



CITY COUNCIL SPECIAL CALLED MEETING CITY OF BAY CITY

Tuesday, April 14, 2026 at 4:30 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.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

1. Regular Council Meeting Minutes of February 24, 2026.
2. Council Workshop meeting minutes of February 25, 2026.

ACKNOWLEDGEMENT FROM CITY MANAGER**ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS****REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**

3. **Presentation ~ Receive and discuss Change Order #1 for the 6th Street and Mockingbird Water Treatment Plants and take any action deemed appropriate.** Herb Blomquist, Public Works Director
4. **Discuss, consider and/or approve authorizing the advertisement for bids for the Diversion Channel Drainage Improvements Project under FEMA DR-4332-0330.** Gabriel Lopez, Engineering Tech

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 **April 8, 2026 before 4:30 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, February 24, 2026 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

Mayor Pro Tem Jim Folse

Council Member Benjamin Flores

Council Member Susan Reardon

Council Member Blayne Finlay

ABSENT:

Councilman Bradley Westmoreland

INVOCATION & PLEDGE

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

Councilman Benjamin Flores

MISSION STATEMENT

The City of Bay City 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 Benjamin Flores

APPROVAL OF AGENDA

Motion made by Mayor Pro Tem Folse to approve the agenda. Seconded by Council Member Finlay.

Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Reardon, Council Member Finlay. Motion carried.

PUBLIC COMMENTS

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

Loy Sneary with Matagorda Wellness thanked Council for their leadership and as well as BCCDC and the County.

ACKNOWLEDGEMENT FROM CITY MANAGER

Scotty Jones, City Manager, presented TxDOT's public meeting outcome regarding the relief route. Ms. Jones congratulated City employee's Ashley Girlinghouse, Gabriel Lopez, Michael Burchard, Patrick Cervantes and Roxanne Gomez for making the City Leaders under 40 list. Ms. Jones recognizes Angela Hadash for completing her certification course work, the IT department for the work on the upgrades to their a/v system in the Council Chambers, and to Street and Bridge crew for restriping work. Ms. Jones also announced upcoming events hosted by the Library and Parks & Recreation.

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

Councilman Folsie gave a shoutout to Herb and Krystal's crew out on the streets who are always polite and informative. Mayor Pro Tem Folsie let Council know that CDC did send out the 380 or 381 agreement and the YMCA contract and hopefully get them on a future agenda. Councilwoman Reardon congratulated Park & Recreation for Riverside Park's Rally on the River and other events. Councilwoman Reardon recognized IT department work on the public displays at City Hall entrances. Councilman Flores announced that this is his last year serving as a Council and apologized for absences. Councilman Finlay gave a reminder that the rodeo is this weekend. Mayor Nelson gave a shout out to the City Manager for her hard work and long hours overseeing everything.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

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

1. **Special Called Meeting minutes of January 13, 2026.**
2. **Regular Council Meeting minutes of January 27, 2026.**
3. **Election Services Contract between the City of Bay City, Texas and Matagorda County for General and Special Elections to be held May 2, 2026.**
4. **Consider and/or approve the award of bids for 2026 Public Works Road Materials (PW-RM-2026).**

DEPARTMENT REPORTS

5. **Bay City Police Department Annual Report for 2025.** Christella Rodriguez, Chief of Police

Christella Rodriguez, Chief of Police, presented the Bay City Police Department annual report showing overall crime went down. Chief Rodrigues stated that the reduction is a result of strategy, consistency and partnership.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 6. Agreement ~ Discuss, consider, and/or approve an Interlocal Agreement between the City of Bay City and Matagorda County to establish Public Access to Westlaw Legal Research Database.** Samantha Denbow, Communication & Cultural Arts Director

Samantha Denbow, Communication & Cultural Arts Director, presented an agreement with County providing funding and the Library providing internet, space, and printing to establish free public access to Westlaw Legal Research Database.

Motion made by Council Member Flores to approve an Interlocal Agreement between the City of Bay City and Matagorda County to establish Public Access to Westlaw Legal Research Database. Seconded by Council Member Finlay. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Reardon, Council Member Finlay. Motion carried.

