



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, October 12, 2021 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson

Mayor Pro Tem: Jason W. Childers

Council Members: Becca Sitz, Bradley Westmoreland, Floyce Brown, Jim Folse

Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.

AGENDA

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

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

CALL TO ORDER

INVOCATION & PLEDGE

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

Councilwoman Floyce Brown

CERTIFICATION OF QUORUM

MISSION STATEMENT

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 Floyce Brown

APPROVAL OF AGENDA

PUBLIC COMMENTS

State Law prohibits any deliberation of or decisions regarding items presented in public comments. City Council may only make a statement of specific factual information given in

response to the inquiry; recite an existing policy; or request staff places the item on an agenda for a subsequent meeting.

APPROVAL OF MINUTES

- 1. Minutes of Regular Council meeting held on August 24, 2021**
- 2. Minutes of Regular Council meeting held on September 28, 2021**

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 3. Policy ~ Discuss, consider, and/or approve the 2022 City Holiday Schedule.**
Rhonda Clegg, Director of Human Resources
- 4. Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the City Code of Ordinances Chapter 100-; Article IV ("Stopping, Standing, Parking") providing compact parking guidelines; providing for a cumulative and conflicts clause, providing for a severability clause; and providing for an effective date.**
Alyssa Dibbern, Engineering Tech
- 5. Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the City Code of Ordinances relating Section of Chapter 110 Article V, "Bicycles and Play Vehicles", creating a new Section 110-213 "Use of Motor Assisted Scooters"; providing an effective date.** Robert Lister, Chief of Police
- 6. Personnel ~ Discuss, consider, and/or approve a Police Employee Referral and Mentor Policy.** Robert Lister, Chief of Police
- 7. Personnel ~ Discuss, consider, and/or approve a request to restart the K-9 Division of the Bay City Police Department for the purpose of narcotics detection and rescue.** Robert Lister, Chief of Police
- 8. Tourism ~ Discuss and approve the new Tourism Logo and Branding.** Robert K. Nelson, Mayor
- 9. Ordinance ~ Discuss possible alternatives to fees and facilities for non-profits requesting usage.**
- 10. Resolution ~ Discuss, consider, and/or approve a Resolution of the City Council of the City of Bay City, Texas, nominating a candidate for appointment to the Matagorda County Appraisal District Board of Directors for the term of January 1, 2022 through December 31, 2023.** Robert K. Nelson, Mayor
- 11. Ordinance ~ Discuss, consider and approve the temporary rescheduling of Council meetings from the 2nd and 4th Tuesday to the 1st and 3rd Tuesday, for the months of November and December 2021.-** Shawna Burkhart

CLOSED / EXECUTIVE SESSION

12. **Personnel ~ Discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (to discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: City Manager Annual Performance Review.**
13. **Litigation ~ Pursuant to Texas Government Code 551.071(2) to confer with counsel about legal matters.**

OPEN SESSION

Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

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.

CERTIFICATION OF POSTING

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on **Friday, October 8, 2021 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

CITY OF BAY CITY

MINUTES • AUGUST 24, 2021

COUNCIL
CHAMBERS | 1901
5th Street

City Council Regular Meeting

6:00 PM

1901 5TH STREET
BAY CITY TX, 77414



Mayor

Robert K. Nelson

Councilman

Jim Folse

Mayor Pro Tem

Jason W. Childers

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilwoman

Floyce Brown

Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.

CALL TO ORDER

This meeting was called to order by Mayor Pro Tem Jason Childers at 6:02PM.

INVOCATION & PLEDGE

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

Councilwoman Floyce Brown

CERTIFICATION OF QUORUM

Mayor Pro Tem certified that a quorum was present and that Mayor Robert K. Nelson was excused from the meeting.

PRESENT

Mayor Pro Tem Jason W. Childers
Councilwoman Floyce Brown
Councilman Jim Folse
Councilwoman Becca Sitz
Councilman Brad Westmoreland

ABSENT

Mayor Robert K. Nelson

MISSION STATEMENT

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 Floyce Brown

APPROVAL OF AGENDA

Motion made by Councilwoman Brown to approve the agenda, Seconded by Councilman Folse. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

PUBLIC COMMENTS

Ellie Westmoreland, 620 6th Street, commented on the hazardous conditions of the roads in the Moore Addition. Caroline Dickerson, 600 3rd Street, spoke about the road conditions in her neighborhood advising that we needed a long term solution to fix the roads. Debbie Dinard, Heather Robinson, and Louis West all spoke about the road conditions and safety issues for the children in their neighborhood. Joan Haas stated that the asphalt repair looks great until it rains and it washes away.

