CITY OF BAY CITY

MINUTES • SEPTEMBER 26, 2019

Council Chambers	Regular Meeting – City Council	7:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER

Mayor Nelson called the meeting to order at 7:00PM.

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILMAN, BRENT MARCEAUX

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

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

3. CERTIFICATION OF QUORUM

Mayor Nelson certified a quorum was present.

4. MISSION STATEMENT

The mission statement was read by Councilman Brent Marceaux.

1. Presentation

   ~ OUR MISSION: THE CITY OF BAY CITY IS A COMMUNITY THAT FOSTERS FUTURE ECONOMIC GROWTH, STRIVES TO DELIVER SUPERIOR MUNICIPAL SERVICES, INVESTS IN QUALITY OF LIFE INITIATIVES AND IS THE GATEWAY TO THE GREAT OUTDOORS. WE ENCOURAGE ACCESS TO OUR UNIQUE HISTORICAL AND ECO-CULTURAL RESOURCES WHILE MAINTAINING OUR SMALL-TOWN TEXAS CHARM.

   Councilman, Brent Marceaux

5. APPROVAL OF AGENDA

The agenda was unanimously approved, as written, by motion. The motion was made by Councilwoman, Julie Estlinbaum and seconded by Councilman, Jason Childers.

6. PUBLIC COMMENTS

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

David Torrez:
1. Horn Road - bad shape - sidewalk neglected.
2. HWY 60 (Ave. F) in front of Fit For Life Gym - large trucks sticking out into traffic lane. Something should be done about this issue.

Abraham Montes:
1. Chateaux Drive flooded twice. Drainage is an issue. Flooding. Seeking review/solution to this issue.

7. CONSENT AGENDA ITEMS FOR CONSIDERATION AND?OR APPROVAL

1. Minutes

~ ACCEPT THE MINUTES SUMMARY FROM THE REGULAR COUNCIL MEETINGS HELD ON SEPTEMBER 12, 2019.

City Secretary, David Holubec

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

Enacted and approved this 26th day of September, 2019, at Bay City

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

1. Property

~ DISCUSS, CONSIDER, AND/OR APPROVE A REQUEST TO DEEM ONE (1) POLICE DEPARTMENT VEHICLE AS SURPLUS AND AUTHORIZE STAFF TO DONATE SAID SURPLUS VEHICLE TO PRECINCT 6, JUSTICE OF THE PEACE, BILL ORTON, JR.

Police Chief, Robert Lister
This donation request involves a 2012 Chevy Caprice 76,000 (mileage). $3,000 repairs needed.

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

Enacted and approved this 26th day of September, 2019, at Bay City

2. Appointment

~ DISCUSS, CONSIDER AND/OR APPROVE MAYOR NELSON'S THREE (3) APPOINTMENTS TO FILL VACANT SEATS ON THE BAY CITY HOUSING AUTHORITY BOARD OF COMMISSIONERS AND SWEAR-IN EACH NEW COMMISSIONER.

Mayor, Robert K. Nelson
Rosalyn White and Kaci Waller were appointed.

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

Enacted and approved this 26th day of September, 2019, at Bay City

3. Planning / Plat

~ DISCUSS, CONSIDER AND/OR APPROVE A VARIANCE REQUEST FOR 1815 CAMILLE DRIVE, BAY CITY, TEXAS.

Stuart Lynn & DC Dunham, Lynn Construction
The Variance request was discussed by DC Dunham, Lynn Construction General Manager and Public Works Assistant Director, Marla Jasek.
(Request Attached)

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

Enacted and approved this 26th day of September, 2019, at Bay City

4. Budget

~ DISCUSS, CONSIDER, AND/OR APPROVE AN ORDINANCE ADOPTING BUDGET AMENDMENTS FOR THE QUARTER ENDING SEPTEMBER 30, 2019.

Director of Finance, Scotty Jones

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

Enacted and approved this 26th day of September, 2019, at Bay City

5. Budget

~ DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION OF THE CITY OF BAY CITY, TEXAS ADOPTING THE CITY OF BAY CITY FIVE YEAR CAPITAL IMPROVEMENTS PROGRAM.

Finance Director, Scotty Jones

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

Enacted and approved this 26th day of September, 2019, at Bay City

6. Presentation

~ DISCUSS, CONSIDER AND/OR APPROVE THE BAY CITY PUBLIC LIBRARY'S LONG-RANGE PLAN FOR FISCAL YEAR 2020 THROUGH FISCAL YEAR 2024.

Library Director, Samantha Denbow

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

Enacted and approved this 26th day of September, 2019, at Bay City

7. Report

~ DISCUSS, CONSIDER, AND/OR APPROVE THE APPOINTMENT OF A CITY REPRESENTATIVE AND AN ALTERNATE TO H-GAC'S 2020 GENERAL ASSEMBLY.

Mayor, Robert K. Nelson
Councilman, Jason Childers was nominated to attend the 2020 General H-GAC General Assembly. Councilwoman, Becca Sitz will be the alternate.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Julie Estlinbaum, Councilwoman
SECONDER:	Brent P. Marceaux, Councilman
AYES:	Marceaux, Cornman, Sitz, Childers, Estlinbaum

Enacted and approved this 26th day of September, 2019, at Bay City

8. Agreement

~ DISCUSS, CONSIDER AND/OR TAKE ACTION ON ACCEPTING THE CONVEYANCE OF REAL PROPERTY BY BAY CITY COUNTRY CLUB TO THE CITY OF BAY CITY.

Mayor, Robert K. Nelson
Bay City Country Club (BCCC) Board of Directors representative, Edna Simpson-Kocurek discussed the agreement with Council members. City Attorney, Anne Marie Odeffey also presented.

Areas to address in the agreement:
1. 116 Acres (Erosion issues) Neither party shall be responsible to the exact amount of land due to the erosion issues.
2. Windstorm Insurance - Currently not in place. Shall be something to review in the future. Not being required in the agreement.
3. Alcohol sales - It shall be placed in the lease that the BCCC may sell and serve alcohol.
4. The transaction involves two legal documents - general warranty deed and ground lease. The BCCC is deeding their current limited time interest in the property to the City of Bay City and the City is leasing the property to the BCCC (40 years).

Subject to recommended changes made during this meeting by both parties, this agreement was approved by motion.

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

Enacted and approved this 26th day of September, 2019, at Bay City

9. Presentation

~ HEAR AND DISCUSS A STATUS UPDATE RELATIVE TO THE AQUATIC CENTER PROJECT AND ASSOCIATED FEASIBILITY STUDY WORK, CURRENTLY IN PROGRESS.

Councilman, Bill Cornman
Councilman Bill Cornman presented an update on the Aquatic Center feasibility study currently in progress. The committee members are currently working on securing the needed property and planning a community meeting for November 20th. A phone meeting is also scheduled for October 15th for a progress check on the project. These dates and meetings will be finalized in the near future and promoted.

10. Presentation

~ DISCUSS THE WISDOM OF GIVING CITY STAFF DIRECTION TO LAUNCH AN EFFORT TO ENGAGE ENGINEERING WORK AIMED AT ESTABLISHING 'SCOPE" COST ESTIMATES FOR: 1) PUTTING THE NILE VALLEY ROAD BACK IN SERVICE. 2) BUILDING A NEW POLICE AND FIRE STATION FACILITY AND 3) AN EXPANDED VERSION OF THE NEXT PHASE OF CITY STREET REHABILITATION. THE "SCOPE" ENGINEERING AND ASSOCIATED COST ESTIMATES MUST BE OF SUITABLE QUALITY TO BE USED AS A BASIS FOR A BOND ELECTION IN NOVEMBER, 2020, SHOULD COUNCIL CHOOSE TO TAKE THIS FINANCING ROUTE.

Councilman, Bill Cornman
Councilman, Bill Cornman recommended the monies appropriated in the 2020 Fiscal Year budget for Nile Valley Drive and the Capital Plan, involving the Texas Theater and the possible purchase of property for the Police/Fire Departments, be used for engineering scope purposes to have cost estimates established. This would involve street repairs, which includes utility upgrades and the possible November 2020 bond issue on the ballot.

9. CLOSED / EXECUTIVE SESSION

Council did not choose to convene to Executive Session.

1. Litigation

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1) FOR CONSULTATION WITH CITY ATTORNEY REGARDING THE FOLLOWING LITIGATION: (A) CAUSE NO. 19-E-0013, RONNIE DEAN REEVES, VIDALA LEAL RODAS, DANYAL SHENIEL MANNING AND THE BAY CITY HOUSING AUTHORITY VS. MARK A. BRICKER, MAYOR, DEFENDANT; (B) CAUSE NO. 13-18-00484-CV, MAYOR MARK A. BRICKER, JULIE ESTLINBAUM, COUNCILWOMAN, POSITION 1, BILL CORNMAN, COUNCILMAN, POSITION 2, AND THE CITY OF BAY CITY, TEXAS V. ROBERT NEAL HEAD.

Mayor, Robert K. Nelson
None

2. Litigation

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2) FOR THE CITY COUNCIL TO CONSULT THE CITY ATTORNEY REGARDING ATTORNEY/CLIENT PRIVILEGED MATTERS.

Mayor, Robert K. Nelson
None

10. OPEN SESSION

None

1. Report

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

Mayor, Robert K. Nelson
None

11. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Bill Cornman:
1. SGR - Status update?

Jason Childers:
1. Drainage district discussion for future workshop setting.
2. Would like to see parking issues addressed on Ave. F by Fit For Life Gym.
3. Ave. K Raystone apartment expansion - Are sidewalks in the plan? Are we still requiring sidewalk installation on new development projects?

Brent Marceaux:
1. Praised the Country Club for their recent improvements and reunion experience.

Julie Estlinbaum:
1. Gourmet Guys Event - Museum
2. Holy Cross Catholic Church Bazaar
3. Library Fundraiser
4. Rice Festival

Becca Sitz:
1. Street sweeping needed downtown.
2. Planning commission in place.
3. Striping downtown parking

12. ADJOURNMENT

AGENDA NOTICES:

Action by Council Authorized:
The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Attendance By Other Elected or Appointed Officials:
It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Executive Sessions Authorized:
This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Friday, September 20, 2019 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

The facility is wheelchair accessible and accessible parking spaces available. Request for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary's Office at 979-245-5311 or email, dholubec@cityofbaycity.org for further information.

____
David Holubec
City Secretary

City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3981

DISCUSSION ITEM (ID # 3981)

~ OUR MISSION: THE CITY OF BAY CITY IS A COMMUNITY THAT FOSTERS FUTURE ECONOMIC GROWTH, STRIVES TO DELIVER SUPERIOR MUNICIPAL SERVICES, INVESTS IN QUALITY OF LIFE INITIATIVES AND IS THE GATEWAY TO THE GREAT OUTDOORS. WE ENCOURAGE ACCESS TO OUR UNIQUE HISTORICAL AND ECO-CULTURAL RESOURCES WHILE MAINTAINING OUR SMALL-TOWN TEXAS CHARM.

City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 3978)

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Minutes
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3978

~ ACCEPT THE MINUTES SUMMARY FROM THE REGULAR COUNCIL MEETINGS HELD ON SEPTEMBER 12, 2019.

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

CITY OF BAY CITY

MINUTES • SEPTEMBER 12, 2019

Council Chambers	Regular Meeting – City Council	7:00 PM

1901 5TH STREET
BAY CITY, TX 77414

1. CALL TO ORDER

2. INVOCATION & PLEDGE OF ALLEGIANCE

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

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

3. CERTIFICATION OF QUORUM

Mayor Nelson certified a quorum was present.

4. MISSION STATEMENT

1. Presentation

~ OUR MISSION: THE CITY OF BAY CITY IS A COMMUNITY THAT FOSTERS FUTURE ECONOMIC GROWTH, STRIVES TO DELIVER SUPERIOR MUNICIPAL SERVICES, INVESTS IN QUALITY OF LIFE INITIATIVES AND IS THE GATEWAY TO THE GREAT OUTDOORS. WE ENCOURAGE ACCESS TO OUR UNIQUE HISTORICAL AND ECO-CULTURAL RESOURCES WHILE MAINTAINING OUR SMALL-TOWN TEXAS CHARM.