- 7. Resolution ~ Discuss, consider and/or approve the resolution appointing Patty Elder, Diana Gurecky, Kris Hurley, Martha Johnson, Stacey MacKenzie, and Donnye Stone to the Library Advisory Board.** Samantha Denbow, Communication & Cultural Arts Director

Motion made by Mayor Pro Tem Folse to approve the resolution appointing Patty Elder, Diana Gurecky, Kris Hurley, Martha Johnson, Stacey MacKenzie, and Donnye Stone to the Library Advisory Board. Seconded by Council Member Reardon. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Reardon, Council Member Finlay. Motion carried.

- 8. Resolution ~ Discuss, consider, and/or approve a resolution authorizing TxDOT Aviation to act as agent for the design of the APRON reconstruction project.** James Mason, Airport Manager

James Mason, Airport Manager, presented the resolution adding that the process of selecting an engineer was taking too long and that the resolution allows the City to act as the agent.

Motion made by Council Member Finlay to approve and revise a resolution authorizing TxDOT Aviation to act as agent for the design of the APRON reconstruction project. Seconded by Council Member Flores. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Reardon, Council Member Finlay. Motion carried.

- 9. Discuss, consider and/or approve City of Bay City authorization to issue Requests For Proposals for Administrative Services (RFP) and Requests For Qualifications (RFQ) for engineering services for the 2026 Downtown Revitalization and Main Street Programs, administered through the Texas Department of Agriculture.** Gabriel Lopez, Engineering Tech

Gabriel Lopez, Engineering Tech, presented the proposed RFP regarding rails and ramps within downtown district. Mr. Lopez stated that the grant had a 5% match.

Motion made by Council Member Finlay to approve the City of Bay City authorization to issue Requests For Proposals for Administrative Services (RFP) and Requests For Qualifications (RFQ) for engineering services for the 2026 Downtown Revitalization and Main Street Programs, administered through the Texas Department of Agriculture. Seconded by Council Member Flores. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folse, Council Member Reardon, Council Member Finlay. Motion carried.

- 10. Discuss, Consider, and/or approve awarding a Depository Contract for the City of Bay City and authorize the City Manager to execute a Depository Contract in a form approved by the City Attorney.** Jennifer Davis, Finance Manager

Jennifer Davis, Finance Manager, presented the bids for the depository contract, adding that Prosperity Bank was the only bidder.

Motion made by Council Member Finlay to approve awarding a Depository Contract to Prosperity Bank for the City of Bay City and authorize the City Manager to execute a Depository Contract in a form approved by the City Attorney. Seconded by Council Member Reardon. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folsie, Council Member Reardon, Council Member Finlay. Motion carried.

- 11. Discuss, Consider, and/or approve the City's updated Disclosure Policy.** Jennifer Davis, Finance Manager

Jennifer Davis, Finance Manager, presented the disclosure policy explaining that updates are made every couple years as recommended by the City's Bond Counsel.

Motion made by Council Member Reardon to approve the City's updated Disclosure Policy. Seconded by Council Member Flores. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folsie, Council Member Reardon, Council Member Finlay. Motion carried.

- 12. Discuss, consider, and/or approve the creation and appointments of a Human Resource Policy Review Committee for Fiscal Year 2026 amendments.** Scotty Jones, City Manager

Motion made by Mayor Pro Tem Folsie to approve the creation of a Human Resource Policy Review Committee for Fiscal Year 2026 amendments and appointing Council Member Finlay and Council Member Reardon. Seconded by Council Member Flores. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folsie, Council Member Reardon, Council Member Finlay. Motion carried.

CLOSED / EXECUTIVE SESSION

Council went into executive session at 6:55 p.m.

- 13. Executive Session ~ Executive Session ~ Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**
- 14. Executive Session ~ Executive Session pursuant to Texas Government Code Section 551.087 (Deliberation regarding Economic Development).**
- 15. Executive Session ~ Executive Session pursuant to Section 551.071(2) of the Texas Government Code (Consultation with Counsel on Legal Matters)**

RECONVENE AND ACTION

Council reconvened at 7:56 p.m.

Item 13 motion by Mayor Pro Tem Folsie the approval to dispose of property on 4th and K via a realtor. Seconded by Council Member Reardon. Voting Yea: Mayor Nelson, Council Member Flores, Mayor Pro Tem Folsie, Council Member Reardon, Council Member Finlay. Motion carried.

