail to provide evidence of compliance with this section to a recipient of an animal at the time of the transfer of the animal.
 - (4) For a person to fail to provide his breeder's permit number to any person that purchases or adopts an animal.
- (c) Animal services shall have the right, upon reasonable suspicion of a violation of city ordinance or state statute or regulation that regulates the care, treatment or living conditions of cats or dogs, to inspect the premises (indoor or outdoor) of an applicant or holder of a breeder's permit to ensure compliance with city ordinances and state statutes and regulations. Any holder of a breeder's permit found to be in violation of any city ordinance or state statute that regulates the care, treatment or living conditions of cats or dogs or that repeatedly drops unsold or unwanted animals at the shelter may have his permit suspended or revoked without prior notice by the animal services manager.

Section 14-24: Microchipping

- (a) The owner of a dog or cat six months of age shall be microchipped or wear an ID tag (separate from a rabies tag) that includes the pet's name, owner name and owner phone number.
- (b) A dog or cat without a microchip/ID tag shall not be released from the animal shelter until the owner signs an agreement which requires the owner to prove the animal has been microchipped or ID tagged.

Section 14-25: Penalties for violations

Any person convicted of any violation of this Article shall be punished by a fine as set in Appendix B, no more than the amount allowed to be imposed under state law, except as otherwise provided in this Article.

Secs. 14-~~22~~26—14-40. Reserved.



**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF BAY CITY, TEXAS**

Meeting Date:	1/13/2026	Date Submitted:	1/5/2026
Prepared By:	Herb Blomquist	Presented By <i>(if different)</i>	
Department:	Public Works	Type of Agenda Item:	Regular

ITEM TITLE: Cottonwood Lift Station

AGENDA LANGUAGE:

Discuss, consider, and/or approve Change Order No 3 request for additional construction work to the Cottonwood Lift Station Improvements Project and authorize the Mayor to execute a change order between the City of Bay City and LEM Construction in an amount not to exceed \$389,109.85.

EXECUTIVE SUMMARY/BACKGROUND

The Cottonwood Lift Station is the City's second-largest lift station and a critical component of the wastewater collection system, serving much of the north and southwest areas of the City.

The Cottonwood Lift Station Rehabilitation is included in the Wastewater Treatment Plant Improvement Project and is funded through the Texas Water Development Board. The project was awarded to LEM Construction. After installation of the wastewater bypass system and removal of contents from the lift station wet well, it was determined that the wet well exhibited significantly greater deterioration than originally anticipated.

Staff recommends the approval of Change Order No. 3 to the construction contract with LEM Construction for the Cottonwood Lift Station Rehabilitation Project in an amount not to exceed \$389,109.85. This change order accounts for additional labor, materials, equipment, and an extended bypass pumping duration, as further detailed in the attached supporting documentation.

Utility Reserves will fund this Change Order.

STRATEGIC PLAN GOALS ADDRESSED:

	☐		☐		☒		☐		☐		☐
Safety & Community Appearance		Community & Civic Engagement		Infrastructure		Planning & Development		Culture & recreation		Operational Excellence	

FINANCIAL NOTES

This section should include information such as:

- *Expenditure Required: \$389,109.85*
- *Amount Budgeted: \$0*
- *Fund / Account: 69-690-4600*
- *Other financial Notes: 5 Year Capital Budget – Infrastructure*

RECOMMENDATION: Staff recommends approval of Change Order No 3 with LEM Construction.

ATTACHMENTS:

**Change Request LEM Construction Cottonwood Lift Station Rehab
Construction Contract CO#3/Cottonwood Lift Station**



LEM Construction Company, Inc.

10849 Kinghurst, Suite 150

Houston, TX 77099

Ph : 281-495-9550

Change Request

To: Tyson Hann, P.E.

Garver

12141 Wickchester

Suite 200

Houston, TX 77079

Ph: (713)491-8333 Fax: (713)395-5486

Number: 2

Date: 12/29/25

Job: 2023-01 Bay City WWTP Improvements

Phone:

Description: Cottonwood Lift Station Rehab

We are pleased to offer the below pricing for the following changes:

Bypass Pumping - Total: \$103,681.96

Provide bypass pumping system for a duration of seven (7) months at a rate of \$14,837.42 per month.

Cottonwood Lift Station Rehabilitation - Total: \$376,561.29

1. Demolition of the interior "T" concrete walls.
2. High-pressure water blasting of the existing interior diameter (ID) wet well walls to remove loose and deteriorated material.
3. Installation of new reinforcing steel for all interior walls.
4. Repair and line the interior ID wet well walls with a cementitious liner to achieve a finished interior diameter of 22'-0".
5. Construct a new cast-in-place interior "T" concrete wall.
6. Apply Raven 405 protective coating at 100 mils dry film thickness (DFT) to all interior concrete walls and ceiling of the wet well.