Bob Button thanked the City Manager, Council, and Mayor Pro Tem for reopening the pools as it is great for the kids and the community. He advised that it is great to work with the city.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

Motion made by Councilwoman Brown to approve the consent items, Seconded by Councilman Westmoreland. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folsie, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

1. **Minutes of Regular Council Meeting on July 27, 2021**
2. **Minutes of Council Workshop on August 10, 2021**
3. **Minutes of Regular Council Meeting on August 10, 2021**

PUBLIC HEARINGS

4. **Public Hearing ~ Pursuant to Texas Local Government Code, Section 370.002, The City of Bay City, Texas shall conduct a Public Hearing to review the Ordinance Codified in Division 2 of Article II of Chapter 66 of the Code of Ordinances and receive public comment on the City of Bay City's Curfew Ordinance.** Robert Lister, Chief of Police

Robert Lister, Chief of Police, stated that the City is required to re-review the Curfew Ordinance every three years. Chief Lister stated that there are no proposed changes to the curfew ordinance that was updated three years ago when we changed the age from 15 to 16. Ms. Odefey, City Attorney, explained the Local Government code, and stated that there is an emergency COVID curfew in affect, but the City Code is the underlying document. Councilman Westmoreland questioned the State Statutes verses the City Ordinance.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

5. **Presentation ~ Presentation of Airport of the Year to the Bay City Regional Airport to James Mason, Airport Manager.**

Council gave a video presentation of the Airport of the Year awarded to the Bay City Regional Airport. James Mason, Airport Manager, was nominated by his peers to receive the TX DOT Airport of the year. Mayor Pro Tem Jason Childers presented the award to James Mason and airport staff.

6. **Proposal ~ Discuss, consider, and/or approve a proposed Interlocal Agreement with Matagorda County to assist with costs related to road repairs.** Shawna Burkhardt, City Manager

Shawn Burkhardt, City Manager, reviewed the proposal and stated that the road repairs will not occur until next summer and we can bring back at that time as a budget amendment or incorporate in to plans. Councilwoman Sitz asked if we had asked for a

concrete proposal and Ms. Burkart did not believe they had. Councilman Folse asked what percentage are they asking and Ms. Burkhart replied half. Councilman Westmoreland stated that he has a hard tie agreeing to pay construction for a street repair that is in good shape inside city and is not in favor at this time. Councilwoman Brown asked if this has been allocated in the budget and Ms. Jones replied that it had not and is waiting on Council decision. Ms. Burkhart added that it would factor into any future consideration for tax rate. Mayor Pro Tem Childers stated that he is in favor of moving forward and believes it is a good deal.

Councilwoman Brown made a motion to table until the first Council meeting in March, Seconded by Councilman Folse. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

7. Presentation ~ Presentation of Regional Drainage Study. Matt Braezeale, Jones & Carter

Mr. Gao Lee of Jones and Carter did a presentation of the Regional Drainage Study. Jones and Carter did a 1D/2D hydrate model of the major streams for the city to provide options for the regional detention basin. A survey and hydrology flow study were conducted. Mr. Lee advised that the survey included 40 bridges that might have an impact. He stated that this survey could be used as a base model for any future development in the city. Some of the areas mentioned were Bucks Bayou, Hardeman Slough, and Cottonwood Creek. For Bucks Bayou, a 133 acre detention area could be created leaving approximately 1552 acres for development. Hardeman Slough could have a 373 acre detention area leaving approximately 534 acres for development. This area may require an interlocal agreement between Bay City, Van Vleck and TXDOT. In regards to Cottonwood Creek, the regional detention area would be more west towards LCRA.

8. Budget ~ Discuss cost of street rehabilitation for Moore and Highland Additions to include utilities. Barry Calhoun, Public Works Director

Public Works Director, Barry Calhoun, addressed the street rehabilitation of the Elliott, Moore and Highland Additions. He advised that Elliott is currently in the design phase. He advised the roadway construction for Highlands would be approximately \$1.9 million and a full depth reconstruction for Moore Addition would be almost \$3 million. He stated that water and sewer lines have to be addressed. Mayor Pro Tem Childers asked Mr. Calhoun how he would categorize the neighborhoods by street condition. He advised that Elliott is the worst followed by Moore Addition and then Highlands. Mayor Pro Tem Childers asked if the flooding would break down the integrity of the roadway and if so, could we get funding to help make the repairs. Mr. Calhoun stated that we would have to provide photographs of what the roadway looked like prior to the flooding. Anne Marie Odefey, City Attorney, advised that she would send Mr. Calhoun and Shawna Burkhart a list of upcoming flood drainage funding.

- 9. Contract ~ Discuss, consider, and/or approve awarding the construction quote for the City Hall Roof Replacement Project to Centurion Industries Inc. in the amount of \$ 247,810.00 and authorize the City Manager to execute a contract to form by the City Attorney.** Scotty Jones, Finance Director

Council discussed going for bids versus using TIPS and the possibility of additional engineering costs. Item was tabled.

- 10. Tax ~ Consider placing a proposal to adopt a Tax Rate for the 2022 Fiscal Year as an action item on the agenda of a future Council meeting, specifying therein the desired tax rate and publishing notice thereof.** Scotty Jones, Finance Director

Finance Director, Scotty Jones, addressed Mayor Pro Tem, City Manager and Council in regards to the proposed tax rate. The budget was balanced with a tax rate of \$0.6350. They were also given another option of \$0.6450 to consider. Both rates are lower than the current tax rate.