Councilwoman, Becca Sitz
The Mission Statement was read by Councilwoman, Becca Sitz.

5. APPROVAL OF AGENDA

The agenda was approved as written, by motion. The motion was made by Councilman, Bill Cornman and seconded by Councilman, Brent Marceaux.

6. PUBLIC COMMENTS

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

David Torres -

1. Tax issue with his property.
2. Problem with schools.
3. Sidewalks for students.
4. Water meters.
5. Golden Avenue needs road work.
6. Drainage issues.
7. Weeds near the Recycling Center.

7. CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

1. Minutes

~ ACCEPT THE MINUTES SUMMARY FROM THE REGULAR COUNCIL MEETINGS HELD ON AUGUST 7, 2019 AND AUGUST 22, 2019.

City Secretary, David Holubec

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

Enacted and approved this 12th day of September, 2019, at Bay City

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

1. Budget

~ DISCUSS, CONSIDER AND/OR APPROVE AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS ADOPTING AN OPERATING BUDGET FOR THE CITY OF BAY CITY, TEXAS FOR FISCAL YEAR 2020 AND ALL DESIGNATED, SPECIFIED, NOTED, AND INDICATED LEVIES, RATES, RESERVES, REVENUE PROVISIONS, AND PLANNED EXPENDITURE INHERENT, EXPRESSED, AND INCLUDED THEREIN.

Finance Director, Scotty Jones

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

Enacted and approved this 12th day of September, 2019, at Bay City

2. Budget

~ DISCUSS, CONSIDER AND/OR APPROVE AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS ADOPTING THE TAX RATE OF $0.6550 PER ONE HUNDRED DOLLARS OF ASSESSED VALUATION FOR THE CITY OF BAY CITY, TEXAS TO BE EFFECTIVE FOR THE TAX RATE YEAR 2019 (FISCAL YEAR 2020) THEREBY LEVYING A MAINTENANCE AND OPERATIONS TAX RATE OF $0.50176 AND A DEBT SERVICE RATE TAX RATE OF $0.15324.

Scotty Jones, Director of Finance

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

Enacted and approved this 12th day of September, 2019, at Bay City

3. Ordinance

~ DISCUSS, CONSIDER AND/OR TAKE ACTION TO ADOPT AN ORDINANCE SETTING THE SCHEDULE OF FEES.

Finance Director, Scotty Jones

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

ORDINANCE

Enacted and approved this 12th day of September, 2019, at Bay City

4. Discussion

~ CONSIDER AND TAKE ACTION TO ACCEPT DECLARATION AND DEDICATION OF PUBLIC-RIGHT-OF-WAY IDENTIFIED AS CAMILLE DRIVE FILED BY SAL HOLDINGS, LLC, FILED OF RECORD AS DOCUMENT #2018-6475, IN THE OFFICIAL RECORDS OF MATAGORDA COUNTY, TEXAS.

Finance Director, Scotty Jones
Owner subject to maintaining this road. Written easement agreement will be developed by the City Attorney.

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

Enacted and approved this 12th day of September, 2019, at Bay City

5. Agreement

~ DISCUSS, CONSIDER AND/OR APPROVE A DEVELOPMENT AGREEMENT WITH SAL HOLDINGS, LLC.

Finance Director, Scotty Jones

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

Enacted and approved this 12th day of September, 2019, at Bay City

6. Financial

~ DISCUSS, CONSIDER AND/OR APPROVE THE PAYMENT OF TIRZ #1 & TIRZ #2 INVOICES.

Finance Director, Scotty Jones

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

Enacted and approved this 12th day of September, 2019, at Bay City

7. Grant

~ DISCUSS AND RECEIVE A DONATION OF TWO GAGA BALL PITS FUNDING IN THE AMOUNT OF $3,500 AND APPROVE VOLUNTEER LABOR TO CONSTRUCT THE PITS.

Parks Director, Shawn Blackburn
Eagle Scout, Caleb Spears raised funds for this Eagle Scout Project. The ball pits will be placed at Amistad and Valiant Parks.

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

Enacted and approved this 12th day of September, 2019, at Bay City

8. Appointment

~ DISCUSS, CONSIDER AND/OR APPROVE APPOINTMENTS TO THE CITY OF BAY CITY HOUSING AUTHORITY BOARD. DANYAL MANNING, RONNIE REEVES, VIDALA RODAS-LEAL AND THOMAS BATTLE.

Mayor, Robert K. Nelson
LaWanda Davis spoke to Council about the Bay City Housing Authority projects.
This item was moved to Closed/Executive Session.

9. Contract

~ DISCUSS, CONSIDER AND/OR APPROVE THE CONTRACT WITH STRATEGIC GOVERNMENT RESOURCES (SGR).

Mayor, Robert K. Nelson

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

Enacted and approved this 12th day of September, 2019, at Bay City

9. CLOSED / EXECUTIVE SESSION

1. Personnel

~ DISCUSS MAYOR NELSON'S COMPENSATION PACKAGE WITH THE CITY OF BAY CITY, TEXAS.

Councilman, Bill Cornman

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

2. Litigation

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2) FOR THE CITY COUNCIL TO CONSULT WITH THE CITY ATTORNEY REGARDING ATTORNEY/CLIENT PRIVILEGED MATTERS.

Mayor, Robert K. Nelson

3. Litigation

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1) FOR CONSULTATION WITH CITY ATTORNEY REGARDING THE FOLLOWING LITIGATION: (A) CAUSE NO. 19-E-0013, RONNIE DEAN REEVES, VIDALA LEAL RODAS, DANYAL SHENIEL MANNING AND THE BAY CITY HOUSING AUTHORITY VS. MARK A. BRICKER, MAYOR, DEFENDANT; (B) CAUSE NO. 13-18-00484-CV, MAYOR MARK A. BRICKER, JULIE ESTLINBAUM, COUNCILWOMAN, POSITION 1, BILL CORNMAN, COUNCILMAN, POSITION 2, AND THE CITY OF BAY CITY, TEXAS V. ROBERT NEAL HEAD.

Mayor, Robert K. Nelson

10.OPEN SESSION

1. Report

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

Mayor, Robert K. Nelson
Item 8.8 Housing Authority Appointments - Mayor Nelson's recommendation was to not reappoint Danyal Manning to the Housing Authority Board. Mayor Nelson recommended that Thomas Battle be appointed to the Housing Authority Board.

Item 9.1 Mayor's Salary - Shall stay the same for the next three months. Motion made by Bill Cornman and seconded by Jason Childers. Unanimously passed.

Item 9.2 No Action, other than the Housing Authority Appointment discussion (8.8).

Item 9.3 No Action.

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

Enacted and approved this 12th day of September, 2019, at Bay City

11.ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Brent Marceaux - Blackcat Football

Brent Marceaux - Library Fundraiser

Bill Cornman - WCA doing better. Bay City Country Club contract needs to happen soon.

Brent Marceaux - WCA positive changes seen.

Becca Sitz - Fees WCA. Planning Commission appointed.

Jason Childers - Welcomed Morton and thanked Mayor. Julie Estlinbaum did as well.

12.ADJOURNMENT

AGENDA NOTICES:

Action by Council Authorized:
The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Attendance By Other Elected or Appointed Officials:
It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Executive Sessions Authorized:
This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas

Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Friday, September 6, 2019 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

The facility is wheelchair accessible and accessible parking spaces available. Request for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary's Office at 979-245-5311 or email, dholubec@cityofbaycity.org for further information.

David Holubec
City Secretary

THE CITY OF BAY CITY, TEXAS

City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Property
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3975

AGENDA ITEM (ID # 3975)

~ DISCUSS, CONSIDER, AND/OR APPROVE A REQUEST TO DEEM ONE (1) POLICE DEPARTMENT VEHICLE AS SURPLUS AND AUTHORIZE STAFF TO DONATE SAID SURPLUS VEHICLE TO PRECINCT 6, JUSTICE OF THE PEACE, BILL ORTON, JR.

COMMENTS - Current Meeting:

This donation request involves a 2012 Chevy Caprice 76,000 (mileage). $3,000 repairs needed.

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

City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3990

AGENDA ITEM (ID # 3990)

~ DISCUSS, CONSIDER AND/OR APPROVE MAYOR NELSON'S THREE (3) APPOINTMENTS TO FILL VACANT SEATS ON THE BAY CITY HOUSING AUTHORITY BOARD OF COMMISSIONERS AND SWEAR-IN EACH NEW COMMISSIONER.

COMMENTS - Current Meeting:

Rosalyn White and Kaci Waller were appointed.

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

City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Planning / Plat
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3984

AGENDA ITEM (ID # 3984)

~ DISCUSS, CONSIDER AND/OR APPROVE A VARIANCE REQUEST FOR 1815 CAMILLE DRIVE, BAY CITY, TEXAS.

COMMENTS - Current Meeting:

The Variance request was discussed by DC Dunham, Lynn Construction General Manager and Public Works Assistant Director, Marla Jasek.

(Request Attached)

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

CITY OF BAY CITY
VARIANCE REQUEST

1901 5th Street
Bay City, TX 77414
(979) 245-5311
(979) 323-1681 fax

All requests for a variance shall be filed with the City Secretary. Each request shall be accompanied by a $25.00 filing fee, a drawing/illustration depicting the property affected by the request, and any additional supplemental documentation that you want the Variance Committee to consider. **Incomplete requests will not be accepted.**

Date: September 16, 2019

Name of Requestor (please print): Lynn Construction

Address of Requestor: 312 Henderson
Palacios, TX 77465

Phone Number: 361-972-0123

Email Address: dc.dunham@lynngroup.com

Address of subject property: 1815 Camille Dr, Bay City, TX 77414

Legal description of subject property: Lot #4 Cottonwood Park

Section(s) of the City's Code of Ordinances from which the variance is being sought:

Sec. 46-73 (1) of the Code of Ordinances
Sec. ______ of the Code of Ordinances
Sec. ______ of the Code of Ordinances

In detail, please state the reason for the request: Lot #4 has a small triangle in Zone A (see attached site plan and plat). None of this area is in a flood plain on the new flood plain maps (see attached) Base flood elevation (BFE) according to public works is 51'6" (could be 51'0"). We are requesting a vaiance to build 3" higher than BFE in lieu of the 2' required in Sec. 46-73
Slab would be at 51' 9". The adjacent house (10' away) is at 51' 6-1/2".
This is the same variance that was granted July 2016 for 2601 3rd St., Bay City, TX

The Variance Committee will consider variance requests from the following: (a) Ch. 22 (Buildings and Building Regulations); (b) Ch. 46 (Flood Damage Prevention); (c) Ch. 54 (Mobile Homes, etc.); (d) Ch. 78 (Off Street Parking (Angle Parking); (e) Ch. 94 (Streets, Sidewalks and Other Public Places; (f) Ch. 98, Sec. 98-122 – Subdivision Streets; and (g) Ch. 110, Sec. 110-178 (Traffic and Vehicles (Angle Parking). Otherwise, the Planning Commission will consider the variance request.

Decisions of the Variance and Planning Committees shall be filed with the City Secretary's Office and promptly reported to the requestor. All decisions may be appealed to the City Council.