Exclusions:

Groundwater mitigation of any kind.

Soil retention of any kind.

Deduct - Cast-In-Place Interior "T" Concrete Wall - (\$91,313.40)

Deduct to remove the construction of the cast-in-place interior "T" concrete wall and associated coatings.

The total amount to provide this work is \$389,109.85
(Please refer to attached sheet for details.)

Please note that LEM Construction Company, Inc. will require an extra 90 Days.

If you have any questions, please contact me at 281-495-9550.

Submitted by: Rosendo Cornejo
LEM Construction Co, Inc.

Approved by: _____
Date: _____

Spreadsheet Level	Takeoff Quantity	Labor Amount	Other Amount	Material Amount	Equip Amount	Sub Amount	Addon Amount	Grand Total Amount
<u>Bypass Pumping</u>	7.00 mo	12,386.70		3,920.00	14,458.50	49,609.00	23,487.76	103,861.96
<u>Cottonwood Lift Station Rehab</u>	1.00 ls	72,697.12	9,671.49	38,826.46	47,722.35	109,327.87	98,316.00	376,561.29
<u>Deduct New T-Walls</u>	1.00 ls	(23,968.31)	(1,266.27)	(14,091.41)	(8,457.50)	(17,055.40)	(26,474.51)	(91,313.40)

We agree to do the above estimated work for the price of 389,110 dollars

Signature _____

Print Name _____

Date _____

Signature _____

Print Name _____

Date _____

Spreadsheet Level	Takeoff Quantity	Labor Amount	Other Amount	Material Amount	Equip Amount	Sub Amount	Addon Amount	Grand Total Amount
<u>Bypass Pumping</u>								
<u>* unassigned *</u>								
<u>* unassigned *</u>								
<u>02-0000.050 Extra Bypass Pumping</u>								
SUB by MO - Temporary Bypass / Piping System Rental (Waiting)	3.67 mo					25,110.14	4,836.89	29,947.03
SUB by MO - Temporary Bypass / Piping System Rental (Add'l Scope Duration)	3.33 mo					22,783.86	4,388.79	27,172.65
Primary Pump, Electric - Maintain / Operate per DAY	196.00 day	4,954.68					3,679.47	8,634.15
Backup Pump, Diesel - Maintain / Operate / Fuel per DAY	196.00 day	2,477.34		3,920.00		1,715.00	2,925.21	11,037.55
Primary Pump, Electric - Maintain / Operate per DAY	196.00 day	4,954.68					3,679.47	8,634.15
24-36" Inflatable Pipe Plug w/ Shield	7.00 mo				9,471.00	-	2,605.74	12,076.74
Temporary Fence per MO	7.00 mo				4,987.50		1,372.19	6,359.69
<u>Cottonwood Lift Station Rehab</u>								
<u>* unassigned *</u>								
<u>* unassigned *</u>								
<u>02-0000.010 Extra Shoring Phase</u>								
Elevated Slab/Beam Bottom Form per SF, Enclosed Area >20' High	415.00 sf	7,553.37	518.75				5,752.06	13,824.18
Rented Form Delivery/Pickup per LOAD	2.00 load	1,011.16			900.00		998.53	2,909.69
Rent Scaffolding/Alum. Beam Shoring per SF > 20' High	415.00 sf				2,075.00		570.89	2,645.89
<u>03-0000.010 Demo Concrete T-Wall</u>								
Set Up Time for Saw Cutting at Walls per EA	3.00 ea	606.70	75.00		750.00		677.53	2,109.23
Saw Cut per LF, at Wall to depth of 3"	120.00 lf	910.04	180.00				725.34	1,815.38
Demo Concrete Walls per CY, Hoe Ram	9.40 cy	1,900.98	141.00				1,450.52	3,492.50
Select Demo Remainder of Concrete T-Walls per CF, Hand	260.00 cf	8,215.68	260.00				6,172.72	14,648.40
Select Demo Concrete Wall Adjacent to Exterior Wall per CF, Hand	98.00 cf	4,954.68	245.00				3,746.88	8,946.56
Patch Concrete Surface after Demo per SF - < 1" Deep	32.00 sf	377.50	8.00	112.00			304.13	801.63
Dispose of Demo'd Struct. Concrete per CY - Skid Pan	23.00 cy	872.13	575.00				805.86	2,252.99
Hyd. Excavator, 50k lbs with 5000 lb Hammer, (PC210 or sim)	0.33 mo	100.10	2,199.78	1,021.35	5,280.00	-	2,328.96	10,930.19
30 Ton RT Hydraulic Crane	0.67 mo	65.66		1,507.50	2,881.00	-	1,131.78	5,585.94
Backhoe Loader (Case 580 or sim)	0.67 mo	33.87		904.50	1,306.50	-	558.84	2,803.71
185 Diesel Air Compressor w/ Hoses	0.67 mo	135.50	1,199.97	1,072.00	482.40	-	770.00	3,659.87
Pneumatic Medium Jackhammer & Hose (40-60 lb)	2.00 wk		500.00		1,200.00	-	467.71	2,167.71
Scaffolding Tower, 6' High	3.00 wk		900.05		1,080.00	-	544.77	2,524.82
<u>03-0000.200 Exterior Concrete Wall</u>								
Drill & Epoxy Dowel Rebar per EA - # 5 (Bottom & Top)	144.00 ea	1,820.09	180.00	277.20			1,454.57	3,731.86
Drill & Epoxy Dowel Rebar per EA - # 4 (at Piers)	567.00 ea	7,644.37	567.00	873.18			6,001.11	15,085.66