Motion made by Councilwoman Brown to place a proposal to adopt a tax rate of \$0.6350 as an action item on the agenda of the September 14, 2021 Council meeting and publishing notice, Seconded by Councilwoman Sitz. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 11. Tax ~ Consider setting a Public Hearing on the Proposed 2022 Fiscal Year Tax Rate for Thursday, September 9, 2021.** Scotty Jones, Finance director

Motion made by Councilwoman Brown to approve setting a Public Hearing on the Proposed 2021 Fiscal Year Tax Rate for Thursday, September 9, 2021. Seconded by Councilman Folse. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 12. Budget ~ Consider setting a Public Hearing on the City of Bay City's proposed 2022 Fiscal Year Budget and the City of Bay City's Five-Year Capital Improvement Plan for Thursday, September 9, 2021.** Scotty Jones, Finance Director

Motion made by Councilman Westmoreland to set a Public Hearing on the City of Bay City's proposed 2022 Fiscal Year Budget and the City of Bay City's Five-Year Capital Improvement Plan for Thursday, September 9, 2021, Seconded by Councilwoman Brown. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 13. Budget ~ Consider setting a Public Hearing on the Bay City Community Development Corporation's proposed 2022 Fiscal Year Budget for Thursday, September 9, 2021.** Scotty Jones, Finance Director

Minutes

City Council Regular Meeting

August 24, 2021

Motion made by Councilwoman Brown to set a Public Hearing on the Bay City Community Development Corporation's proposed 2022 Fiscal Year Budget for Thursday, September 9, 2022, Seconded by Councilman Folse. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

CLOSED / EXECUTIVE SESSION

There was no closed session.

OPEN SESSION

Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Westmoreland spoke about the lack of sidewalks on Nichols and inquired whether or not the funding from TXDOT could be used to put some in. He also spoke about a leak on 3rd Street and advised that a citizen informed him that they were told it would be months before the leak would be addressed.

Councilwoman Sitz thanked the Rotary Club for a fabulous concert. She also spoke about the household hazardous waste event that would take place on 10/9/2021. She stated that there are some streets that have dirt on them and that the street sweeper needed to be used to keep it out of the drainage system.

Councilman Folse stated that the hazardous waste day is the first Tuesday of every month and that you can set it for home pick up.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Westmoreland. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and the meeting adjourned at 8:00 pm.

PASSED AND APPROVED, this 12th day of October, 2021.

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

JEANNA THOMPSON
CITY SECRETARY

CITY OF BAY CITY

MINUTES • SEPTEMBER 28, 2021

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Councilman

Jim Folse

Mayor Pro Tem

Jason W. Childers

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilwoman

Floyce Brown

Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.

CALL TO ORDER

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

INVOCATION & PLEDGE

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

Mayor Pro Tem Jason Childers

CERTIFICATION OF QUORUM

Quorum present.

PRESENT

Mayor Robert K. Nelson
Mayor Pro Tem Jason W. Childers
Councilwoman Floyce Brown
Councilman Jim Folse
Councilwoman Becca Sitz
Councilman Brad Westmoreland

MISSION STATEMENT

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Mayor Pro Tem Jason Childers

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Crystal Folse, on behalf of MD Anderson blood drive, asked Council to waive the Service Center fee to have a blood drive for a citizen.

Mitch Thames, as the Public Information Officer for the County, brought to Council's attention how professional the Police Department was during the emergency. Telemundo wanted to do at 6 am interview and Sergeant Pena provided the spanish speaking part. Mr. Thames requested that she be recognized. Mr. Thames also spoke regarding the State's re-districting and providing maps in future. Mr. Thames added that we are chess pieces on a board being drawn into area 22.

Diane Salazar, 2014 Starling Dr., president of the Girls Softball, requested help in area lights at the field. Ms. Salazar stated that the organization was hit hard from covid and lost funds and do not have the money to replace.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

1. **Ratify the Declaration of Local State Disaster, Order 2021-04, resulting from Hurricane Nicholas.**
2. **Payment of invoices as recommended by the TIRZ #1 Board to pay out of TIRZ #1 Funds.**
3. **City Council Special Called Meeting Minutes of September 9, 2021**
4. **City Council Regular Meeting minutes of September 16, 2021**
5. **City Council Workshop Meeting Minutes of September 23, 2021**

Motion made by Councilwoman Sitz to approve the consent items with corrections to minutes, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

6. **Award ~ Government Finance Officer's Association (GFOA) Distinguished Budget Presentation Award.** Scotty Jones, Finance Director

Jennifer Leveritt, Finance, presented the GFOA award background. A short pre-recorded video from GFOA was played.

7. **Property ~ Discussion of Bay City Volunteer Fire Department participation with the proposed location of Public Safety Services.** Randy Frontz, Fire Chief

Mr Robert Klepac, who has been a member of the Bay City Volunteer Fire Department for 45 years and is the Assistant Fire Chief, spoke of various reasons the fire department does not wish to move their location, believing that the current location provides better response time as well as the building will withstand a hurricane better than the proposed location.