D. C. Dunham

Requestor Signature

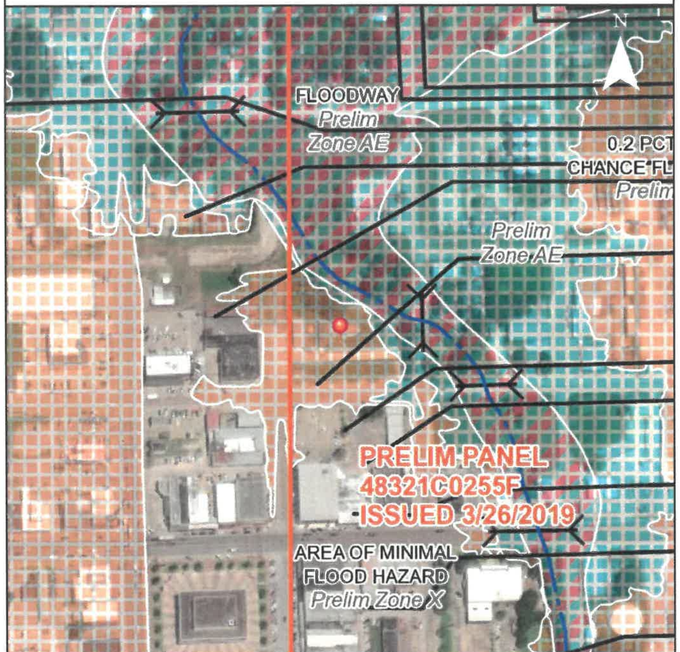
Comparison of Flood Hazard

Effective & Preliminary Flood Hazards

FEMA

Effective

Preliminary



Effective

POI Longitude/Latitude	-95.9683, 28.9846
Effective FIRM Panel	4854550005C
Effective Date	6/5/1985

There is no modernized effective data to determine the flood hazard for the selected location; please refer to the static legacy FIRM which can be accessed by selecting the following link:
http://msc.fema.gov/portal/viewProduct?productID=4854550005C

Preliminary

POI Longitude/Latitude	-95.9683, 28.9846
Preliminary FIRM Panel	48321C0252F
Preliminary Issue Date	3/26/2019
Flood Zone	X
Estimated Static BFE*	Not Available
Estimated Flood Depth	Not Available
Vertical Datum	Not Available

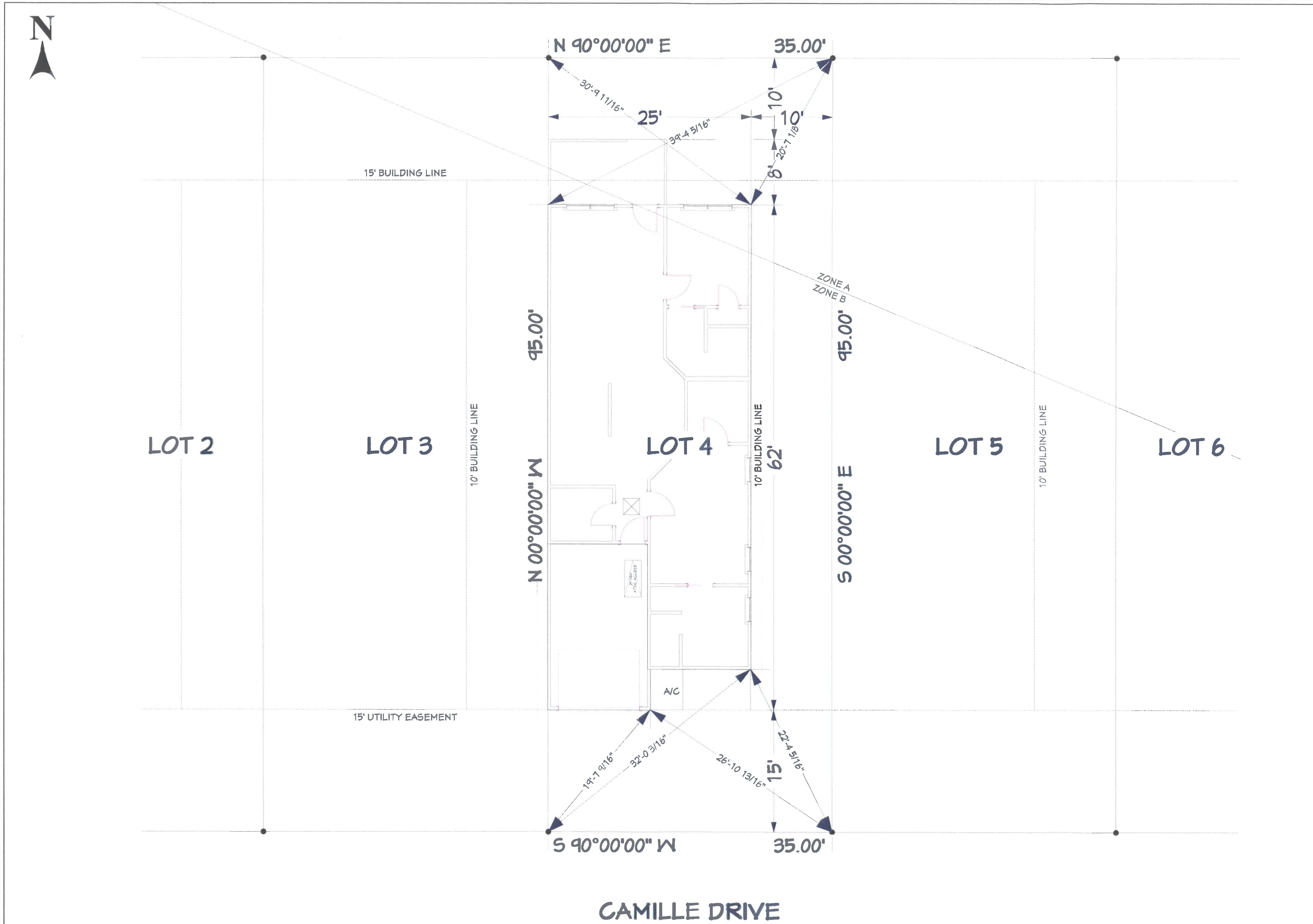
* **A Base Flood Elevation** is the expected elevation of flood water during the 1% annual chance storm event. Structures below the estimated water surface elevation may experience flooding during a base flood event.

Hazard Level	Flood Hazard Zone
High Flood Hazard	**AE, A, AH, AO, VE and V Zones.** Properties in these flood zones have a 1% chance of flooding each year. This represents a 26% chance of flooding over the life of a 30-year mortgage.
Moderate Flood Hazard	**Shaded Zone X.** Properties in the moderate flood risk areas also have a chance of flooding from storm events that have a less than 1% chance of occuring each year. Moderate flood risk indicates an area that may be provided flood risk reduction due to a flood control system or an area that is prone to flooding during a 0.2% annual chance storm event. These areas may have been indicated as areas of shallow flooding by your community.
	Unshaded Zone X. Properties on higher ground and away from local flooding sources have a reduced flood risk when compared to the Moderate and High Flood Risk categories. Structures in these areas may be affected by larger storm events, in excess of the 0.2% annual chance storm event.
Low Flood Hazard	**Insurance Note:** High Risk Areas are called 'Special Flood Hazard Areas' and flood insurance is mandatory for federally backed mortgage holders. Properties in Moderate and Low Flood Risk areas may purchase flood insurance at a lower-cost rate, known as Preferred Risk Policies. See your local insurance agent or visit https://www.fema.gov/national-flood-insurance-program for more information.

Disclaimer: This report is for informational purposes only and is not authorized for official use. The positional accuracy may be compromised in some areas. Please contact your local floodplain administrator for more information or go to msc.fema.gov to view an official copy of the Flood Insurance Rate Maps.

Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

9/16/2019 12:22:29 PM



REVISIONS		
NO.	DESCRIPTION	DATE
1		
2		
3		
4		

These plans have been prepared for construction for one house on one lot. Further reproduciton & distribution is strictly prohibited.

These plans have been prepared as a limited set for a professional contractor. Not all information required to construct this project is given. Engineering and surveying shall be provided & coordinated by others.

SHEET TITLE:
Site Plan

PROJECT DESCRIPTION:
Brooks Residence

DESIGNED BY: M. Jarad Ramirez

LYNNCONSTRUCTION
312 Henderson Avenue
Palacios, TX 77465
PH: (361) 972-0123
WEB: lynn-construction.com

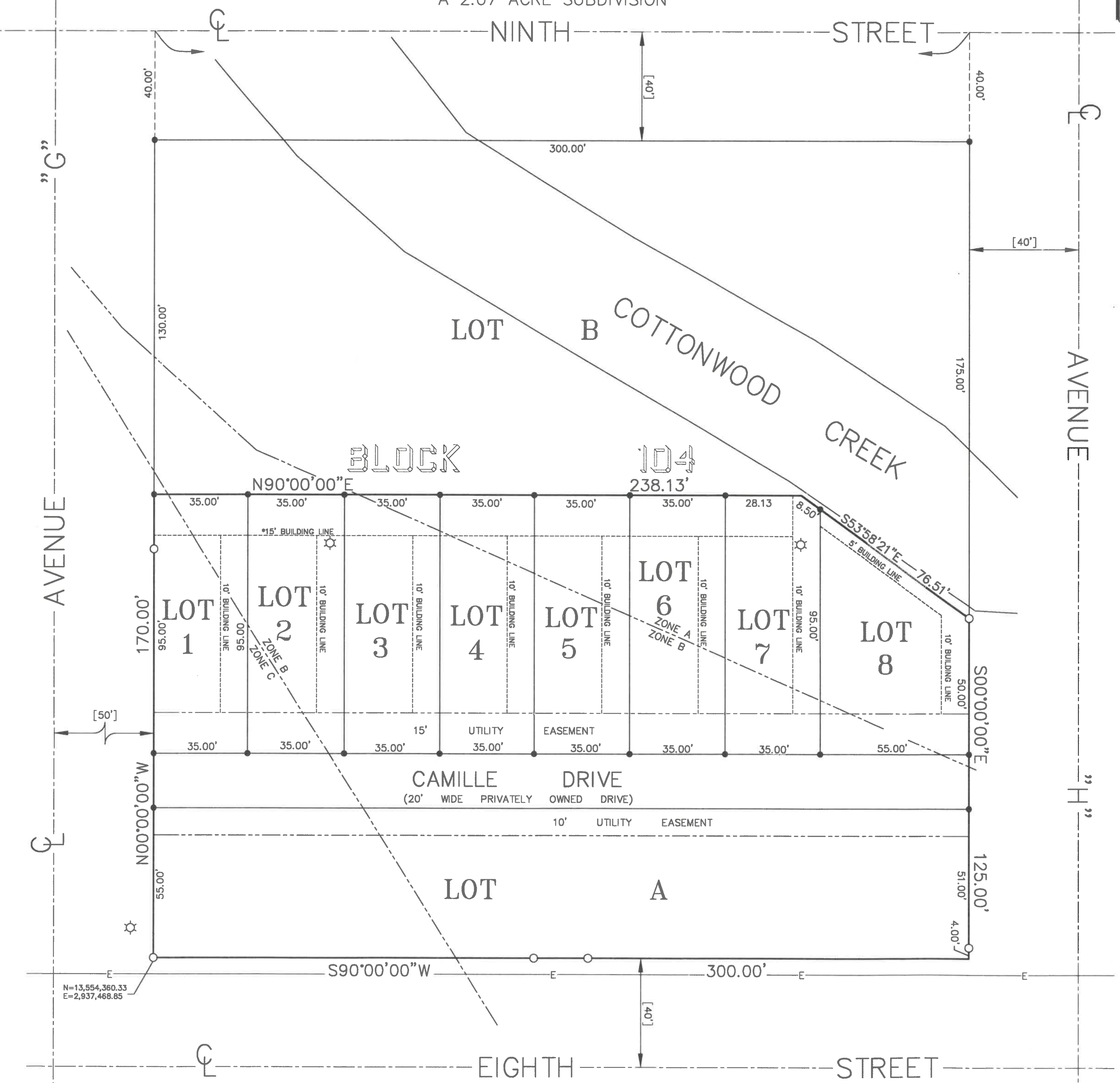
DATE
8/20/2019

SCALE
1"=5'-0"

SHEET
A-8

COTTONWOOD PARK

A 2.07 ACRE SUBDIVISION



RE-PLAT OF
OF BLOCK 104 OF THE
ORIGINAL TOWNSITE OF BAY CITY
I. & G. N. R. R. CO. SURVEY
ABSTRACT NO. 269
MATAGORDA COUNTY, TEXAS

CERTIFICATE OF OWNERSHIP

I, STUART LYNN, PRESIDENT OF SAL HOLDINGS, LLC, OWNER OF THE 2.07 ACRE TRACT DESCRIBED IN THE ABOVE AND FORGOING MAP OF COTTONWOOD PARK, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION PLAT OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND MYSELF, MY HEIRS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

____________________ __________
STUART LYNN, PRESIDENT DATE

STATE OF TEXAS
COUNTY OF MATAGORDA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED STUART LYNN, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS ________ DAY OF

________________, 2016.

____
NOTARY PUBLIC, STATE OF TEXAS

CITY PLANNING COMMISSION CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE BAY CITY PLANNING COMMISSION OF THE CITY OF BAY CITY, TEXAS HAS APPROVED THIS PLAT OF COTTONWOOD PARK IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF BAY CITY AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS _____ DAY OF ________ , 2016.