No motions on items 14 and 15.

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

No items from Council.

ADJOURNMENT

Council adjourned the meeting at 7:57 p.m.

PASSED AND APPROVED, this ____ day of _____.

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

JEANNA THOMPSON
CITY SECRETARY



CITY COUNCIL WORKSHOP CITY OF BAY CITY

Wednesday, February 25, 2026 at 8:30 AM
IBC Bank | 1916 7th St., 2nd Floor Training Room

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 8:44 AM.

PRESENT:

Mayor Robert K. Nelson
Council Member Benjamin Flores
Mayor Pro Tem Jim Folse
Council Member Susan Reardon
Council Member Blayne Finlay

ABSENT:

Council Member Bradley Westmoreland

ITEMS FOR DISCUSSION

1. **City Strategic Plan**

Alysia Cook, Opportunity Strategies, facilitated the workshop between Council and Directors regarding the City's strategic plan. Directors provided an updated status of items on the plan. Both Council and Directors provide input to future items as well as facilitate the closure of items. Councilman Finlay left the workshop at noon and Councilman Flores left the workshop at 3:30 p.m.

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

There were no comments.

PUBLIC COMMENTS

There were no comments.

ADJOURNMENT

Meeting adjourned at 3:50 p.m.

PASSED AND APPROVED, this ____ day of _____.

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:	4/14/2026	Date Submitted:	4/9/2026
Prepared By:	Herb Blomquist	Presented By <i>(if different)</i>	
Department:	Public Works	Type of Agenda Item:	Regular

ITEM TITLE: Change Order- Water Treatment Plants

AGENDA LANGUAGE:

Presentation: Receive and discuss Change Order #1 for the 6th Street and I Avenue and Mockingbird Water Treatment Plants and take any action deemed appropriate.

EXECUTIVE SUMMARY/BACKGROUND

The Drinking Water State Revolving Fund, authorized by the Safe Water Drinking Act, provides low-cost financial assistance for planning, acquisition, design, and construction of water infrastructure. Eligible applicants for the DWSRF include publicly and privately-owned community water systems, including nonprofit water supply corporations and non-profit non-community public water systems.

The City of Bay City was awarded \$12,000,000 in funding from the Texas Water Development Board (TWDB) in the 2023 series funding to make critical improvements to the City’s water systems. The original funding allotment provided funding for rehabilitation of the 6th and I Water Treatment Plant to provide for arsenic treatment of the water supply, and ultimately funding was allocated to the Mockingbird Water Treatment Plant to allow for electrical and other enhancements necessary to improve the longevity of the facility.

On April 22,2025, City Council authorized City staff and/or the mayor to negotiate final terms with LEM Construction for up to \$5,517,800 for construction at both facilities. Included in the amount of \$5,527,800 was \$269,000 for negotiated value engineering and \$200,000 in contingency cost allowances. (\$100,000 per water treatment plant).

Since this time last year, City staff, Garver Engineering, and LEM construction have been working with TCEQ and TWDB to obtain final approval of plans and specifications. As a result of the regulatory review, TCEQ added additional requirements to the arsenic treatment system for the 6th and Ave I WTP resulting in additional contract costs of \$183,774.45. While these additional costs could be covered by the already approved \$200,000 contingency allowance, City staff decided it was more appropriate to bring the item back to City Council, present several options for covering the cost, and obtain City Council direction.







The options are:

1. Use the existing contingency allowance to cover the additional cost and proceed with a limited contingency of \$16,200 (\$8,100 per water treatment plant).
2. Use the existing contingency allowance to cover the additional cost and budget \$50,000

towards the project’s contingency during the upcoming budget process. (Remaining contingency of \$66,200 - \$33,100 per water treatment plant).

- Request for TWDB to transfer up to \$183,775 from remaining TWDB-2020 SRF funds to cover the additional cost. (Remaining contingency of up to \$200,000 - \$100,000 per water treatment plant).