8. **Presentation ~ TxCDBG Contract No. 7219029 & 7220002, Presentation A1024, Overview of the Section 3 Goals of the CDBG Program.** Alyssa Dibbern, Engineering Tech

Alyssa Dibbern, Engineering Tech, discussed the policy changes to the two grants; one for mainstreet sidewalks and the other for drainage. Mayor Pro Tem Childers

asked how do we know how many section 3 companies we have and Ms. Dibbern stated they were researching.

9. Report ~ Civic Center report and updates. Mitch Thames, Bay City Chambers of Commerce and Agriculture

Mitch Thames, Bay City Chambers of Commerce and Agriculture, reported to Council that the Civic Center continues to suffer a bit from covid, and booking had picked up and then dropped again due to covid cancellations. Mr. Thames stated that they have been looking at pricing and market and the Civic Center is fairly priced and competitive and they do well with businesses and training. Jury selection moved to out to the Civic Center. one concern, from roofing company that has closed and will no longer carry warranty and now roof has a leak.

Councilman Folse asked why was their a restriction on a developer using the center - Mr. Thames said that commercial and sell tickets. thames says he open to changes as long as the building is protected.

Brown asked is there are concessions for nonprofits - Mr. Thames replied that there was not.

10. Policy ~ Discuss, consider, and/or approve the Budgetary and Financial Management Policy. Scotty Jones, Finance Director

Scotty Jones, Finance Director reviewed the Budgetary and Financial Management Policy, a GFOA recommendation.

Motion made by Mayor Pro Tem Childers to approve the Budgetary and Financial Management Policy, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

11. Policy ~ Discuss, consider, and/or approve a Resolution to adopt the City's Investment Policy. Scotty Jones, Finance Director

Motion made by Mayor Pro Tem Childers to approve the Resolution to adopt the City's Investment Policy, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

12. Agreement ~ Discuss, consider, and/or approve ratification of first amendment to agreement by and between the City of Bay City, Texas and DebrisTech, LLC. Scotty Jones, Finance Director

Scotty Jones, Finance Director, presented the agreement amendment stating that we did not meet State requirement threshold for emergency funds reimbursement.

Motion made by Mayor Pro Tem Childers to approve the ratification of the first amendment to the agreement by and between the City and DebrisTech, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 13. Contract ~ Discuss, consider, and/or approve ratifying the contract with DRC Emergency Services, LLC for debris removal and finding that competitive bidding is not feasible because an emergency or exigency exists that could affect the health and safety of the public due to Hurricane Nicholas.** Scotty Jones, Finance Director

Scotty Jones, Finance Director, stated that DRC is ready to go and the City can start now and as soon as Allen Hurst gets permitted. Ms. Jones also stated that we are waiting permission to use County burn site. WCA will not be ready until October 8th. Councilman Folse commended Public Works for allowing citizens to bring their debris for chipping.

Motion made by Councilwoman Brown to approve ratifying the contract with DRC Emergency Services, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 14. Contract ~ Discuss, consider, and approve entering into a Professional Services Agreement with David Pettit Economic Development, LLC for TIRZ Board #2 advisory.** Scotty Jones, Finance Director

Scotty Jones, Finance Director, presented the service agreement stating that the cost of the agreement may be reimbursed by the TIRZ or worked into the developers agreement.

Motion made by Councilman Folse to approve entering into a Professional Services Agreement with David Pettit Economic Development, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 15. Resolution ~ Discuss, consider, and/or accept a Resolution of the City Council of the City of Bay City, Texas, calling for a public hearing on the creation of a Public Improvement District (PID) and being located within the City of Bay City.** Shawna Burkhart, City Manager

Motion made by Councilwoman Brown to accept the Resolution calling for a public hearing on the creation of a Public Improvement District, Seconded by Councilman

Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

- 16. Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the City Code of Ordinances relating sections of Chapter 38, Article V "Noise" including Section 38.171 "Unreasonable Noise Prohibited and Section 38.173 "Tests and Standards for Noises"; providing an effective date.** Shawna Burkhart, City Manager

Shawna Burkhart, City Manager, and Robert Lister, Chief of Police, have reviewed other city's noise ordinances. Chief Lister asked that section 38-172 (2) "noise" be changed to "music"

Motion made by Councilwoman Brown to table for further clarification and possible changes bring back 12th, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried to table.

- 17. Property ~ Discuss, consider, and/or approve donating the City owned property, AB 0269 , I&GN Co., 3.077 acres (2624 16th St.) to the Bay City Independent School District.** Shawna Burkhart, City Manager

Shawna Burkhart, City Manager, commented that there has been discussions and there are some complicated factors; an appraisal, sell at market rate, caveats, if the school excepts. Required to have other public purposes as a donation situation. Ms. Burkhart recommends tabling until other factors have been ironed out.

Councilman Westmoreland wants the City to take action on current contract with Bay City I.S.D.