____
RAY TENNANT
CHAIRMAN

CITY ADMINISTRATION APPROVAL

STATE OF TEXAS
COUNTY OF MATAGORDA

ON BEHALF OF THE CITY OF BAY CITY, TEXAS, I HEREBY CERTIFY THAT THIS PLAT AND SUBDIVISION OF COTTONWOOD PARK WAS APPROVED IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF BAY CITY AS SHOWN HEREON; AND THAT THE DEDICATIONS ON THIS PLAT ARE HEREBY ACCEPTED BY THE CITY OF BAY CITY; AND AUTHORIZE THE RECORDING OF THIS PLAT THIS ________ DAY OF ________________, 20____, PROVIDED HOWEVER, THIS APPROVAL SHALL BE INVALID, NULL AND VOID UNLESS THIS PLAT IS FILED WITH THE COUNTY CLERK OF MATAGORDA COUNTY WITHIN SIX (6) MONTHS.

____________________ ____________________
MARK BRICKER, MAYOR RHONDA CLEGG, CITY SECRETARY

COUNTY CLERK'S CERTIFICATION

STATE OF TEXAS
COUNTY OF MATAGORDA

I, JANET HICKL, CLERK OF COUNTY COURT AND COUNTY CLERK OF MATAGORDA COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _______ 2016, _______ O'CLOCK ___ .M., AND WAS DULY RECORDED ON THE _____ DAY OF _______ 2016 IN THE MATAGORDA COUNTY PLAT RECORDS, SLIDE NO. __________.

____
COUNTY CLERK
COUNTY OF MATAGORDA
STATE OF TEXAS

NOTE: THIS IS RECONFIGURING BLOCK 104 INTO LOTS A, B & 1-8 SHOWN HEREON. BLOCK 104 WILL NO LONGER EXIST.

NOTE: THE 20' WIDE PRIVATELY OWNED DRIVE WILL BE OWNED IN COMMON BY LOT A AND LOTS 1-8 SHOWN HEREON.

*NOTE: THIS 15' BUILDING LINE EXCLUDES PORCHES AND WALKWAYS.

LEGEND

○	EXISTING 5/8" IRON ROD
●	SET 5/8" IRON ROD WITH PLASTIC CAP
—E—	OVERHEAD POWERLINE
[ ]	PLAT OR DEED CALL

NOTE: THE POSITION OF THE FLOOD BOUNDARY SHOWN HEREON IS BASED ON THE SCALE AS INDICATED ON THE APPROPRIATE FIRM FOR THIS LOCATION.

NOTE: THE BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE SOUTH CENTRAL ZONE NAD'83 GRID.

FLOOD DATA

ACCORDING TO THE APPROXIMATE SCALE OF THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 485455 0005 C, REVISED JUNE 5, 1985. THIS PROPERTY IS LOCATED IN ZONES A, B & C.

PARTS OF THIS PLAT LOWER THAN THE 100-YEAR FLOOD ELEVATION HAVE A ONE-PERCENT CHANCE EACH YEAR OF BEING INUNDATED BY FLOODING.

I, BRADLEY W. SARGENT, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON REPRESENTS THE RESULT OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION IN OCTOBER, 2015.

____
G & W ENGINEERS, INC.
BRADLEY W. SARGENT
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5827

DRAWN BY:	T.E.T.
CHECKED BY:	B.W.S.
DATE:	NOV. 10, 2015
SCALE:	1" = 30'

G & W ENGINEERS, INC.
ENGINEERING • SURVEYING • PLANNING
205 W. LIVE OAK STREET
PORT LAVACA, TEXAS 77979
(361) 552-4509
TBPLS FIRM NO.: 10022100
1803A 7th STREET
BAY CITY, TEXAS 77414
(979) 323-7100
TBPLS FIRM NO.: 10022101

FILE NO.:	6858-004
JOB NO.:	6858-004
SHEET NO.:	1 OF 1

Attachment: SKM_C45819091916310 (3984 : Variance Request - 1815 Camille Drive)

DATE: September 19, 2019

TO: City Council

FROM: Marla Jasek

SUBJECT: Cottonwood Park S/D, Block 1 Lot 4
Section 46-73 (1)—elevation to 24" above Base Flood Elevation

---

Lynn Construction is requesting a variance, on behalf of their client, to the following section of Bay City's Code of Ordinances because Lot 4 of Cottonwood Park Subdivision is in flood zone A3—an area where the base flood elevation (BFE) is known based on current Flood Insurance Rate Map (FIRM June 5, 1985).

The applicable sections of City Ordinance are shown below.

Sec. 46-73. - Area where base flood elevation known.

In all areas of special flood hazard where base flood elevation data has been provided as set forth in sections 46-26, 46-47(b)(8) or 46-75(b), the following provisions are required:

(1) New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to 24 inches above the base flood elevation. A surveyor shall submit a certification to the chief building inspector that the standard of this subsection, as proposed in section 46-48(b)(1), is satisfied.

Sec. 46-48. - Development permit. *(Sections a-b not pertinent to issue and not included)*

(c) Approval or denial of a development permit by the chief building inspector shall be based on all of the provisions of this article and the following relevant factors:

(1) The danger to life and property due to flooding or erosion damage;

(2) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

(3) The danger that materials may be swept onto other lands;

(4) The compatibility of the proposed use with existing and anticipated development;

(5) The safety of access to the property in times of flood for ordinary and emergency vehicles;

(6) The costs of providing governmental services during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

(7) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;

(8) The necessity to the facility of a waterfront location, where applicable;

(9) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use; and

(10) The relationship of the proposed use to the comprehensive plan for that area.

Sec. 46-49. - Variances. *(Sections a-e not pertinent to issue and not included)*

(f) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in section 46-48(c) have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.

(g) Upon consideration of the factors noted in this section and the intent of this article, the city council may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this article.

(h) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(i) The following are prerequisites for granting variances:

(1) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(2) Variances shall only be issued upon:

a. A showing of good and sufficient cause;

b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

c. A determination that the granting of a variance will not result in:

1. Increased flood heights;

2. Additional threats to public safety or extraordinary public expense;

3. Create nuisances;

4. Cause fraud on or victimization of the public; or

5. Conflict with existing local laws or ordinances.

(3) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

The BFE is the regulatory requirement for the elevation or flood proofing of structures. The relationship between the BFE and a structure's elevation determines the flood insurance premium. The city has adopted a requirement of constructing 24" above BFE as the city's standard which 1) allows for effects of future development in the floodplain; 2) ensures a lower flood insurance premium; and 3) allows a factor of safety for the structures in the floodplain for historic events.

The base flood elevation (BFE) for this area, based on the current FIRM map, is 51.5 ft. In order to meet the requirement to be 24" above BFE, the new home would have to be elevated 53.5 ft.

This is a new development and therefore should be in compliance with city codes if possible. The neighboring house mentioned in the variance request was shown to be entirely in flood zone B—outside of the current 100-year floodplain. In hindsight, the city should have asked for an elevation on the lot prior to issuing the permit due to its proximity to the Zone A and Cottonwood Creek. The actual elevation would have shown that the property was below BFE and the house should have been elevated to be in compliance with the City's ordinance. The home at 2601 3rd Street, which was granted a variance, is almost 1 mile from this development and was being constructed in a well-established neighborhood.

The City's Flood Ordinance does allow for variances for new construction on lots of one-half acre or less. This property is less than 0.1 acre so a variance can be considered. However; if this variance is granted it may set a precedent for the remainder of the lots in this subdivision that are adjacent to the creek and within the floodplain.

In addition, the flood plain maps are currently under evaluation and a revised preliminary map and flood insurance study has been made available for viewing and comments. On the proposed map, this property will be out of the 100- year floodplain. The BFE on the proposed map for this area is shown to decrease to 50.7'. The proposed maps are for review purposes only and we cannot use the information for permitting purposes until the map is officially approved and adopted. It is anticipated that the maps may be adopted in the Spring of 2020.

Options:

1. Deny the variance request to ensure the new home is constructed to the adopted higher standard and the risk for damage from a major flood will be significantly reduced.
2. Consider granting variance to build at 3" above existing BFE. (approx. elevation of 51 ft 9 in.) This is above the current BFE which meets the National Flood Insurance Program regulatory requirement but below what is required by City Ordinance.

Requirements:

3. The builder/owner will be required to submit an elevation certificate to the City.
4. If granted, the issuance of the variance will be the builder/owner's written notice that the cost of flood insurance may be increased due the increased risk resulting from the reduced lowest floor elevation.

Future Consideration:

5. Consider whether the city wants to maintain the higher floodplain management standard of 24" above BFE in the future or if the ordinance should be changed to reduce the number of floodplain variance requests. A FEMA Fact Sheet is attached which explains the benefits of adopting and enforcing the higher standard.

Marla Jasek, PE, CFM

Marla Jasek, PE, CFM
Asst. Director of Public Works

FEMA

Fact Sheet

Federal Insurance and Mitigation Administration

Higher Floodplain Management Standards: A Valuable Element in Community Planning

By working with elected and appointed officials to include higher standards for floodplain management in plans and ordinances, community planners help build communities that can recover more quickly after a flood, optimize the balance between the built environment and open space, and provide safer, more resilient places to work and live.

Planning for Resilience

When a community decides to voluntarily join the National Flood Insurance Program (NFIP), it agrees to adopt and enforce floodplain management regulations that meet at least the minimum requirements of the NFIP. This includes ensuring new buildings and substantially improved buildings in mapped special flood hazard areas are constructed so the risk for damage from a major flood (known as a base flood[1]) is significantly reduced.

However, standards and ordinances that exceed NFIP minimum requirements will make communities even stronger and more resilient, now and in the future. Community planners can play an important role in promoting adoption of these higher standards.

Everyone Benefits

Community plans that incorporate higher standards will benefit the communities as a whole as well as the individual property owner. The use of freeboard not only reduces the risk of flooding, but can reduce flood insurance premiums for policyholders – *the higher you build, the more you can save.*

FOUR KEY PLANNING ACTIONS

- **HIGHER-STANDARD ORDINANCES.** Work to adopt higher floodplain management standards that will ensure a stronger built environment going forward.
- **FREEBOARD.** Encourage new construction to be one or more feet above the base flood elevation.
- **OPEN SPACE.** Create incentives to turn floodprone areas into open space through property buy-outs and proactive planning.
- **HIGHER COASTAL CONSTRUCTION STANDARDS.** Where flood maps show the Limit of Moderate Wave Action (LiMWA),[2] recommend Zone VE construction standards in coastal A Zones. Even moderate wave action can cause erosion and structural damage.

Communities that exceed the NFIP minimum requirements can join the Community Rating System (CRS) and receive credits that result in lower flood insurance premiums for policyholders, with discounts of up to 45 percent. Most importantly, when the next flood occurs, communities and their residents and businesses will be less financially and physically affected, and will recover more quickly and fully.

More Information

To learn more about the Federal Emergency Management Agency (FEMA) floodplain management requirements and the role of higher standards, visit http://www.fema.gov/fpm.

For more about residential coastal construction, visit www.fema.gov/residential-coastal-construction.

To learn more about the Community Rating System, visit www.fema.gov/community-rating-system.