STRATEGIC PLAN GOALS ADDRESSED:

	<input type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
Safety & Community Appearance	<input type="checkbox"/>	Community & Civic Engagement	<input type="checkbox"/>	Infrastructure	<input checked="" type="checkbox"/>	Planning & Development	<input checked="" type="checkbox"/>	Culture & recreation	<input checked="" type="checkbox"/>	Operational Excellence	<input checked="" type="checkbox"/>

FINANCIAL NOTES

This section should include information such as:

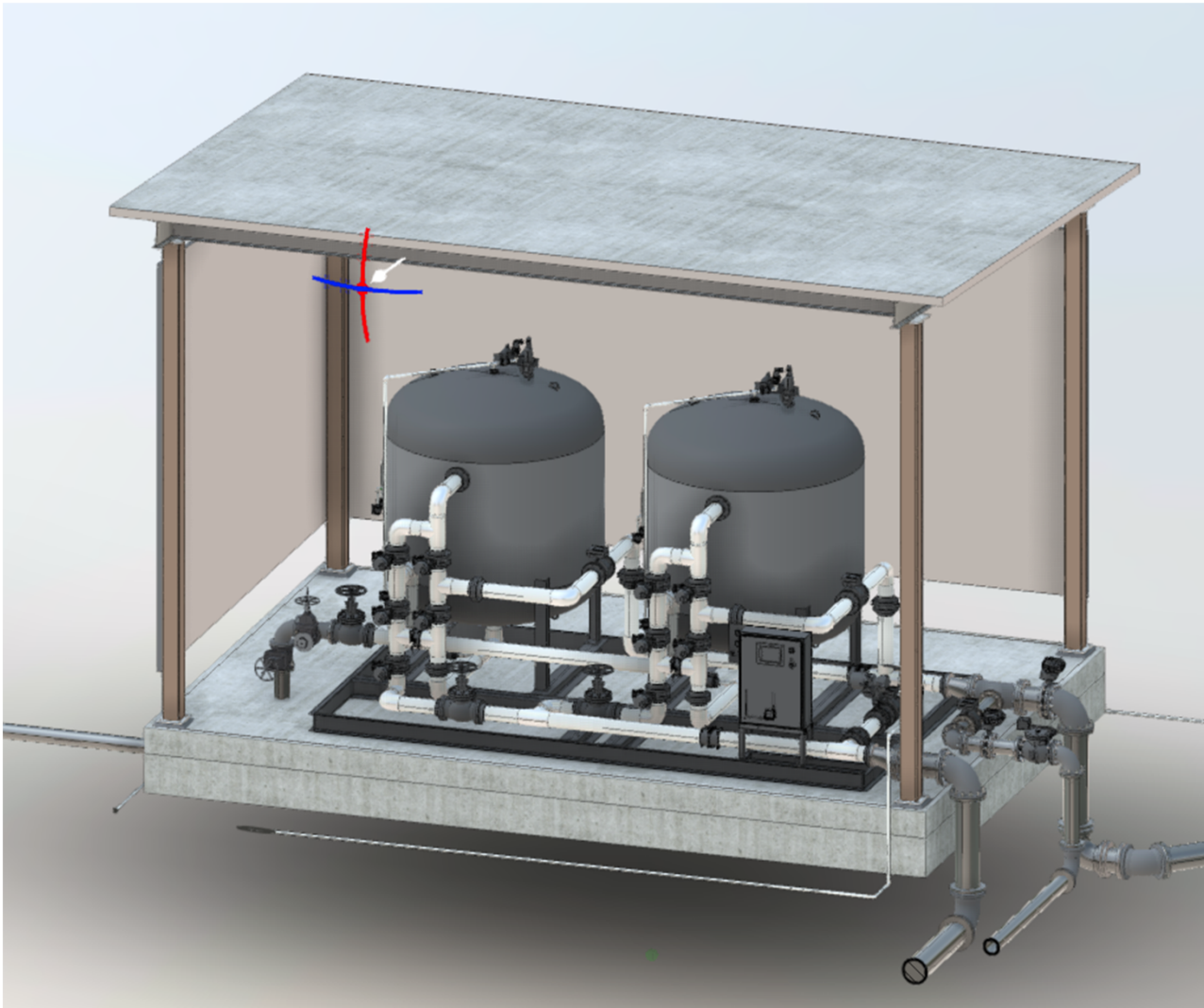
- *Expenditure Required: \$183,774.45*
- *Fund / Account: 68-680-4655 (6th & Ave I)*
- *Fund / Account: 68-680-4660 (Mockingbird)*

RECOMMENDATION:

Staff recommends approval of Option 3 requesting TWDB transfer up to \$183,775.00 from TWDB-2020 SRF funds to fund additional TCEQ required construction costs so the City can finalize the contract with LEM Construction and can issue a Notice to Proceed with construction to complete the 6th and I WTP Rehabilitation and the Mockingbird WTP rehabilitation.