Ms. Burkhart suggested we show public purpose for donation and bring back. Mayor Nelson stated that we still have three things that need to be done first and suggested we table until 2nd meeting in October.

Motion made by Councilwoman Brown to table until second meeting in October, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and item tabled till October 26th.

- 18. Discussion ~ Discuss amending fees for use of the Service Center (USO).** Jim Folse, Councilman

Councilman Folse stated that we are asking volunteers to pay to volunteer and this is something to re-look at. Use of other facilities to use for non profits. Councilwoman Brown stated that Martha Brown was going to have to pay so much to use the Service

Center when she's never had to pay so much for her charm school and Councilwoman Brown would like the fees amended to help the non profits. Mayor Nelson reminded Council that the fee schedule was amended to help maintain the building. Mayor Pro Tem Childers stated that another reason for the fees was that there were many non profits use and significant damage done by them. Mayor Nelson thinks having a facility that can be utilized is needed and the old girl scout house is right size. Shawna Burkhart, City Manager, stated that we need to be consistent and that she is not opposed to blood drives. Councilman Folse wants to look at the options and to bring the discussion back with options.

CLOSED / EXECUTIVE SESSION

Council adjourned the Regular meeting and convened it to an Executive Session at 8:23 pm.

- 19. Pursuant to Texas Government Code 551.071(1) to consult with its attorney on attorney client matters.**

OPEN SESSION

Council reconvened into a Regular meeting at 8:35pm and took no action on item 19.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Folse stated that he had noticed they took down flags along 35 and 60 that were pretty battered. Councilwoman Sitz added that the flags have been ordered, but texas flags are short supply and they need volunteers to put them up and a place to store.

Councilman Folse would like Sgt. Pena to get an "I See You" award and would like an item put on next agenda to discuss girls soft ball lights.

Councilman Westmoreland question about Nile and Roberts intersection where the tall grass makes it difficult to see to cross or make turn.

Shawna Burkhart stated that Ward has been contacted regarding the tall grass on corner on Hamman and they did not mow, so they will probably have to put lien on the property.

Councilman Westmoreland stated that there is a water leak at Ms. Leissner's house and it's been leaking for months. Councilman Folse added that 2808 Del Monte still leaks. Ms. Burkhart is aware of leak in front of crisis center.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and the meeting adjourned at 8:40 pm.

PASSED AND APPROVED, this 12th day of October, 2021.

ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

JEANNA THOMPSON

CITY SECRETARY



HUMAN RESOURCES DEPARTMENT 2021-M-05

TO: All Employees

FROM: Rhonda Clegg, Director of Human Resources

DATE: October 13, 2021

SUBJECT: 2022 Holiday Schedule for the City of Bay City

2022 CITY OF BAY CITY HOLIDAY SCHEDULE

<u>HOLIDAY TO BE OBSERVED</u>	<u>DATE OF ACTUAL HOLIDAY</u>	<u>DAY CITY WILL BE CLOSED</u>	<u>TOTAL # OF DAY(S)</u>
<i>New Year's Day</i>	Saturday, January 1, 2022	Monday, January 3, 2022	1
<i>Martin Luther King, Jr.</i>	Monday, January 17, 2022	Monday, January 17, 2022	1
<i>President's Day</i>	Monday, February 21, 2022	Monday, February 21, 2022	1
<i>Good Friday</i>	Friday, April 15, 2022	Friday, April 15, 2022	1
<i>Memorial Day</i>	Monday, May 30, 2022	Monday, May 30, 2022	1
<i>Juneteenth</i>	Sunday, June 19, 2022	Monday, June 20, 2022	1
<i>Independence Day</i>	Monday, July 4, 2022	Monday, July 4, 2022	1
<i>Labor Day</i>	Monday, September 5, 2022	Monday, September 5, 2022	1
<i>Veterans Day</i>	Friday, November 11, 2022	Friday, November 11, 2022	1
<i>Thanksgiving Day</i>	Thursday, November 24, 2022	Thursday, November 24, 2022	1
<i>Thanksgiving Day After</i>	Friday, November 25, 2022	Friday, November 25, 2022	1
<i>Christmas Eve</i>	Saturday, December 24, 2022	Friday, December 23, 2022	1
<i>Christmas Day</i>	Sunday, December 25, 2022	Monday, December 26, 2022	1
<i>New Year's Eve</i>	Saturday, December 31, 2022	Friday, December 26, 2022	1

Please pass this information on to the employees within your departments, as well as the departments for which you are the liaison.

Thank you.
Human Resources

ORDINANCE NO. _____

**ORDINANCE AMENDING THE CITY CODE OF ORDINANCES
CHAPTER 110; ARTICLE IV (“STOPPING, STANDING, PARKING”)
PROVIDING COMPACT PARKING GUIDELINES; PROVIDING FOR A
CUMULATIVE & CONFLICTS CLAUSE, PROVIDING FOR A
SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE
DATE.**

Be it Ordained by the City Council of the City of Bay City that the following amendments are adopted as Amendments to Chapter 110; Article IV; Section 187 of the Code of Ordinances.