Spreadsheet Level	Takeoff Quantity	Labor Amount	Other Amount	Material Amount	Equip Amount	Sub Amount	Addon Amount	Grand Total Amount
<u>03-0000.200 Exterior Concrete Wall</u>								
Rebar by LBS - LEM Purchase & Installed by Sub	8,338.00 lbs	2,179.09	166.76	5,753.22		3,335.20	3,414.80	14,849.07
30 Ton RT Hydraulic Crane	1.00 mo	98.00		1,400.00	4,300.00	-	1,525.50	7,323.50
Backhoe Loader (Case 580 or sim)	1.00 mo	50.56		600.00	1,950.00	-	689.63	3,290.19
Concrete Coating Sub	1.00 ls					178,680.00	34,418.61	213,098.61
<u>03-0000.200 Concrete Middle T-Walls</u>								
Drill & Epoxy Dowel Rebar per EA - # 6 (Bottom)	72.00 ea	1,001.05	108.00	184.80			808.73	2,102.58
Drill & Epoxy Dowel Rebar per EA - # 6 (Exterior Walls)	168.00 ea	3,114.37	252.00	431.20			2,465.20	6,262.77
Straight Handset Wall Forms per SF, >8' Tall, +12-18" Walls (1st Lift)	480.00 sf	3,531.51	72.00	141.84			2,669.72	6,415.07
Straight Handset Wall Forms per SF, >8' Tall, +12-18" Walls (2nd Lift)	468.00 sf	4,613.92	70.20	138.29			3,472.38	8,294.79
Bridge Overhang Bracket Work Platform per SF, 1 use	144.00 sf	1,820.09	180.00	151.20			1,430.30	3,581.59
Wall Header Forms per SF, 12-18" Wall	93.00 sf	2,350.95	162.75				1,790.65	4,304.35
Pilaster Forms per SF, Rented Forms	120.00 sf	3,033.48	42.00				2,264.30	5,339.78
Rent Handset Straight Wall Forms per SF	1,200.00 sf				2,314.20		636.69	2,950.89
Rented Form Delivery/Pickup per LOAD	2.00 load	1,011.16			900.00		998.53	2,909.69
Apply Epoxy Bonding Agent per SF	101.00 sf	63.83	1.01	166.65			79.80	311.29
Hydrophilic Strip Waterstop per LF	84.00 lf	339.75	4.20	573.30			363.88	1,281.13
Channel Frame Blockout per LF, 3-4" Deep	79.00 lf	1,597.63	197.50				1,240.80	3,035.93
Crane Place Wall Concrete per CY	21.00 cy	1,061.72	5.25				789.90	1,856.87
Crane Place Pilaster or Haunch Concrete per CY	3.00 cy	758.37	0.75				563.38	1,322.50
PVC Waterstop per LF - 6"	48.00 lf	242.68	7.20	176.40			216.19	642.47
Keyway per LF - 4", 1 Use	48.00 lf	121.34	19.20				95.39	235.93
Buy 4500 psi Concrete per CY	24.00 cy		144.00	3,800.64			771.73	4,716.37
Add per CY, Superplasticizer (High Range Water Reducer)	24.00 cy			166.92			32.16	199.08
Add per CY, Crystalline Waterproofing Admixture (Xypex or sim)	24.00 cy			2,054.40			395.72	2,450.12
Short Load Fee per EA - (Usually if Concrete <=6 CY)	1.00 ea			150.00			28.90	178.90
Pt & Patch Concrete per SF - No Ties or Embedded Ties	1,161.00 sf	1,173.96	11.61	82.93			890.97	2,159.47
Cure Concrete by SF, Liquid Curing Compound - Clear	1,161.00 sf	146.74		89.01			126.13	361.88
Rebar by LBS - LEM Purchase & Installed by Sub	5,576.00 lbs	728.63	111.52	3,847.44		2,230.40	1,742.54	8,660.53
30 Ton RT Hydraulic Crane	1.33 mo	130.35		1,862.00	5,719.00	-	2,028.92	9,740.27
Backhoe Loader (Case 580 or sim)	1.33 mo	67.24		798.00	2,593.50	-	917.19	4,375.93
<u>09-9000-010 Pressure Wash & Coat Existing Concrete Surface</u>								
Surface Prep per SF - Pressure Wash	1,427.00 sf					14.27	2.75	17.02
Safety Watch/Gas Monitor per DAY	5.00 day	1,137.56					844.78	1,982.34
Confined Space Tripod & Harness, Setup & Remove per EA	1.00 ea	202.23					150.19	352.42
Ventilation Blower & Duct, Setup & Remove per EA	1.00 ea	202.23					150.18	352.41