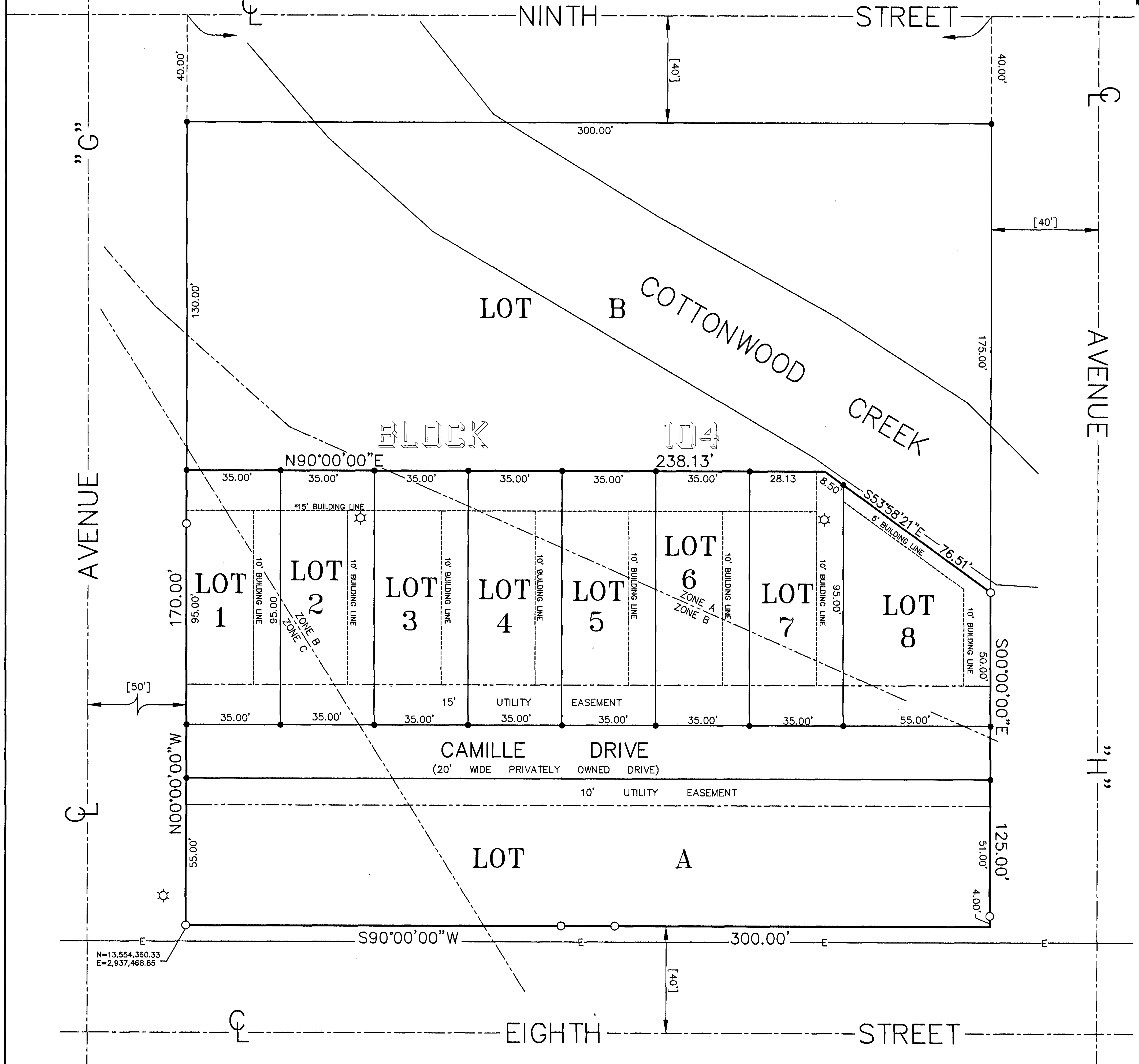
For other floodplain management publications, visit www.fema.gov/floodplain-management-publications.

1. A base flood has a 1-percent-annual-chance of being equaled or exceeded in any given year (or 26% chance in 30 years); however, a base flood could happen more than once in any given year.
2. LiMWA is the inland limit of the area expected to receive 1.5-foot or greater breaking waves during the base flood event.

"FEMA's mission is to support our citizens and first responders to ensure that as a nation we work together to build, sustain, and improve our capability to prepare for, protect against, respond to, recover from, and mitigate all hazards."

COTTONWOOD PARK

A 2.07 ACRE SUBDIVISION



RE-PLAT OF
OF BLOCK 104 OF THE
ORIGINAL TOWNSITE OF BAY CITY
I. & G. N. R. R. CO. SURVEY
ABSTRACT NO. 269
MATAGORDA COUNTY, TEXAS

CERTIFICATE OF OWNERSHIP

I, STUART LYNN, PRESIDENT OF SAL HOLDINGS, LLC, OWNER OF THE 2.07 ACRE TRACT DESCRIBED IN THE ABOVE AND FORGOING MAP OF COTTONWOOD PARK, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION PLAT OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS (EXCEPT THOSE STREETS DESIGNATED AS PRIVATE STREETS), ALLEYS, PARKS, WATER COURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN THEREON FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED; AND DO HEREBY BIND MYSELF, MY HEIRS AND ASSIGNS TO WARRANT AND FOREVER DEFEND THE TITLE TO THE LAND SO DEDICATED.

STUART LYNN, PRESIDENT — DATE 8-30-16

STATE OF TEXAS
COUNTY OF MATAGORDA

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED STUART LYNN, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 30th DAY OF August 2016.

Jessica L Rolf
NOTARY PUBLIC, STATE OF TEXAS

JESSICA L ROLF
NOTARY PUBLIC
STATE OF TEXAS
ID # 12987393-9
My Comm. Expires 07-02-2018

CITY PLANNING COMMISSION CERTIFICATE OF APPROVAL

THIS IS TO CERTIFY THAT THE BAY CITY PLANNING COMMISSION OF THE CITY OF BAY CITY, TEXAS HAS APPROVED THIS PLAT OF COTTONWOOD PARK IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF BAY CITY AS SHOWN HEREON AND AUTHORIZES THE RECORDING OF THIS PLAT THIS 1st DAY OF September 2016.

R Tennant
RAY TENNANT
CHAIRMAN

CITY ADMINISTRATION APPROVAL

STATE OF TEXAS
COUNTY OF MATAGORDA

ON BEHALF OF THE CITY OF BAY CITY, TEXAS, I HEREBY CERTIFY THAT THIS PLAT AND SUBDIVISION OF COTTONWOOD PARK WAS APPROVED IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCES OF THE CITY OF BAY CITY AS SHOWN HEREON; AND THAT THE DEDICATIONS ON THIS PLAT ARE HEREBY ACCEPTED BY THE CITY OF BAY CITY; AND AUTHORIZE THE RECORDING OF THIS PLAT THIS 1st DAY OF September 20 16 PROVIDED HOWEVER, THIS APPROVAL SHALL BE INVALID, NULL AND VOID UNLESS THIS PLAT IS FILED WITH THE COUNTY CLERK OF MATAGORDA COUNTY WITHIN SIX (6) MONTHS.

MARK BRICKER, MAYOR — RHONDA CLEGG, CITY SECRETARY

COUNTY CLERK'S CERTIFICATION

STATE OF TEXAS
COUNTY OF MATAGORDA

I, JANET HICKL, CLERK OF COUNTY COURT AND COUNTY CLERK OF MATAGORDA COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 2nd DAY OF Sept 2016, 4:43 O'CLOCK P. M., AND WAS DULY RECORDED ON THE 2nd DAY OF Sept 2016 IN THE MATAGORDA COUNTY PLAT RECORDS, SLIDE NO. 555A

Janet Hickl
COUNTY CLERK By: Maggie Perez, Chief Deputy
COUNTY OF MATAGORDA
STATE OF TEXAS

COUNTY COURT ★ MATAGORDA COUNTY, TEXAS ★

LEGEND

○	EXISTING 5/8" IRON ROD
●	SET 5/8" IRON ROD WITH PLASTIC CAP
—E—	OVERHEAD POWERLINE
[ ]	PLAT OR DEED CALL

NOTE: THE POSITION OF THE FLOOD BOUNDARY SHOWN HEREON IS BASED ON THE SCALE AS INDICATED ON THE APPROPRIATE FIRM FOR THIS LOCATION.

NOTE: THE BEARINGS, DISTANCES AND COORDINATES SHOWN HEREON ARE TEXAS STATE PLANE SOUTH CENTRAL ZONE NAD'83 GRID.

FLOOD DATA

ACCORDING TO THE APPROXIMATE SCALE OF THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 485455 0005 C, REVISED JUNE 5, 1985. THIS PROPERTY IS LOCATED IN ZONES A, B & C.

PARTS OF THIS PLAT LOWER THAN THE 100-YEAR FLOOD ELEVATION HAVE A ONE-PERCENT CHANCE EACH YEAR OF BEING INUNDATED BY FLOODING.

I, BRADLEY W. SARGENT, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON REPRESENTS THE RESULT OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION IN OCTOBER, 2015.

G & W ENGINEERS, INC.
BRADLEY W. SARGENT
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5827

STATE OF TEXAS ★ REGISTERED ★ BRADLEY W. SARGENT 5827 PROFESSIONAL LAND SURVEYOR

NOTE: THIS IS RECONFIGURING BLOCK 104 INTO LOTS A, B & 1-8 SHOWN HEREON. BLOCK 104 WILL NO LONGER EXIST.

NOTE: THE 20' WIDE PRIVATELY OWNED DRIVE WILL BE OWNED IN COMMON BY LOT A AND LOTS 1-8 SHOWN HEREON.

*NOTE: THIS 15' BUILDING LINE EXCLUDES PORCHES AND WALKWAYS.

DRAWN BY:	T.E.T.
CHECKED BY:	B.W.S.
DATE:	NOV. 10, 2015
SCALE:	1" = 30'

G & W ENGINEERS, INC.
ENGINEERING • SURVEYING • PLANNING
205 W. LIVE OAK STREET, PORT LAVACA, TEXAS 77979, (361) 552-4509, TBPLS FIRM NO.: 10022100
1803A 7th STREET, BAY CITY, TEXAS 77414, (979) 323-7100, TBPLS FIRM NO.: 10022101

FILE NO.:	6858-004
JOB NO.:	6858-004
SHEET NO.:	1 OF 1

City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

Meeting: 09/26/19 07:00 PM
Department: Finance
Category: Budget
Prepared By: Scotty Jones
Initiator: Scotty Jones
Sponsors:
DOC ID: 3988

AGENDA ITEM (ID # 3988)

~ DISCUSS, CONSIDER, AND/OR APPROVE AN ORDINANCE ADOPTING BUDGET AMENDMENTS FOR THE QUARTER ENDING SEPTEMBER 30, 2019.

BACKGROUND:

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

FINANCIAL IMPLICATIONS:

Amending the budget provides a revised parameter for the budget.

RECOMMENDATION:

Recommend City Council approve the budget amendments as presented**.**

ATTACHMENTS:

Ordinance and Budget Amendments

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

ORDINANCE NO. ______

AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, ADOPTING A "BUDGET AMENDMENT #4 TO THE "ANNUAL BUDGET OF THE CITY OF BAY CITY, TEXAS, FOR THE FISCAL YEAR 2019"; 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. 1622, the City of Bay City, Texas, adopted its "Annual Budget" for Fiscal Year 2019;

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 2019; 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 2018, is hereby amended as shown on "Budget Amendment #4" to the Original Budget of the City of Bay City, Texas, for the Fiscal Year 2019, attached hereto. These amendments are for municipal purposes. Said Budget Amendment shall be attached to and made a part of such Annual Budget by the City Secretary and shall be filed as required by state law, a true ad correct copy of which is attached hereto as Exhibit "A" and made a part hereof for all purposes.

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

PASSED AND APPROVED on first and final reading this 26th day of September 2019.