Section One. The following additions are to be made to Section 187 of Chapter 110, Article IV of the Code of Ordinances. All insertions are made with red colored letters and all deletions are shown as such.

Renumber SECTION 110-186 to 110-187 and substitute the following as 110-186.

SECTION 110-186. - COMPACT PARKING

In order to clarify the requirements for compact parking guidelines have been established. For the purpose of this article, Compact shall mean a car or vehicle that is small and economical, and does not include trucks, vans, or large SUVs.

- (a) Applicability: This subsection shall apply only to compact parking spaces or areas designated as compact-sized spaces.
- (b) Location: Compact-size parking spaces, unless restricted for use by City authorities, shall be located in one (1) or more contiguous areas and shall not be intermixed with spaces designed for full size cars, with the exception of disabled parking spaces, if necessary.
- (c) Dimensions: The minimum dimensions and measurements of compact size parking stalls and aisles shall be implemented as follows:
 - 1. A compact car parking space shall be a minimum eight feet (8ft.) in width and sixteen feet (16ft.) in length exclusive of access drives, aisles, ramps, columns, poles and office and work areas and shall be striped according to the requirements:
 - i. Stripping will color coordinate with marked signs;
 - ii. Parking spaces shall be visibly marked as “compact car” or “small car” parking spaces with appropriate signage.
 - 2. All parking spaces shall have a minimum vertical clearance of six feet, six inches.
 - 3. A minimum of two hundred eighty-five square feet (285 sq.ft.) of parking area shall be provided for each required parking space.

Section Two. Cumulative and Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City of Bay City, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

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

Section Four. Effective Date. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on this ____ day of _____, 2020.

Robert K. Nelson, Mayor
City of Bay City

ATTEST:

APPROVED AS TO FORM:

Jeanna Thompson, City Secretary
City of Bay City

Anne Marie Odefey, City Attorney

<u>Council Member:</u>	<u>Voted Aye</u>	<u>Voted No</u>	<u>Absent</u>
Robert K. Nelson Mayor	_____	_____	_____
Floyce Brown	_____	_____	_____
James Folse	_____	_____	_____
Jason Childers, Mayor Pro Tem	_____	_____	_____
Becca Sitz	_____	_____	_____
Bradley Westmoreland	_____	_____	_____

ORDINANCE _____

ORDINANCE AMENDING THE CITY CODE OF ORDINANCES RELATING SECTIONS OF CHAPTER 110 ARTICLE V, “BICYCLES AND PLAY VEHICLES” CREATING A NEW SECTION 110-213 “USE OF MOTOR ASSISTED SCOOTERS”; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS that the following amendment(s) are adopted as Amendments to Chapter 110 Article V, creation of Section 110-213 in its Code of Ordinances.

Section 1. The following amendments are to be made to Sections as indicated of the Code of Ordinances. All insertions are made with red colored letters and all deletions are shown as such.

Sec. 110-213. – Use of Motor Assisted Scooters.

(a) Definitions

(1) Motor assisted scooter

a. Means a self-propelled device with:

- At least two wheels in contact with the ground during operation;
- A braking system capable of stopping the device under typical operating conditions;
- A gas motor with a displacement not exceeding 40 cubic centimeters or an electric motor with a power output not exceeding 1,0000 watts;
- A deck/foot board designed to allow a person to stand or sit while operating the device; and
- The ability to be propelled by human power alone; and
- Does not include a pocket bike or a mini-motorbike.

(b) General Operation of Motor-Assisted Scooters.

- (1) A person must hold a valid driver’s license and be at least 16 years of age to operate a motor-assisted scooter.
- (2) A person may not use a motor-assisted scooter to carry more than one person.
- (3) A person may not use a motor-assisted scooter to carry packages or objects unless capable of being placed in a back pack. Meaning the center board of the motor-assisted scooter can only be utilized for a person’s foot of feet.

(c) Operation on Roadways or Bicycle paths

- (1) A person may operate a motor-assisted scooter only:
 - a. On a path set aside for the exclusive use of bicycles, pedestrians, or both; or
 - b. On a roadway in a bicycle lane, except as provided by Subsection B.
- (2) A person may operate a motor-assisted scooter on a roadway without a bicycle lane if:

- a. The roadway has a speed limit of 30 miles per hour or less; and
- b. The person rides as near as practicable to the right curb or edge of the roadway, unless:
 - Operating the scooter on a one-way roadway, in which case the operator shall ride as near as practicable to the right curb or edge of the roadway;
 - Overtaking or passing another vehicle that is proceeding in the same direction;
 - Preparing to execute a left turn; or
 - Riding alongside not more than one other motor-assisted scooter and both operators are riding in a single lane and in a manner that does not impede the normal and reasonable movement of traffic on the roadway; or
 - While operating a motor-assisted scooter on any surface regardless the condition of the environment or the driver.