ATTACHMENTS:

Garver Presentation



April 14, 2026



Bay City 6th Street and Mockingbird WTP - Change Order #1

The 6th Street and Mockingbird WTP improvements construction contract will be kicking off soon with the completion of regulatory reviews.

Milestone	Date
City Received Bids.	March 27, 2025
Council Approved for a Contract with LEM to be Negotiated.	April 22, 2025
TCEQ Approval of Mockingbird WTP	April 28, 2025
TCEQ Granted Approval to utilize Proposed Arsenic Treatment Equipment	September 24, 2025
TCEQ Approval of 6 th Street WTP and Mockingbird WTP	January 27, 2026
TWDB Approval to Begin Construction	April 8, 2026

This change order covers two things:

1. Additional Allowances and Value Engineering Items that were accounted for in Council's approval of the project.

2. Additional scope added to the project based on comments received from the TCEQ.

During value engineering discussions with LEM, we identified some cost reductions and additional allowances that were added to the contract.

Change	Cost
Aluminum conduit will be utilized in lieu of PVC-Coated for a reduction	(\$8,000)
Heat tracing for the arsenic system was removed from the project for a reduction	(\$23,000)
Pipe insulations for the arsenic system was removed from the project for a reduction	(\$15,000)
Contingency Allowance No. 3 for Pre-Engineered Metal Canopies for Arsenic Treatment Units and Chemical Totes	\$160,000
Contingency Allowance No. 4 for the Cummins Generator	\$105,000
Contingency Allowance No. 5 for Tariffs Escalation	\$50,000
Total Change	\$269,000

These changes were accounted for during council’s approval of LEM’s contract with a value not to exceed \$5,517,800.

Description	Cost
Base Bid	\$5,128,000
Selected Bid Alternates	\$140,000
Value Engineering Changes	\$269,000
Council Approved Contract Value	\$5,517,800

When the arsenic treatment system received a conditional approval from TCEQ, the conditions added additional scope to the project.

1. Piping from the distribution system to serve as backwash water source.
2. Piping modifications for two additional chlorine injection points. One upstream of the GST and the other downstream of the GST at the service pump suction
3. Additional block and bleed valve piping arrangements on the existing GST fill lines.
4. Arsenic system effluent flow meters for each arsenic removal vessel.

LEM developed a proposal for these changes that outlined the cost changes in detail.

Description	Cost
Total Cost	\$183,774.45

To cover the additional costs of \$183,775, there are a few options:

- 1. Utilize the existing contingency allowance to cover the additional cost and proceed with a limited contingency.

- Remaining Contingency: \$16,225.55

- 2. Utilize the existing contingency allowance to cover the additional cost and budget \$50,000 towards the project's contingency during the upcoming budget process.

- Remaining Contingency: \$66,225.55

- 3. Request for TWDB to transfer up to \$183,775 from remaining TWDB – 2020 SRF funds to cover the additional cost.

- Remaining Contingency: up to \$200,000.00



QUESTIONS?









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

Meeting Date:	4/14/2026	Date Submitted:	4/7/2026
Prepared By:	Gabriel Lopez	Presented By <i>(if different)</i>	
Department:	Public Works	Type of Agenda Item:	Regular

ITEM TITLE: Authorization to Advertise for Bids for the Diversion Channel Drainage Improvements Project under FEMA DR-4332-0330
AGENDA LANGUAGE:
Discuss, consider and/or approve authorizing the advertisement for bids for the Diversion Channel Drainage Improvements Project under FEMA DR-4332-0330.