CITY OF BAY CITY, TEXAS

____
Robert K. Nelson, Mayor

ATTEST:

____
David Holubec, City Secretary

APPROVED as to FORM:

____
Anne Marie Odefey, City Attorney

Council Member:	Voted Aye	Voted No	Absent
Brent Marceaux	________	________	________
Bill Cornman	________	________	________
Julie L. Estlinbaum	________	________	________
Becca Sitz	________	________	________
Jason Childers Mayor Pro-Tem	________	________	________

____
Robert K. Nelson, Mayor

ATTEST:

____
David Holubec, City Secretary

APPROVED AS TO FORM AND SUBSTANCE:

____
Anne Marie Odefey, City Attorney

BUDGET AMENDMENT

DEPARTMENT: **General Fund** Date: **9/26/2019**

Reason for Budget Amendment: (Please indicate)

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

Brief Description of Request: **FY2019: Various Departments in General Fund Increased**

			Expenditure Increase or Revenue Decrease	*Exp. Decrease or Rev. Increase*	
Account Description	**Fund #**	**Account #**	**Debit**	**Credit**	**Notes**
Sales Tax	11	3205		$ 20,000	Increase Revenue
Sales Tax- Property Tax Relie	11	3220		$ 10,000	Increase Revenue
State Mixed Drink Tax	11	3210		$ 1,677	Increase Revenue
Plat Filing Fees	11	3537		$ 2,000	Increase Revenue
Building Permits	11	3535		$ 69,000	Increase Revenue
Alcohol Beverage Permit	11	3505		$ 2,500	Increase Revenue
Rental Proceeds	11	3620		$ 10,000	Increase Revenue
		GF Revenue			
Transfer to Fund 64	11	410-4732	$ 54,500		Transfer to Airport
General Liability Insurance	11	410-4405	$ 18,000		Increase Exp- Insurance & Windstorm
Health Ins. Claims Reimb	11	410-4406	$ 3,000		Increase Exp- Reimb Employees
Contracted Services	11	410-4425	$ 7,000		Increase Exp- Mold Testing, etc.
City Incentive Programs	11	410-4494	$ 8,000		Increase Exp- Builder's Incentive, 380's
R & M Building	11	410-4515	$ 20,000		Increase Exp- Annex Upgrades, etc
Transfer to Haz Mit Fund	11	410-4723	$ 7,000		Increase Exp- Increase Match CH Gen
Transfer to Haz Mit Fund	11	410-4723	$ 9,000		Increase Exp- Increase Match Fire Gen
Build Reserve	11	410-4497		$ 14,323	Decrease Exp- Lower Reserve Build
		City General			
Contracted Services	11	405-4425	$ 3,000		Increase Expense- Code Update
		City Secretary			

The amendments above relate to the following:

Increased Revenue in various accounts to offset transfer to Airport.

Increased Revenue in various accounts to offset various City General Expenditures such as insurance, building repairs, etc.

Increased Revenue to offset increased cost in generator match (City Hall and Fire Dept. Generators)

TOTAL			**$ 129,500**	**$ 129,500**	

Dept. Head Signature: Date

Finance Director Signature: Date 9-19-19

BUDGET AMENDMENT

DEPARTMENT: **General Fund** Date: **9/26/2019**

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.
X	4. Transfer reclassification of original adopted budget to realign budget to actual transaction activity as presently needed.

Brief Description of Request: **FY2019: Recycling Center**

Account Description	Fund #	Account #	*Expenditure Increase or Revenue Decrease* Debit	*Exp. Decrease or Rev. Increase* Credit	Notes
CE- Building & IOTB	11	479-4615	$ 100,000		Increase Project Expense- Recycling Cntr
	Recycling Center				
Salaries & Wages	11	475-4105		$ 100,000	Decrease Expense
	Street and Bridge				

The amendments above relate to the following:

Recycling Center bids came in over budget. Origingal amount in budget was $239,780.
Total Recycling Center Project cost is anticipated to be $632,134 after all bills paid.

TOTAL			**$ 100,000**	**$ 100,000**	

Dept. Head Signature: Date

Finance Director Signature: Date 9-19-19

BUDGET AMENDMENT

DEPARTMENT: **Hotel/Motel** Date: **9/26/2019**

Reason for Budget Amendment: (Please indicate)

X	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.
X	4. Transfer reclassification of original adopted budget to realign budget to actual transaction activity as presently needed.

Brief Description of Request: **FY2019: Hotel Motel**

			Expenditure Increase or Revenue Decrease	***Exp. Decrease or Rev. Increase***	
Account Description	**Fund #**	**Account #**	**Debit**	**Credit**	**Notes**
Other Income- Special Events	25	3696		$ 11,500	Increase Revenue
Event Overtime	25	405-4105	$ 3,500		Increase Expense
Advertising- Concert Series	25	405-4461	$ 8,000		Increase Expense
	Tourism Department				
Transfer Out- Fund 23	25	404-4723	$ 6,300		Increase Exp- Generator Match
Support- Events	25	404-4485		$ 6,300	Decrease Exp
		Hotel General			

The amendments above relate to the following:

This was money raised through T-Shirt Sales and Sponsorhips to help offset Tourism related events

Generator came in higher than anticipated therefore match is increased

TOTAL			$ 17,800	$ 17,800	

$

Dept. Head Signature: ______ Date 9-19-19

Finance Director Signature: ______ Date

BUDGET AMENDMENT

DEPARTMENT: Utility

Date: **9/26/2019**

Reason for Budget Amendment: (Please indicate)

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

Brief Description of Request: **FY2019: UTILITY**

Account Description	Fund #	Account #	*Expenditure Increase or Revenue Decrease* Debit	*Exp. Decrease or Rev. Increase* Credit	Notes
Insurance Claims	61	3693		$ 14,000	Increase Revenue
Gain or Disposals of Assets	61	3695		$ 14,000	Increase Revenue
Service Charges	61	3330		$ 17,000	Increase Revenue
CE- Furniture & Equip	61	405-4605	$ 28,000		Increased Expense- New Vehicle
Transfer Out- Fund 23	61	405-4723	$ 17,000		Increased Expense- Generator Match
	Utility General Division				

The amendments above relate to the following:

Replaced vehicle Unity 805 that was wrecked- Insurance Paid $14,125
Generator came in higher than anticipated therefore match is increased

TOTAL			**$ 45,000**	**$ 45,000**	$

Dept. Head Signature: [signature] Date 9-19-19

Finance Director Signature: Date

Attachment: Budget Amendments 4th Qtr (3988 : Budget Amendments - 4th Quarter 2019)

BUDGET AMENDMENT

DEPARTMENT: Airport Date: 9/26/2019

Reason for Budget Amendment: (Please indicate)

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

Brief Description of Request: FY2019: Airport

Account Description	Fund #	Account #	Debit (*Expenditure Increase or Revenue Decrease*)	Credit (*Exp. Decrease or Rev. Increase*)	Notes
TX Dept of Transportation	64	3640		$ 34,000	Increase Revenue
Transfer In- General Fund	64	3711		$ 54,500	Increase Revenue
Transfer In- Fund 34	64	3734		$ 320,000	Tax Note 2018-Fund Fuel Trucks
Jet Fuel	64	3805		$ 9,500	Increase Revenue
Salaries & Wages	64	405-4105	$ 15,000		Increase Expense
Aviation/Jet Fuel	64	405-4321	$ 9,500		Increase Expense
General & Unemployment Ins	64	405-4405	$ 3,500		Increase Expense
R & M - Inf- RAMP	64	405-4533	$ 70,000		Increase Expense- RAMP Grant
CE- Furniture & Equip	64	405-4605	$ 320,000		Increase Expense- Fuel Trucks
	Airport Operations				

The amendments above relate to the following:

Transfer In from General Fund used to offset personnel costs, liab insurance, and match for RAMP.

TX DOT Grant Requires 50% match-- some is carry over from prior year

Transfer in from Fund 34 (Tax Note 2018) used to fund 2 fuel trucks

TOTAL			**$ 418,000**	**$ 418,000**

Dept. Head Signature: [signature] Date 9-19-19

Finance Director Signature: Date

Attachment: Budget Amendments 4th Qtr (3988 : Budget Amendments - 4th Quarter 2019)

City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 3983)

Meeting: 09/26/19 07:00 PM
Department: Finance
Category: Budget
Prepared By: Scotty Jones
Initiator: Scotty Jones
Sponsors:
DOC ID: 3983

~ DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION OF THE CITY OF BAY CITY, TEXAS ADOPTING THE CITY OF BAY CITY FIVE YEAR CAPITAL IMPROVEMENTS PROGRAM.

Full version of capital plan can be found on the City's website https://www.cityofbaycity.org

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

Resolution of the City of Bay City, Texas
No.

A RESOLUTION ADOPTING A FIVE YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) IN COMPLIANCE WITH THE CITY CHARTER

WHEREAS the City Charter requires a plan for capital improvement covering the succeeding five years and proposed method of financing to the City Council prior to the beginning of each budget year; and,

WHEREAS a Five-Year Capital Program was presented to the City Council on July 25, 2019 in compliance with the City Charter and,

WHEREAS, the required time has passed since the last public hearing as required by the City of Bay City Home Rule Charter; and

WHEREAS the City Council has reviewed the Five-Year Capital Program, found it to be in compliance with all City Charter and believes its approval by resolution is in the best interest of Bay City residents.

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

THAT the Five-Year Capital Program (October 1, 2019 – September 30, 2024), a copy of which is attached hereto and incorporated in the Fiscal Year Budget 2020, is hereby adopted in compliance with the City Charter.

PASSED and APPROVED this 26th day of September 2019.

____
Robert K. Nelson
Mayor

ATTEST:

____
David Holubec
City Secretary

City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 3989)

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3989

~ DISCUSS, CONSIDER AND/OR APPROVE THE BAY CITY PUBLIC LIBRARY'S LONG-RANGE PLAN FOR FISCAL YEAR 2020 THROUGH FISCAL YEAR 2024.

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

GOAL 1: FACILITIES

To provide facilities that are safe, accessible, functional and welcoming; respond to community needs; meet programming, service, and administrative needs; and address the changing uses of library spaces.

OBJECTIVE	ACTION	BRANCH	VISION 2040 ELEMENT	FY2020 GOAL
The Library will be a comfortable and usable space for the community and will be accessible to all.	Evaluate facilities and create a Facilities Improvement Plan.	BC, SAR	Infrastructure & City Facilities	Yes
	Create a Facility Maintenance Checklist	BC, SAR	Governance	Yes
	Upgrade security camera system to improve the safety of patrons and staff while improving loss prevention measures.	BC	Infrastructure & City Facilities	Yes
	Modify business hours to meet community needs	BC, SAR	Governance	Yes
	Relocate Sargent Branch into newly renovated location.	SAR	Infrastructure & City Facilities	Yes
	Complete Teen Room update	BC	Livability & Quality of Life	No
	Evaluate current furniture for future use and replace as necessary.	BC	Livability & Quality of Life	No
	Install enclosure around the dumpster.	BC	Infrastructure & City Facilities	Yes
	Install a fire exit door in Multipurpose Room	BC	Infrastructure & City Facilities	Yes
	Ensure facility meets all required federal, state, and local laws and codes.	BC, SAR	Infrastructure & City Facilities	Yes, ongoing
	Maintain and improve the Family Place Library public space area.	BC	Livability & Quality of Life	Yes

Residents and non-residents will view the library as a destination.	Determine and implement the most feasible option for providing a "coffee shop" in the library.	BC	Livability & Quality of Life	No
	If attainable, create a testing location for adult learners to further their education and careers.	BC	Communtiy & Economic Development	No
	Convert the Multipurpose Room into a rentable space.	BC	Communtiy & Economic Development	No
	Create outdoor spaces for patron and staff use	BC, SAR	Livability & Quality of Life	Potential
	Offer cultural and special events that attract locals and non-residents	BC	Communtiy & Economic Development	Yes
	Improve the availability of Genealogy materials and services and market them.	BC	Livability & Quality of Life	No

GOAL 2: COLLECTION & SERVICES

To provide collections, programming, and services that meet the needs of residents, businesses, and organizations; promote literacy and education; and offer recreational opportunities