(3) The operator is responsible for adhering to ALL transportation Codes set forth by the State regarding motor vehicles:

- a. Hazardous conditions make it reasonably necessary for the operator to avoid the curb or edge of the roadway
- b. A person may not operate a motor-assisted scooter at a speed that exceeds 15 miles per hour.
- c. A person operating a motor-assisted scooter shall yield the right-of-way to a pedestrian.
- d. Operation of a scooter is prohibited on highway. Prohibition is necessary in the interest of safety.
 - A motor-assisted scooter may cross a highway where cross walks are provided only. Prohibition is necessary in the interest of safety.
- e. Motor-assisted scooter may not be operated 30 minutes before sunset and 30 minutes after sunrise.

(d) Parking: A person may not park a motor-assisted scooter in a manner that obstructs a roadway, path, sidewalk, building entrance, window displays, handicap zones, or loading zones.

Section 2: Other than as amended herein, all remaining sections of Chapter 110 Article V, remain in full force and effect. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED on this _____ day of _____, 2021.

Council Member:	Voted Aye	Voted No	Absent
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Robert K. Nelson, Mayor	_____	_____	_____
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Floyce Brown	_____	_____	_____
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James Folse	_____	_____	_____
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Jason Childers	_____	_____	_____
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Becca Sitz	_____	_____	_____
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Brad Westmoreland	_____	_____	_____
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Robert K. Nelson, Mayor
City of Bay City, Texas

ATTEST:

APPROVED AS TO FORM:

Jeanna Thompson,
City Secretary
City of Bay City, Texas

Anne Marie Odefey, City Attorney

**BAY CITY POLICE DEPARTMENT**

2201 AVENUE H
BAY CITY, TX 77414
Office: (979) 245-8500
Fax: (979) 245-5758

Robert Lister
Chief of Police

Captain
Christella Rodriguez

EMPLOYEE REFERRAL PROGRAM

The Police Department will pay a total of \$1,500 to any employee who recruits the successful candidate through the selection process to completion of the probationary period.

(a) The employee recruiter from the rank of Sergeant or below will receive \$750 for recruitment of an employee who is hired in a regular full-time position at time of appointment. (b) A second \$750 payment will be paid upon successful completion of the recruited employee's probationary period. (c) Payments will be processed during a regular payroll period and will be reported as taxable income. (d) A recruitment incentive payment will be forwarded to eligible employee recruiters who retire before completion of the probationary period of the recruited employee. However, employee recruiters who terminate employment for any other reason are not eligible to receive any recruitment incentive payment from the date of their termination. Note: Current employees MUST mentor the candidate successfully through the selection process, police academy (if applicable) and field training. (d) It is the responsibility of the recruiting employee to notify the Chief of Police of their recruitment involvement by memorandum via the chain of command. Command staff will determine if the employee recruiter has fulfilled the obligations outlined in this policy and ensure qualified employees receive payment. (e) In the event more than one employee makes a valid and certified claim of recruitment on the same job applicant, the Chief of Police, or designee, will determine how the recruitment incentive will be paid. (f) The Chief of Police, or designee, will resolve any interpretation dispute arising from this policy and may revise or discontinue this program at any time.

**BAY CITY POLICE DEPARTMENT**

2201 AVENUE H
BAY CITY, TX 77414
Office: (979) 245-8500
Fax: (979) 245-5758

Robert Lister
Chief of Police

Captain
Christella Rodriguez

K-9 DIVISION

In 2016 the Bay City Police Department had a dual purpose K-9 and as a result of 2 unprovoked dog bites the dog was given back to US K-9. I am looking to restart our K-9 division with a drug/rescue dog that will be trained not to bite. Having a single purpose Narcotics K-9, eliminates that reliance on other agencies and makes the department self-reliant and independent. This will increase the morale and willingness for officers to search harder knowing they have a K-9 Officer to back them up. It empowers citizens to speak up step out and take a stand knowing the Police Department is putting forth effort to help citizens eliminate narcotic problems.

K-9 units generally focused on 5 major scents, Heroin, Cocaine, Marijuana, Methamphetamine, and MDMA (ecstasy). This K-9 unit would be trained on 4 major scents; due to current laws passed by legislation and directives from the Matagorda County District Attorney's Office, the exclusion of Marijuana scent would be requested.

Highway 59 is a known narcotic thoroughfare and is continuously worked by a plethora of agencies. Those agencies force drug trafficking to the south and north. Highway 35/60 is open doors within the city and must be shut. In order to do so the Police Department must be equipped with the right equipment to protect the city and its citizens from the narcotic couriers. To accommodate operations that could effectively hinder the transportation and delivery of narcotics is to deploy the K-9 Unit.

The benefit to the city and its citizens is exponential. Seizures from large shipments, the arresting and imprisonment of numerous distributors and the removal of an many drugs off the street as possible will show the citizens we care for their safety and that they can rely on the Department to look out for their wellbeing. Seizures made can alleviate department cost and help fund future projects.