EXECUTIVE SUMMARY/BACKGROUND
<p>The City of Bay City was awarded funding through the Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) under Disaster No. DR-4332-0330 for improvements to the Cottonwood Creek Diversion Channel.</p> <p>The project was submitted following the declared disaster event, Hurricane Harvey, and consists of two phases. Phase I included engineering, surveying, hydraulic analysis, and final design, which has been completed in accordance with the approved grant scope and submitted to FEMA.</p> <p>Following completion of Phase I, FEMA approved the project and awarded Phase II funding for construction. The approved scope of work includes installation of an automatic bar screen cleaner, a generator, flap gate monitoring and control systems, SCADA components, and associated infrastructure to improve stormwater conveyance and reduce the risk of backflow flooding into the City .</p> <p>Phase II includes preparation of bid documents and solicitation of bids for construction. Approval of this item will allow the City to proceed with advertising and receiving construction bids.</p> <p>Engineering services will continue to be provided by Quiddity Engineering, and grant administration services will continue to be provided by GrantWorks, consistent with the original application and Phase 1 design.</p>

STRATEGIC PLAN GOALS ADDRESSED:											
											
Safety & Community Appearance	<input type="checkbox"/>	Community & Civic Engagement	<input type="checkbox"/>	Infrastructure	<input checked="" type="checkbox"/>	Planning & Development	<input type="checkbox"/>	Culture & recreation	<input type="checkbox"/>	Operational Excellence	<input type="checkbox"/>

FINANCIAL NOTES
<p>Bids will be solicited through a competitive process, and a contract will be brought back to City Council for consideration and award to the lowest responsible bidder.</p> <p>The total project cost is approximately \$834,545.00, which includes both Phase I engineering and Phase II construction activities. The federal share is \$625,908.75 (75%), with a local match of \$208,636.25 (25%).</p> <p>Grant administration costs are funded at 100% federal share.</p>

RECOMMENDATION: City staff recommends approval authorizing the advertisement for bids for the Diversion Channel Drainage Improvements Project under FEMA DR-4332-0330.

ATTACHMENTS:

- Project Approval Letter



February 28, 2026

W. Nim Kidd, MPA, CEM
Chief, Texas Division of Emergency Management
Vice Chancellor – The Texas A&M University System
2883 Highway 71 E.
P.O. Box 285
Del Valle, TX 78617-99

ATTN: Michelle Ellis, State Hazard Mitigation Officer

RE: DR-4332-0330-TX
Bay City – City of Bay City Cottonwood Creek Diversion
Approval - Phase II
Assistance Listing 97.039 Hazard Mitigation Grant Program

Dear Chief Kidd:

This letter provides official notification that the Federal Emergency Management Agency (FEMA) approves the application submitted by Bay City for the City of Bay City Cottonwood Creek Diversion project. The federal share in the amount of \$625,908.75 is available through the Hazard Mitigation Grant Program (HMGP) under DR-4332-TX under Hazard Mitigation Assistance Grant Program DR-4332-0330-TX. The non-federal match requirement of \$208,636.25 will be provided by Bay City.

Pursuant to Section 1215 of the Disaster Recovery Reform Act of 2018, which amended Section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Subrecipient Management Costs (MC) in the amount of \$32,080.25 for Phase II is available to Bay City at a Federal Cost Share of 100%.

Summary of funding for the project is listed on the following page:

DR-4332-0330-TX	Federal Share	Non-Federal Share	Total	Subrecipient Management Costs
Phase I Project Costs	\$72,375.00 (75%)	\$ 24,125.00 (25%)	\$96,500.00 (100%)	\$4,825.00 (100%)
Phase II Project Costs	\$553,533.75 (75%)	\$184,511.25 (25%)	\$738,045.00 (100%)	\$32,080.25 (100%)
Total Obligation (Phase I & Phase II)	\$625,908.75	\$208,636.25	\$834,545.00	\$36,905.25

The following are the approved Scope of Work (SOW) and MC activities for the above-referenced project:

The City of Bay City seeks to mitigate flooding by increasing storm water conveyance efficiency and by providing backflow prevention. The City proposes the procurement and construction of the automatic bar screen cleaner and flap gate position sensors, SCADA systems, an access road and a 10-kW diesel generator. The analysis examines the difference between the Diversion Channel functioning at optimal capacity, versus a “blocked” condition where no flow can be diverted to the Colorado River.