Spreadsheet Level	Takeoff Quantity	Labor Amount	Other Amount	Material Amount	Equip Amount	Sub Amount	Addon Amount	Grand Total Amount
<u>09-9000-010 Concrete Coatings</u>								
Concrete Coatings Sub- Deduct Original Scope	(1.00) ls					(118,162.00)	(22,761.21)	(140,923.21)
Concrete Coatings Sub	1.00 ls					43,230.00	8,327.28	51,557.28
<u>31-0000.100 Site Investigation & Standby Time</u>								
Site Investigation per DAY, 3 Man Crew	5.00 day	3,412.67					2,534.34	5,947.01
Hyd. Mini Excavator, 10k lbs (PC45 or sim)	0.67 mo	33.87	499.99	321.60	1,490.75	-	634.81	2,981.02
Backhoe Loader (Case 580 or sim)	2.00 mo	101.12		80.00	3,900.00	-	1,163.50	5,244.62
30 Ton RT Hydraulic Crane	2.00 mo	196.01		80.00	8,600.00	-	2,527.07	11,403.08
<u>40-0000.060 New Couplings in Wetwell</u>								
Piping Supply	1.00 ls			10,000.00			1,926.27	11,926.27
10" Dry Cut & Remove Pipe Section per EA	2.00 ea	529.19	20.00				398.49	947.68
10" Rest Coupling (Dresser or Sim) per EA	2.00 ea	377.52	10.00	4.06			283.88	675.46
12" Dry Cut & Remove Pipe Section per EA	2.00 ea	635.01	24.00				478.18	1,137.19
12" Rest Coupling (Dresser or Sim) per EA	2.00 ea	431.46	12.00	4.83			324.65	772.94
<u>Deduct New T-Walls</u>								
<u>* unassigned *</u>								
<u>* unassigned *</u>								
<u>03-0000.200 Concrete Middle T-Walls</u>								
Drill & Epoxy Dowel Rebar per EA - # 6 (Bottom)	(72.00) ea	(1,001.05)	(108.00)	(184.80)			(808.73)	(2,102.58)
Drill & Epoxy Dowel Rebar per EA - # 6 (Exterior Walls)	(168.00) ea	(3,114.37)	(252.00)	(431.20)			(2,465.19)	(6,262.76)
Straight Handset Wall Forms per SF, >8' Tall, +12-18" Walls (1st Lift)	(480.00) sf	(3,531.51)	(72.00)	(141.84)			(2,669.73)	(6,415.08)
Straight Handset Wall Forms per SF, >8' Tall, +12-18" Walls (2nd Lift)	(468.00) sf	(4,613.92)	(70.20)	(138.29)			(3,472.38)	(8,294.79)
Bridge Overhang Bracket Work Platform per SF, 1 use	(144.00) sf	(1,820.09)	(180.00)	(151.20)			(1,430.29)	(3,581.58)
Wall Header Forms per SF, 12-18" Wall	(93.00) sf	(2,350.95)	(162.75)				(1,790.66)	(4,304.36)
Pilaster Forms per SF, Rented Forms	(120.00) sf	(3,033.48)	(42.00)				(2,264.30)	(5,339.78)
Rent Handset Straight Wall Forms per SF	(1,200.00) sf				(1,320.00)		(363.16)	(1,683.16)
Rented Form Delivery/Pickup per LOAD	(2.00) load	(1,011.16)			(900.00)		(998.53)	(2,909.69)
Apply Epoxy Bonding Agent per SF	(101.00) sf	(63.83)	(1.01)	(166.65)			(79.79)	(311.28)
Hydrophilic Strip Waterstop per LF	(84.00) lf	(339.75)	(4.20)	(573.30)			(363.89)	(1,281.14)
Channel Frame Blockout per LF, 3-4" Deep	(79.00) lf	(1,597.63)	(197.50)				(1,240.79)	(3,035.92)
Crane Place Wall Concrete per CY	(21.00) cy	(1,061.72)	(5.25)				(789.90)	(1,856.87)
Crane Place Pilaster or Haunch Concrete per CY	(3.00) cy	(758.37)	(0.75)				(563.40)	(1,322.52)
PVC Waterstop per LF - 6"	(48.00) lf	(242.68)	(7.20)	(176.40)			(216.17)	(642.45)
Keyway per LF - 4", 1 Use	(48.00) lf	(121.34)	(19.20)				(95.40)	(235.94)
Buy 4500 psi Concrete per CY	(24.00) cy		(144.00)	(3,800.64)			(771.73)	(4,716.37)
Add per CY, Superplasticizer (High Range Water Reducer)	(24.00) cy			(166.92)			(32.15)	(199.07)