OBJECTIVE	ACTION	BRANCH	VISION 2040 ELEMENT	FY2020 GOAL
Create and enhance library collections based upon customer needs and information-seeking	Develop a Collection Development Plan.	BC, SAR	Governance	Yes
	Inventory entire collection annually.	BC, SAR	Governance	Yes
	Ensure that at least 20% of the library's collection is published in the last 5 years.	BC, SAR	Governance	Yes

behaviors	Increase ease of use and browsing ability by eliminating or enhancing Dewey, combining different formats, and identifying genres where necessary.	BC	Governance	Yes
	Create more displays that are visually appealing	BC, SAR	Governance	Yes
Develop, maintain, and grow programs and services to meet the diverse needs of the community.	Contract with specialized instructors and guest speakers to offer new programs and services	BC	Livability & Quality of Life	No
	Regularly evaluate programs.	BC, SAR	Governance	Yes
	Host book clubs at multiple times and formats to meet the various patron schedules.	BC	Livability & Quality of Life	Yes
	Host additional cultural and educational programs with funding provided by outside sources and partnerships	BC, SAR	Livability & Quality of Life	Yes
	Develop a Programming Plan and Master Calendar	BC, SAR	Governance	Yes
	Conduct annual program survey	BC, SAR	Governance	Yes
	Develop a program for documenting local history.	BC	Livability & Quality of Life	Potential
Expand library services by taking the library to the residents through	Continue Pop-up storytimes	BC	Livability & Quality of Life	Yes
	Collaborate with Parks & Recreation to revamp Stories in the Park and Storywalks.	BC	Livability & Quality of Life	Yes
	Add Pop-Up libraries as determined feasible and most utilized.	BC	Livability & Quality of Life	No
	Provide materials to nursing homes and homebased citizens	BC	Livability & Quality of Life	Potential

outreach opportunities.	Participate in at least three community events each year.	BC	Governance	Yes
	Continue the Early Literacy Rotating Collection Kits.	BC	Livability & Quality of Life	Yes
	Partner with Little Free Libraries in the community.	BC, SAR	Livability & Quality of Life	Yes
	Continue to develop outreach opportunities with community partners.	BC	Livability & Quality of Life	Yes
Increase and enhance availability and use of digital resources	Re-evaluate existing resources and add new resources to meet community needs. Resource focus will include the areas of continuing education, software training, business, eBooks, eAudiobooks, eMagazines, music, video, genealogical resources, reader's advisory, language learning, literature, art, and science.	BC, SAR	Livability & Quality of Life	Yes, ongoing
	Train staff in the detailed use of library digital resources for the best possible customer experience.	BC, SAR	Governance	Yes
	Promote current digital resources.	BC, SAR	Governance	yes
Highlight the library as a resource for community and economic development	Assist in Business retention and expansion programs by adding online business services	BC	Communtiy & Economic Development	Yes
	Develop business centered collections and guides available online and in the library.	BC	Communtiy & Economic Development	Potential

	Provide testing services for higher learning.	BC	Communtiy & Economic Development	Yes
	Offer business centered programs, such as speakers, classes, and series.	BC	Communtiy & Economic Development	Potential
GOAL 3: ADMINISTRATION & PERSONNEL				
Enhance administrative functions for high quality, professional, and effective operations				
OBJECTIVE	ACTION	BRANCH	VISION 2040 ELEMENT	FY2020 GOAL
Develop, maintain, and grow partnerships with local businesses and organizations to support each other's goals.	Create a plan for evaluating the success of partnerships.	BC	Governance	Yes
	Identify potential partnerships and seek them out.	BC	Governance	Yes
	Meet with current partners at least annually to plan for the upcoming year.	BC	Governance	Yes, ongoing
	Conduct local meetups with school librarians annually.	BC	Governance	Yes, ongoing
Provide consistent and quality services to the community.	Utilize the Texas State Library and Archives Commission Library Standards as guidelines for measuring standards of library services and create a plan to implement changes necessary to meet Enhanced Levels of Service within a 5-year timeline.	BC, SAR	Governance	Yes, ongoing
	Apply for and earn "Achievement in Excellence in Libraries" Award from TMLDA	BC, SAR	Governance	Yes, ongoing
	Review and update Library Policy Manual at least every two years.	BC, SAR	Governance	Yes, ongoing

	Evaluate and update action items in strategic plan annually	BC, SAR	Governance	Yes, ongoing
	Assess the need for additional staff and develop personnel plan.	BC, SAR	Governance	Yes
	Grow volunteer base to meet expanding service needs.	BC, SAR	Governance	Yes
	Establish standards of excellent customer service for staff.	BC, SAR	Governance	Yes
Develop staff to be knowledgeable and empowered to lead the library in pursuit of its vision, mission, goals, and objectives.	Employees in addition to the Library Director will attend Texas Library Association Annual Conference as available.	BC, SAR	Governance	Yes
	Continue required minimum professional development hours.	BC, SAR	Governance	Yes
	Conduct Quarterly Staff Development Days for employees and volunteers.	BC, SAR	Governance	Yes
	Encourage qualified staff to seek Library Support Staff Certification	BC, SAR	Governance	Yes
	Create onboarding training program.	BC, SAR	Governance	Yes
	Establish competencies for staff to improve knowledge and skills of employees and volunteers.	BC, SAR	Governance	Yes

GOAL 4: MARKETING & COMMUNICATION

To create broad community awareness and support of the library's programs and services and the resources needed to carry out its goals and objectives

OBJECTIVE	ACTION	BRANCH	VISION 2040 ELEMENT	FY2020 GOAL
	Develop a Marketing Plan	BC, SAR	Governance	Yes

Execute consistent, multifaceted marketing and promotion	Update logo to better represent the library as a whole with branch customization possibility.	BC, SAR	Governance	No
	Regularly update the Library webpage and social media platforms	BC, SAR	Governance	Yes
	Coordinate activities with and provide support to the Friends of the Library organizations to maximize their success	BC, SAR	Governance	Yes
	Coordinate activities with and provide support to the Bay City Library Association organization to maximize their success	BC	Governance	Yes
Foster and maintain a positive image in the community.	Use social media platforms to make real connections with the community	BC, SAR	Governance	Yes
	Continue to offer amnesty and fine forgiveness programs to encourage use of library.	BC, SAR	Governance	Yes
	Provide announcement, photos and articles to local news sources.	BC, SAR	Governance	Yes
	Publish a library report for the public at least annually.	BC, SAR	Governance	Yes
	Explore eliminating late fees.	BC, SAR	Governance	No
	Develop branch newsletters to provide consistent information	BC, SAR	Governance	Yes

GOAL 5: TECHNOLOGY

Provide the community with access to current and emerging technologies and opportunities for technological success and exploration

OBJECTIVE	ACTION	BRANCH	VISION 2040 ELEMENT	FY2020 GOAL

Provide and maintain adequate access to essential technology for personal, educational and career success.	Implement a 4 year replacement/maintenance schedule for all computers and software.	BC, SAR	Governance	Yes
	Provide assistive technology on at least two public computer stations.	BC, SAR	Governance	Potential
	Upgrade printing capabilities in Sargent	SAR	Governance	Yes
	Address the need for improved technical support in order to keep technology available to staff and patrons.	BC, SAR	Governance	Yes
	Increase the number of available public access devices by adding tablets and laptops for in library use	BC	Livability & Quality of Life	Potential
	Add Erateable services to the Sargent branch for improved internet access.	SAR	Livability & Quality of Life	Potential
	Continue to comply with the provisions of the Children's Internet Protection Act (CIPA) to remain eligible for federal funding under E-Rate, LSTA, and other federally funded programs.	BC, SAR	Governance	Yes
	Complete the transition of management of IT to the IT Department	BC	Governance	Potential
Emerging technologies and digital literacy will be provided to	Create a high- and low-tech Makerspace to include various technology types.	BC	Livability & Quality of Life	No
	Provide devices and hotspots for patrons to check out for home use.	BC, SAR	Livability & Quality of Life	Potential

literacy will be provided to encourage exploration, development of residents, and exceed community expectations of library technology.	Provide regularly scheduled computer classes in English and Spanish.	BC	Livability & Quality of Life	Yes
	Add video conferencing equipment for general use.	BC	Livability & Quality of Life	No
	Provide digitization equipment for historical assets.	BC	Livability & Quality of Life	No
Make the library highly and easily accessible online.	Provide payment options in person and online	BC, SAR	Governance	Yes
	Ensure webpage is accessible using standards and validation services such as the World Wide Web Consortium	BC	Governance	Yes
	Provide online guides for services, programs, and topics of interest.	BC	Governance	No
	Promote the Library app	BC, SAR	Governance	Yes
	Explore adding an e-library card option for patrons needing digital access only.	BC, SAR	Governance	No

BAY CITY PUBLIC LIBRARY

LONG RANGE PLAN

FY2020-2024

Mission

The Bay City Public Library connects residents of Matagorda County with information, technology, ideas and experiences to provide enjoyment, enrich lives and strengthen our community.

Vision

The Bay City Public Library will foster a spirit of community and self-discovery by improving the quality of life in Bay City and surrounding areas.

Core Values

The Bay City Public Library values...

- Diversity & Democracy
- Equity
- Community
- Responsive Service
- Professionalism
- Learning & Development
- Quality of Life

Focus of Goals

- Facilities
- Collection & Services
- Administration & Personnel
- Marketing & Communications
- Technology

Goal 1: Facilities

To provide facilities that are safe, accessible, functional and welcoming; respond to community needs; meet programming, service, and administrative needs; and address the changing uses of library spaces.

Objective 1: The Library will be a comfortable and usable space for the community and will be accessible to all.

Action: Evaluate facilities and create a Facilities Improvement Plan.
Action: Create a Facility Maintenance Checklist
Action: Upgrade security camera system to improve the safety of patrons and staff while improving loss prevention measures.
Action: Modify business hours to meet community needs at both branches.
Action: Relocate Sargent Branch into newly renovated location.
Action: Complete Teen Room update
Action: Evaluate current furniture for future use and replace as necessary.
Action: Install enclosure around the dumpster.
Action: Install a fire exit door in Multipurpose Room
Action: Ensure facility meets all required federal, state, and local laws and codes.

Objective 2: Residents and non-residents will view the library as a destination.

Action: Maintain and improve the Family Place Library public space area.
Action: Determine and implement the most feasible option for providing a “coffee shop” in the library.
Action: If attainable, create a testing location for adult learners to further their education and careers.
Action: Convert the Multipurpose Room into a rentable space.
Action: Create outdoor spaces for patron and staff use
Action: Offer cultural and special events that attract locals and non-residents
Action: Improve the availability of Genealogy materials and services and market them.

Goal 2: Collection & Services

To provide collections, programming, and services that meet the needs of residents, businesses, and organizations; promote literacy and education; and offer recreational opportunities

Objective 1: Create and enhance library collections based upon customer needs and information-seeking behaviors

Action: Make Genealogy Collection available in the online catalog
Action: Develop a Collection Development Plan.
Action: Inventory entire collection annually.
Action: Ensure that at least 20% of the library's collection is published in the last 5 years.
Action: Increase ease of use and browsing ability by eliminating or enhancing Dewey, combining different formats, and identifying genres where necessary.
Action: Create more displays that are visually appealing

Objective 2: Develop, maintain, and grow programs and services to meet the diverse needs of the community.

Action: Contract with specialized instructors and guest speakers to offer new programs and services
Action: Regularly evaluate programs.
Action: Host book clubs at multiple times and formats to meet the various patron schedules.
Action: Host additional cultural and educational programs with funding provided by outside sources and partnerships
Action: Develop a Programming Plan and Master Calendar

Action: Conduct annual program survey
Action: Develop a program for documenting local history.

Objective 3: Expand library services by taking the library to the residents through outreach opportunities.

Action: Continue Pop-up storytimes
Action: Collaborate with Parks & Recreation to revamp Stories in the Park and Storywalks.
Action: Add Pop-Up libraries as determined feasible and most utilized.
Action: Provide materials to nursing homes and homebased citizens
Action; Participate in at least three community events each year.
Action: Continue the Early Literacy Rotating Collection Kits.
Action: Partner with Little Free Libraries in the community.
Action: Continue to develop outreach opportunities with community partners.

Objective 4: Increase and enhance availability and use of digital resources

Action: Re-evaluate existing resources and add new resources to meet community needs. Resource focus will include the areas of continuing education, software training, business, eBooks, eAudiobooks, eMagazines, music, video, genealogical resources, reader's advisory, language learning, literature, art, and science.
Action: Train staff in the detailed use of library digital resources for the best possible customer experience.
Action: Promote current digital resources.