The activities at the Diversion Channel Inlet entail: the removal of 29 linear feet of existing guard rail and grate from the channel, construction of a 12-foot-wide concrete access road extended 131 feet, the construction of a 30-foot by 12-foot concrete pad, the installation of a mechanical screen cleaning system, the installation of an electrical service, the installation of a Supervisory Control and Data Acquisition (SCADA) system, the construction of a SCADA tower, installation of a submersible level Engineering Technical Recommendation and Benefit Cost Analysis (BCA) Summary 3 transducer, the installation of an inlet level signal panel, solar panels and a 10 kW diesel generator on the proposed concrete pad.

The activities at the Diversion Channel Outlet entail: the installation of flap gate position sensors on existing gates, the installation of a submersible level transducer, the installation of a SCADA system, the construction of a SCADA tower, the construction of a nine-foot by six-foot concrete pad, the installation of an outfall signal panel and solar panels on the proposed concrete pad. See table below for location coordinates.

Name	Latitude	Longitude	Flood Zone	Source of Flood Data
Diversion Channel Inlet (Ave F)	28.985119	-95.969697	Zone X	48321C0255F, Effective 1/15/2021
Diversion Channel Outlet (7th St.)	28.985764	-95.996622	Zone AE	48321C0255F, Effective 1/15/2021

This project has been determined to be Categorically Excluded (CATEX) in accordance with FEMA Instruction 108-1-1 and Department of Homeland Security (DHS) Instruction 023-01-001-01; CATEX n9, n10, and n18 from the need to prepare either an Environmental Impact Statement or Environmental Assessment. No extraordinary circumstances in accordance with DHS Instruction 023-01-001-01 have been identified regarding this action. The applicant must comply with all conditions set forth in the attached Record of Environmental Consideration (REC). Failure to comply with these conditions may jeopardize federal assistance including funding.

The milestones included in the application indicate that the time to complete the Bay City – City of Bay City Cottonwood Creek Diversion will be 24 months from the date of this letter. FEMA will not establish activity completion timeframes for individual sub-awards. The period of performance (POP) for DR-4332-TX is May 22, 2026, which is 36 months from the close of the application period. It is the responsibility of the Recipient and subrecipient to ensure all approved activities associated with this subaward are completed by the end of the POP. Any costs incurred prior to the date of this approval or after the POP will be disallowed.

A change to the approved SOW requires prior approval from FEMA. The National Environmental Policy Act (NEPA) stipulates that additions or amendments to a HMGP SOW shall be reviewed by all state and federal agencies participating in the NEPA process. NEPA sign-off for all SOW additions or amendments is essential before the revised SOW can be approved by FEMA or implemented by the HMGP subrecipient.

The initial quarterly progress reports for the HMGP project are due at the end of the approving quarter. Please include this HMGP project in your future quarterly reports. Note that Title 44 of the Code of Federal Regulations (C.F.R.) § 206.438(c) indicates the State must provide a quarterly progress report to FEMA indicating the status and completion date for each project funded. The report will include any problems or circumstances affecting completion dates, SOW, or project cost that may result in non-compliance with the approved grant conditions.

In accordance with HMGP rules and policy, we require the submittal of all closeout documentation within 90 days of the project completion, not to exceed POP. Section 206.438(d) of 44 C.F.R. requires the Governor’s Authority Representative to “certify that reported costs were incurred in the performance of eligible work, that the approved work was completed, and that the mitigation measure is in compliance with the provisions of the FEMA-State Agreement.”

The Obligation Report, Project Cost line Report, Project Management Report, Technical Recommendation Report and the REC are included for your records.

If you have any questions regarding the information, please contact Shontae Davis, Disaster Branch Chief/Deputy Advisor, at (202) 957-3947 or Shontae.Davis@fema.dhs.gov.

Chief Kidd
February 28, 2026
Page 4

Sincerely,

Roosevelt Grant III
Mitigation Division Director

Enclosures: 4332-0330-TX-Obligation Report 26.02.28
4332-0330-TX-Project Cost Line Report 26.03.03
4332-0330-TX-Project Management Report 26.03.03
4332-0330-TechRecPh2-09-02-25
4332-0330-REC