Spreadsheet Level	Takeoff Quantity	Labor Amount	Other Amount	Material Amount	Equip Amount	Sub Amount	Addon Amount	Grand Total Amount
<u>03-0000.200 Concrete Middle T-Walls</u>								
Add per CY, Crystalline Waterproofing Admixture (Xypex or sim)	(24.00) cy			(2,054.40)			(395.73)	(2,450.13)
Short Load Fee per EA - (Usually if Concrete <=6 CY)	(1.00) ea			(150.00)			(28.90)	(178.90)
Pt & Patch Concrete per SF - No Ties or Embedded Ties	(1,161.00) sf	(1,173.96)	(11.61)	(82.93)			(890.97)	(2,159.47)
Cure Concrete by SF, Liquid Curing Compound - Clear	(1,161.00) sf	(146.74)		(89.01)			(126.13)	(361.88)
Rebar by LBS - LEM Purchase & Installed by Sub	(5,576.00) lbs	(728.63)	(111.52)	(3,847.44)		(2,230.40)	(1,742.54)	(8,660.53)
30 Ton RT Hydraulic Crane	(1.33) mo	(130.35)		(2,394.00)	(5,719.00)	-	(2,131.39)	(10,374.74)
Backhoe Loader (Case 580 or sim)	(1.33) mo	(67.24)		(1,436.40)	(2,593.50)	-	(1,040.17)	(5,137.31)
<u>03-0000.300 Scope add for Elevated Deck</u>								
Elevated Interior Beam Edge Forms per SF	92.00 sf	2,325.67	73.60				1,747.36	4,146.63
Rent Scaffolding/Alum. Beam Shoring per SF > 20' High (Add'l Time)	415.00 sf				2,075.00		570.88	2,645.88
Crane Place Elevated Slab/Beam Concrete per CY	4.00 cy	303.35	0.40				225.39	529.14
Short Load Fee per EA - (Usually if Concrete <=6 CY)	1.00 ea			150.00			28.89	178.89
Buy 4500 psi Concrete per CY	4.00 cy		24.00	633.44			128.62	786.06
Pt & Patch Concrete per SF - No Ties or Embedded Ties	92.00 sf	186.05	0.92	6.57			139.69	333.23
Cure Flatwork Concrete by CY, Wet Cure With Cotton Mats	4.00 cy	24.27	4.00				19.11	47.38
Rebar by CY - LEM Purchase & Installed by Sub (Budgetary)	4.00 cy	101.12	20.00	1,104.00		400.00	370.32	1,995.44
Sub by SF - Concrete Coatings, 100 % Solids Epoxy, 120 Mils	92.00 sf					1,380.00	265.83	1,645.83
<u>09-9000-010 T-Wall Concrete Coating</u>								
Sub by SF - Concrete Coatings, 100 % Solids Epoxy, 120 Mils	(1.00) ls					(16,605.00)	(3,198.58)	(19,803.58)

Estimate Totals

Description	Rate	Amount	Totals	Hours	Percent of Total
Labor		61,115.51		2,394.92 hrs	15.71%
Material		28,655.05			7.36%
Other		8,405.22			2.16%
Equipment		53,723.35		5,382.00 hrs	13.81%
Subcontract		141,881.47			36.46%
Total Direct Costs		293,780.60	293,781		75.50%75.50%
Labor Burden - Standard (55%)	55.000 %	33,613.53			8.64%
Sales Tax (8.25%)	8.250 %	5,125.61			1.32%
Insurance & Bond (1.5%)	1.500 %	5,836.65			1.50%
Taxes, Insurance, Bonds		44,575.79	338,356		11.46%86.96%
Profit & Overhead (15%)	15.000 %	50,753.46			13.04%
Total			389,110		