Objective 5: Highlight the library as a resource for community and economic development

Action: Assist in Business retention and expansion programs by adding online business services
Action: Develop business centered collections and guides available online and in the library.
Action: Provide testing services for higher learning.
Action: Offer business centered programs, such as speakers, classes, and series.

Goal 3: Administration and Personnel

Enhance administrative functions for high quality, professional, and effective operations

Objective 1: Develop, maintain, and grow partnerships with local businesses and organizations to support each other's goals.

Action: Create a plan for evaluating the success of partnerships.
Action: Identify potential partnerships and seek them out.
Action: Meet with current partners at least annually to plan for the upcoming year.
Action: Conduct local meetups with school librarians annually.

Objective 2: Provide consistent and quality services to the community.

Action: Utilize the Texas State Library and Archives Commission Library Standards as guidelines for measuring standards of library services and create a plan to implement changes necessary to meet Enhanced Levels of Service within a 5-year timeline.
Action: Apply for and earn "Achievement in Excellence in Libraries" Award from TMLDA
Action: Review and update Library Policy Manual at least every two years.
Action: Evaluate and update action items in strategic plan annually
Action: Assess the need for additional staff and develop personnel plan.

Action: Grow volunteer base to meet expanding service needs.
Action: Establish standards of excellent customer service for staff.

Objective 3: Develop staff to be knowledgeable and empowered to lead the library in pursuit of its vision, mission, goals, and objectives.

Action: Employees in addition to the Library Director will attend Texas Library Association Annual Conference as available.
Action: Continue required minimum professional development hours.
Action: Conduct Quarterly Staff Development Days for employees and volunteers.
Action: Encourage qualified staff to seek Library Support Staff Certification
Action: Create onboarding training program.
Action: Establish competencies for staff to improve knowledge and skills of employees and volunteers.

Goal 4: Marketing and Communication

To create broad community awareness and support of the library's programs and services and the resources needed to carry out its goals and objectives

Objective 1: Execute consistent, multifaceted marketing and promotion

Action: Develop a Marketing Plan
Action: Update logo to better represent the library as a whole with branch customization possibility.
Action: Regularly update the Library webpage and social media platforms
Action: Coordinate activities with and provide support to the Friends of the Library organizations to maximize their success
Action: Coordinate activities with and provide support to the Bay City Library Association organization to maximize their success

Objective 2: Foster and maintain a positive image in the community.

Action: Use social media platforms to make real connections with the community
Action: Continue to offer amnesty and fine forgiveness programs to encourage use of library.
Action: Provide announcement, photos and articles to local news sources.
Action: Publish a library report for the public at least annually.
Action: Explore eliminating late fees.
Action: Develop branch newsletters to provide consistent information

Goal 5: Technology

Provide the community with access to current and emerging technologies and opportunities for technological success and exploration.

Objective 1: Provide and maintain adequate access to essential technology for personal, educational and career success.

Action: Implement a 4 year replacement/maintenance schedule for all computers and software.
Action: Provide assistive technology on at least two public computer stations.
Action: Upgrade printing capabilities in Sargent
Action: Address the need for improved technical support in order to keep technology available to staff and patrons.
Action: Increase the number of available public access devices by adding tablets and laptops for in library use
Action: Add Erateable services to the Sargent branch for improved internet access.
Action: Continue to comply with the provisions of the Children's Internet Protection Act (CIPA) to remain eligible for federal funding under E-Rate, LSTA, and other federally funded programs.
Action: Complete the transition of management of IT to the IT Department

Objective 2: Emerging technologies and digital literacy will be provided to encourage exploration, development of residents, and exceed community expectations of library technology.

Action: Create a high- and low-tech Makerspace to include various technology types.
Action: Provide devices and hotspots for patrons to check out for home use.
Action: Provide regularly scheduled computer classes in English and Spanish.
Action: Add video conferencing equipment for general use.
Action: Provide digitization equipment for historical assets.

Objective 3: Make the library highly and easily accessible online.

Action: Provide payment options in person and online
Action: Ensure webpage is accessible using standards and validation services such as the World Wide Web Consortium
Action: Provide online guides for services, programs, and topics of interest.
Action: Promote the Library app
Action: Explore adding an e-library card option for patrons needing digital access only.

TOCKER
FOUNDATION

August 15, 2019

Samantha Denbow
Sargent Branch - Bay City Library System
1100 7th Street
Bay City, Texas 77414

Grant#: 19208

Dear Samantha Denbow,

The Tocker Foundation promotes Texas public libraries in communities of 12,000 or less. Grant applications are reviewed by a permanent committee of librarians appointed by the Texas Library Association. This grant brings the cumulative grant support to the Sargent Branch - Bay City Library System to a total of $54,000.

We have reviewed your grant application and we wish to fund the following:

Description	Requested		Funded
A 21st Century Library for a Growing Rural Community	$53,997	up to	$54,000
Grant Total	$53,997		$54,000

The grant is conditional on certain Foundation guidelines and allocation of funds. Release of grant funds is contingent upon receipt of your signed contract as well as fulfillment of any conditions that may be indicated. Please do not implement the project without first returning the grant contract.

The enclosed contract is based on the breakdown above. Please sign both copies and return ONE signed copy in the enclosed self-addressed envelope. Congratulations on your successful application. We look forward to participating in your project.

Sincerely,

Darryl Tocker
Executive Director

5806 Mesa Drive, Suite 375 | Austin, Texas 78731 | Office (512) 452-1044 | tocker.org

City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

AGENDA ITEM (ID # 3982)

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Report
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3982

~ DISCUSS, CONSIDER, AND/OR APPROVE THE APPOINTMENT OF A CITY REPRESENTATIVE AND AN ALTERNATE TO H-GAC'S 2020 GENERAL ASSEMBLY.

COMMENTS - Current Meeting:

Councilman, Jason Childers was nominated to attend the 2020 General H-GAC General Assembly. Councilwoman, Becca Sitz will be the alternate.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Julie Estlinbaum, Councilwoman
SECONDER:	Brent P. Marceaux, Councilman
AYES:	Marceaux, Cornman, Sitz, Childers, Estlinbaum

Houston-Galveston Area Council Office of the Executive Director

September 5, 2019

Hon. Robert K. Nelson
Mayor
City of Bay City
1901 5th St
Bay City, TX 77414

Dear Mayor Nelson:

I am writing regarding the appointment of your city's representative to H-GAC's 2020 General Assembly.

H-GAC's Bylaws provide that each member Home Rule city with a population under 25,000 as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2020.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body. Please return the completed form by fax to 713-993-2414 or email cynthia.jones@h-gac.com.

A dinner meeting of Home Rule city representatives is scheduled for the evening of Thursday, November 7. At that meeting, your 2019 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2020.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 25. If you have any questions during the designation process, please call Rick Guerrero at 713-993-4598.

Sincerely,

Chuck Wemple

CW/cj

Enclosure
cc: City Secretary

Mailing Address
PO Box 22777
Houston, Texas 77227-2777
Phone 713-627-3200

Recycled

Physical Address
3555 Timmons Lane, Suite 120
Hous

DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2020 GENERAL ASSEMBLY

****

BE IT RESOLVED, by the Mayor and City Council of ___________________________, Texas, that _________________________________ be, and is hereby designated as its Representative to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2020.

FURTHER, that the Official Alternate authorized to serve as the voting representative should the hereinabove named representative become ineligible, or should he/she resign, is _____________________________________.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this __________ day of ______________________________, 2019.

APPROVED:

____
Mayor

ATTEST:

By: _________________________________

DesForm GL and HR

City Council
1901 5Th Street
Bay City, TX 77414

ADOPTED

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Agreement
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3976 A

AGENDA ITEM (ID # 3976)

~ DISCUSS, CONSIDER AND/OR TAKE ACTION ON ACCEPTING THE CONVEYANCE OF REAL PROPERTY BY BAY CITY COUNTRY CLUB TO THE CITY OF BAY CITY.

The Bay City Country Club desires to convey the fee title ownership of its land to the City. In exchange, they would like the City to lease it back to them for a term of 40 years.

COMMENTS - Current Meeting:

Bay City Country Club (BCCC) Board of Directors representative, Edna Simpson-Kocurek discussed the agreement with Council members. City Attorney, Anne Marie Odeffey also presented.

Areas to address in the agreement:

1. 116 Acres (Erosion issues) Neither party shall be responsible to the exact amount of land due to the erosion issues.

2. Windstorm Insurance - Currently not in place. Shall be something to review in the future. Not being required in the agreement.

3. Alcohol sales - It shall be placed in the lease that the BCCC may sell and serve alcohol.

4. The transaction involves two legal documents - general warranty deed and ground lease. The BCCC is deeding their current limited time interest in the property to the City of Bay City and the City is leasing the property to the BCCC (40 years).

Subject to recommended changes made during this meeting by both parties, this agreement was approved by motion.

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

City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 3985)

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3985

~ HEAR AND DISCUSS A STATUS UPDATE RELATIVE TO THE AQUATIC CENTER PROJECT AND ASSOCIATED FEASIBILITY STUDY WORK, CURRENTLY IN PROGRESS.

COMMENTS - Current Meeting:

Councilman Bill Cornman presented an update on the Aquatic Center feasibility study currently in progress. The committee members are currently working on securing the needed property and planning a community meeting for November 20th. A phone meeting is also scheduled for October 15th for a progress check on the project. These dates and meetings will be finalized in the near future and promoted.

City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 3986)

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3986

~ DISCUSS THE WISDOM OF GIVING CITY STAFF DIRECTION TO LAUNCH AN EFFORT TO ENGAGE ENGINEERING WORK AIMED AT ESTABLISHING 'SCOPE" COST ESTIMATES FOR: 1) PUTTING THE NILE VALLEY ROAD BACK IN SERVICE. 2) BUILDING A NEW POLICE AND FIRE STATION FACILITY AND 3) AN EXPANDED VERSION OF THE NEXT PHASE OF CITY STREET REHABILITATION. THE "SCOPE" ENGINEERING AND ASSOCIATED COST ESTIMATES MUST BE OF SUITABLE QUALITY TO BE USED AS A BASIS FOR A BOND ELECTION IN NOVEMBER, 2020, SHOULD COUNCIL CHOOSE TO TAKE THIS FINANCING ROUTE.

COMMENTS - Current Meeting:

Councilman, Bill Cornman recommended the monies appropriated in the 2020 Fiscal Year budget for Nile Valley Drive and the Capital Plan, involving the Texas Theater and the possible purchase of property for the Police/Fire Departments, be used for engineering scope purposes to have cost estimates established. This would involve street repairs, which includes utility upgrades and the possible November 2020 bond issue on the ballot.

City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 3979)

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Litigation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3979

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(1) FOR CONSULTATION WITH CITY ATTORNEY REGARDING THE FOLLOWING LITIGATION: (A) CAUSE NO. 19-E-0013, RONNIE DEAN REEVES, VIDALA LEAL RODAS, DANYAL SHENIEL MANNING AND THE BAY CITY HOUSING AUTHORITY VS. MARK A. BRICKER, MAYOR, DEFENDANT; (B) CAUSE NO. 13-18-00484-CV, MAYOR MARK A. BRICKER, JULIE ESTLINBAUM, COUNCILWOMAN, POSITION 1, BILL CORNMAN, COUNCILMAN, POSITION 2, AND THE CITY OF BAY CITY, TEXAS V. ROBERT NEAL HEAD.

COMMENTS - Current Meeting:

None

City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 3980)

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Litigation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3980

~ EXECUTIVE SESSION PURSUANT TO TEXAS GOVERNMENT CODE §551.071(2) FOR THE CITY COUNCIL TO CONSULT THE CITY ATTORNEY REGARDING ATTORNEY/CLIENT PRIVILEGED MATTERS.

COMMENTS - Current Meeting:

None

City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 09/26/19 07:00 PM
Department: City Secretary
Category: Report
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 3977

AGENDA ITEM (ID # 3977)

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

COMMENTS - Current Meeting:

None