We agree to do the above estimated work for the price of 389,110 dollars

Signature _____

Print Name _____

Date _____

Signature _____

Print Name _____

Date _____



CONSTRUCTION CONTRACT CHANGE ORDER						
PROJECT:				CHANGE ORDER NO.:		
Bay City WWTP Improvements Garver Project No. 20W09156				3		
				DATE PREPARED:		
				January 2, 2026		
OWNER:				CONTRACTOR:		
City of Bay City 4511 Starling Drive Bay City, TX 77414				LEM Construction Co, Inc. 10849 Kinghurst, Suite 150 Houston, TX 77099		
DESCRIPTION OF CONTRACT WORK:						
The project includes improvements to the City's WWTP facility. This change order covers the additional rehabilitaiton required due to the poor structural condition of Cottonwood Lift Station per RFI #49 response.						
CONTRACT MODIFICATIONS:						
The following work shall be added via bid item CO3-1: "Additioanl Structural Rehabilitation to Cottonwood Lift Station.						Days
CO3-1 <u>Additioanl Strucutrual Rehabilitation to Cottowood Lift Station as stated in the list: for \$389,109.85 (City Funded)</u> 1. Seven (7) Additional Months of Bypass Pumping 2. Additional Structural Rehabilitation including high-pressure blasting, reinforcing steel, repair of the cementitious liner, and protective coatings. 3. Deduct for removal of Interior "T" Concrete Wall						90
CONTRACT AMOUNT CHANGE:				CONTRACT TIME CHANGE:		
Original Contract Pricing:		\$28,775,000.00	TWDB Funded		Contract Start Date:	8-Jan-2024
CO2 Additional WWTP Scope:		\$7,151,761.00	City Funded		Original Contract Time (Calendar Days):	972
CO3 Cottonwood LS Rehab:		\$389,109.85	City Funded		Added Calendar Days for this CO:	90
Revised Total Contract Amount:		\$36,315,870.85			Previously Added Calendar Days:	175
CONTINGENCY ALLOWANCE SUMMARY:				Revised Contract Time (Calendar Days):		1237
Allowance	Value	Amount Used	Amount Remaining	Funding Source	Revised Contract Final Completion Date:	
Cont. All. No. 1	\$500,000.00	\$496,076.00	\$3,924.00	TWDB	29-May-2027	
Cont. All. No. 2	\$100,000.00	\$15,490.00	\$84,510.00	City		
THIS AGREEMENT IS SUBJECT TO ALL ORIGINAL CONTRACT PROVISIONS AND PREVIOUS CHANGE ORDERS.						
ISSUED BY ENGINEER						
Engineer: Garver		_____ Engineer's Signature		Project Manager _____ Title		Date
ACCEPTED BY CONTRACTOR						
Contractor: LEM Construction		_____ Contractor's Signature		_____ Title		Date
APPROVED BY OWNER						
Owner: City of Bay City		_____ Owner's Signature		Mayor _____ Title		Date



AGENDA REQUEST BUSINESS OF THE CITY COUNCIL CITY OF BAY CITY, TEXAS

Meeting Date:	1/13/2026	Date Submitted:	1/2/2026
Prepared By:	Jennifer Davis	Presented By <i>(if different)</i>	
Department:	Finance	Type of Agenda Item:	Regular

ITEM TITLE: Budget Amendment #3 Final

AGENDA LANGUAGE:

Discuss, Consider, and/or Approve an Ordinance of the City of Bay City, Texas adopting a “Budget Amendment #3 Final” to the “Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2025”; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.

EXECUTIVE SUMMARY/BACKGROUND

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

STRATEGIC PLAN GOALS ADDRESSED:

	☐		☐		☐		☐		☐		☒
Safety & Community Appearance		Community & Civic Engagement		Infrastructure		Planning & Development		Culture & recreation		Operational Excellence	

FINANCIAL NOTES

Financial Implications: Amending the budget provides a revised parameter for the budget.

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

ATTACHMENTS: Ordinance and Budget Amendments # 3 Final

ORDINANCE NO. 1767

AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, ADOPTING A "BUDGET AMENDMENT #3-FINAL TO THE "ANNUAL BUDGET OF THE CITY OF BAY CITY, TEXAS, FOR THE FISCAL YEAR 2025"; 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. 1738, the City of Bay City, Texas, adopted its "Annual Budget" for Fiscal Year 2025;

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 2025; now, therefore,

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

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

Section 2. The "Annual Budget" of the City of Bay City, Texas, for the Fiscal Year 2025, is hereby amended as shown on "Budget Amendment #3" to the Original Budget of the City of Bay City, Texas, for the Fiscal Year 2025, attached hereto. These amendments are for municipal purposes. Said Budget Amendment shall be attached to and made a part of such Annual Budget by the City Secretary and shall be filed as required by state law, a true and correct copy of which is attached hereto as Exhibit "A" and made a part hereof for all purposes.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held constitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bay City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or constitutional, whether there be one or more parts.

PASSED AND APPROVED on first and final reading this 13th day of January 2026.

CITY OF BAY CITY, TEXAS

Robert K. Nelson, Mayor

ATTEST:

APPROVED as to FORM:

Jeanna Thompson, City Secretary

Anne Marie Odefey, City Attorney

COUNCIL POLL

<u>Council Member:</u>	<u>Voted Aye</u>	<u>Voted No</u>	<u>Absent</u>
Robert K. Nelson Mayor	_____	_____	_____
Benjamin Flores	_____	_____	_____
Jim Folsie Mayor Pro Tem	_____	_____	_____
Brad Westmoreland	_____	_____	_____
Susan Reardon	_____	_____	_____
Blayne Finlay	_____	_____	_____

Robert K. Nelson, Mayor

ATTEST:

Jeanna Thompson, City Secretary

BUDGET AMENDMENT

FUND:

General Fund

Date: 1/13/2026

Reason for Budget Amendment: (Please indicate)

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

Brief Description of Request:

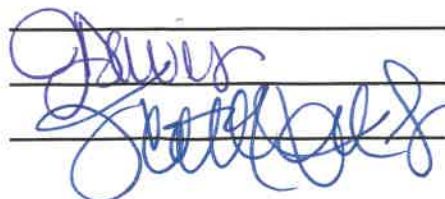
FY2025: General Fund- Various

Account Description	Fund #	Account #	Debit	Credit	Notes
					Main Street
Interest Income	11	3605		\$ 8,000	Special Projects- Downtown Planters
Special Projects	11	116-4493	\$ 8,000		
					Police
PD- Grants & Special Revenue	11	3630		\$ 34,545	Body Cameras (Grant)
Misc. Furniture & Equipment	11	150-4498	\$ 34,545		
Salaries & Wages	11	135-4105		\$ 18,500	Personnel Savings
Salaries & Wages	11	150-4105	\$ 18,500		
					Impound
County-Animal Impound	11	3680		\$ 13,800	Interlocal Agreement w/ County
Salaries & Wages	11	155-4105	\$ 8,500		
Operational Support	11	155-4440	\$ 3,000		
Misc. Furniture & Equipment	11	155-4498	\$ 2,300		
					Streets
Sanitation Fees	11	3315		\$ 80,290	Sanitation Contract
Sanitation Fees	11	175-4428	\$ 80,290		
					Parks
Insurance Claims	11	3693		\$ 11,900	Train Depot & USO A/C Units
R & M Building	11	180-4515	\$ 11,900		
					Riverside
Salaries & Wages	11	182-4105		\$ 6,950	Personnel Savings
Salaries & Wages	11	181-4105	\$ 6,950		
Parks-Rental Income	11	3640		\$ 18,400	Offset Credit Card Fees
Interest Income	11	3605		\$ 16,750	
Credit Card Fees	11	181-4433	\$ 7,650		
Contracted Services	11	181-4425	\$ 22,000		Clearing Boat Launch
Leases & Rentals	11	181-4427	\$ 5,500		Dredging
					Communications
Interest Income	11	3605		\$ 17,500	
Contracted Services	11	195-4425	\$ 10,000		Videography & Janitorial
Advertising	11	195-4460	\$ 4,000		Advertising
Misc. Furniture & Equipment	11	195-4498	\$ 3,500		F&E
					City General
State Sales Tax	11	3205		\$ 71,587	
Transfer to Street Maint. Fund 28	11	110-4728	\$ 71,587		
The amendments above relate to the following:					
TOTAL			\$ 298,222.00	\$ 298,222.00	

Dept. Head Signature:

Finance Manager Signature:

City Manager:



Date 1-7-26
Date 1-7-26
Date

BUDGET AMENDMENT

FUND:

Utility Fund

Date: 1/13/2026

Reason for Budget Amendment: (Please indicate)

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

Brief Description of Request:

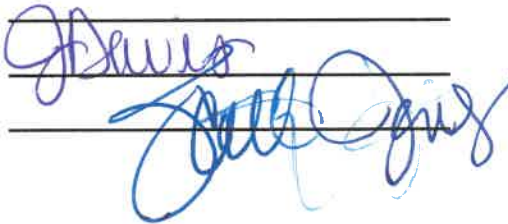
FY2025: Utility

Account Description	Fund #	Account #	Debit	Credit	Notes
					Utility Billing
Sewer Receipts	61	3335		\$ 4,750	Credit Card Fees
Late Payment Penalties	61	3415		\$ 10,000	
Interest Income	61	3605		\$ 68,600	
Credit Card Fees	61	605-4433	\$ 83,350		
					Utility Maintenance
Prior Year Fund Balance	61	3999	\$ 900,000		Capital Projects- Carry Over
CE Infrastructure- Water	61	615-4620		\$ 500,000	Relocate Waterline- 6th & Ave I.
CE Infrastructure- Sewer	61	615-4625		\$ 400,000	Relocate Sewerline- 6th & Ave I.
					Water & WWTP
Prior Year Fund Balance	61	3999	\$ 580,000		Capital Project- Carry Over
CE Infrastructure- Sewer	61	620-4625		\$ 580,000	Del Norte Liftstation Rehab
The amendments above relate to the following:					
TOTAL			\$ 1,563,350.00	\$ 1,563,350.00	

Dept. Head Signature:

Finance Manager Signature:

City Manager:



Date

1-7-26

Date

1-7-26

Date



**AGENDA REQUEST
BUSINESS OF THE CITY COUNCIL
CITY OF BAY CITY, TEXAS**

Meeting Date:	1/13/2026	Date Submitted:	01/05/2026
Prepared By:	Kelly Penewitt	Presented By <i>(if different)</i>	
Department:	Parks and Recreation	Type of Agenda Item:	Regular

ITEM TITLE: Riverside Park Boat Ramp– Design Phase Grant

AGENDA LANGUAGE:

Discuss, consider, and approve a Resolution of Bay City, Texas, committing the City to provide local matching funds to secure and complete application for the Boat Access Grant Program, for Phase 1 Engineering.

EXECUTIVE SUMMARY/BACKGROUND

The attached resolution authorizes City staff to provide the required local matching funds and submit an application **for Phase 1: Planning & Design** of the Texas Parks and Wildlife Department Boat Access Grant Program.

Phase 1 funding supports pre-construction planning, design, and compliance activities needed to receive a Federal Notice to Proceed with construction.

Phase 2: Construction Grants are not included in this application and will require a separate future application. Construction grants are matched up to 95%.

The maximum Phase 1 award is \$250,000, with a 25 percent local match allocated in the City's FY 2025/2026 budget.

Background: Sediment accumulation associated with recurring Colorado River flooding events and operational fluctuations of the Bay City dam has repeatedly obstructed access to the public boat ramp at Riverside Park since its construction in 1992 with Texas Parks and Wildlife Department grant funding. Despite periodic dredging and sand removal, ongoing river shoaling continues to rapidly redeposit sediment in front of and on the ramp, resulting in frequent closures, elevated maintenance costs, and prior structural damage, including displacement of the ramp following Hurricane Harvey in 2017. The existing ramp and shoreline stabilization features are no longer compatible with current river conditions, and continued maintenance of the facility in its present configuration is neither sustainable nor consistent with long-term public access, recreational use, or resource stewardship goals. An engineering study is necessary to evaluate feasible long-term solutions, including the potential relocation of the existing boat ramp or the repair or replacement of the ramp at its current location using nature-based or hybrid stabilization approaches.

STRATEGIC PLAN GOALS ADDRESSED:											
											
Safety & Community Appearance	☐	Community & Civic Engagement	☐	Infrastructure	☒	Planning & Development	☒	Culture & recreation	☒	Operational Excellence	☐

FINANCIAL NOTES
The Boating Access Grant requires a 25 percent local match, which has been allocated in the City's FY 2025/2026 adopted budget and is contingent upon grant award. Budget amount is \$15,000.

RECOMMENDATION: Recommend approval of the attached resolution authorizing application for the Texas Parks and Wildlife Department Boating Access Grant.

ATTACHMENTS: Resolution



BOATING ACCESS GRANT RESOLUTION

Resolution Number _____

WHEREAS, the City of Bay City, (hereinafter the "Sponsor"), is desirous of providing for the construction of a boating access facility on the Colorado River at Riverside Park (7330 FM 2668, Bay City, Texas 77414), and;

WHEREAS, the State of Texas, acting through the Texas Parks and Wildlife Department (hereinafter the "Department"), under the authority of Section 11.033 and 31.141 of the Parks & Wildlife Code, would provide funding for such construction, and;

WHEREAS, the construction of such a facility would be of benefit to the citizens of Bay City as well as transient recreational boaters from the State and other states:

NOW, THEREFORE, BE IT RESOLVED: That the City of Bay City in a meeting this January day of 13, 2026, is hereby eligible for assistance and will enter into a project agreement with the Department to provide for said construction on a reimbursement basis, with the Sponsor providing 25% by appropriations or in-kind services, and the Department providing 75% matching funds for work accomplished.

AND BE IT FURTHER RESOLVED: The undersigned is herewith authorized to sign any or all documents pertaining to the construction;

AND BE IT FURTHER RESOLVED: That the Sponsor has matching funds available;

AND BE IT FURTHER RESOLVED: That the Sponsor will operate said facility; perform all necessary maintenance and repairs to ensure public use, health and safety; and provide security surveillance to eliminate creations of nuisance or hazard to the public or adjacent property owners; for the life of the facility (minimum 25 years);

AND BE IT FURTHER RESOLVED: That said facility will be open at all reasonable times to the public, and that revenue from any user fees will only be used to offset operation and maintenance costs of any supported facilities.

Signature of Official Authorized in Resolution

Typed Name, Title, and Telephone Number

Date

03/2014