This K-9 was not budgeted in this years budget but have ways to fund the start of our K-9 division. The estimated cost to start this program will be \$20,000. The cost of the dog alone is \$9,500, the training of the officer with the K-9 will be \$3,500. To outfit one of our current patrol units with equipment for the K-9 is estimated \$6,000.

There are several members of the community who are willing to donate money to help purchase the K-9. Whatever money is not received from donations to

purchase the K-9 will be taken from the departments seizure account. The 3,500 for training will come from the departments training budget. The equipment needed to outfit the unit will also come from our seizure account. Vet bills and feed for the K-9 will be taken from the departments operational support budget.

ORDINANCE NO. 1660

AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, REVISING THE FEE SCHEDULE LABELED “APPENDIX B” IN THE CODE OF ORDINANCES OF THE CITY OF BAY CITY, TEXAS; ADOPTING NEW FEES FOR CHAPTER 70 PARKS AND RECREATION; PROVIDING FOR REPEAL; PROVIDING FOR RATIFICATION; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bay City, Texas, (“City”) has adopted numerous ordinances that provide for fees and charges for various city services; and

WHEREAS, the City has determined that it would be convenient to consolidate those fees and charges into one ordinance that can be reviewed and amended as needed from time to time; and

WHEREAS, the City has determined that the fees and charges specified herein are reasonable, necessary, fair, and designed to fund the various activities to which they pertain; and

WHEREAS, the City has determined that the fees and charges specified herein will promote the health, safety, and welfare of City;

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

Section 1. The facts and recitations contained in the preamble to this Ordinance are true and correct and incorporated herein for all purposes.

Section 2. *Fees Schedule adopted.* The City hereby adopts the Fee Schedule for Chapter 70 attached hereto as Exhibit “A” and labeled “Appendix B” in the City of Bay City, Texas, Code of Ordinances and imposes the fees and charges set forth therein upon the various services to which they pertain. These fees and charges shall be collected by the City in accordance with the various City ordinances that more particularly describe each such fee or charge.

Section 3. *Repeal.* All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

Section 4. *Ratification.* The City ratifies any past action taken regarding charging of fees.

Section 5. *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bay City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 6. *Effective Date.* This Ordinance shall be effective on January 1, 2021 and may be published as required by law.

PASSED, APPROVED, AND ADOPTED on this 15th day of December 2020.



Jeanna Thompson
 Jeanna Thompson, City Secretary
 City of Bay City

Robert K. Nelson
 Robert K. Nelson, Mayor
 City of Bay City

APPROVED AS TO FORM:

Anne Marie Odefey
 Anne Marie Odefey, City Attorney

Council Member:

Voted Aye

Voted No

Absent

Robert K. Nelson

☒

Mayor

Floyce Brown

☒

Jim Folse

☒

Jason Childers

☒

Mayor Pro Tem

Becca Sitz

☒

Brent Marceaux

☒

APPENDIX B - FEE SCHEDULE (NEW FEES TO BE ADDED TO EXISTING PARKS FEES)

Section Number	Subject	Fee Amount
Chapter 70 – Parks and Recreation		
	Facility - Service Center	
	(1) Service Center- Library Room	\$150.00/day + \$100.00 Deposit
	(2) Service Center- Kitchen	\$150.00/day + \$100.00 Deposit
	(3) Service Center- Dining Room	\$150.00/day + \$100.00 Deposit
	(4) Service Center- Gusman Room	\$150.00/day + \$100.00 Deposit
	(5) Service Center- Lobby	\$400.00/day + \$100.00 Deposit
	(6) Service Center- Entire Facility	\$1,800/day + \$500.00 Deposit
(a) Civic, Social, Charitable, Non-profit, and Other Governmental organizations shall pay one-half the rental fee for Service Center options 1-5 and one-third the rental fee of option 6. Municipal and County Government shall be charged an administrative recovery fee of \$50 for options 1-5 and \$100 for options 6. All parties pay the same deposit with the exception of Municipal and County Government.		
(b) A charge of \$25.00 per hour per person for City staff to set and take down. This only applies to the Auditorium or Entire Facility Rental.		
(c) Facility Use Hours: Monday-Sunday are 8:00 AM to 10:00 PM. Any time needed beyond 10:00 PM shall be charged \$100.00/hour inclusive of cleaning time.		

Matagorda County Appraisal District

2225 Avenue G
Bay City, Texas 77414
979-244-2031

September 9, 2021

Mayor Nelson & City of Bay City Council
City of Bay City
1901 5th Street
Bay City TX 77414

RE: 2022/2023 Election of the Matagorda County Appraisal District Board of Directors.

This letter is the beginning of a process to elect a five member board of directors to serve on the Matagorda County Appraisal District's Board of Directors for the 2022/2023 term. The process starts with the Chief Appraiser calculating the number of votes each voting entity has based on the 2020 Tax Levy.

	2020 Tax Levy	Percentage	Votes
Matagorda County	20,877,586.22	0.230562911	1153
Bay City ISD	20,894,545.21	0.230750199	1154
Boling ISD	317,300.21	0.003504124	18
Matagorda ISD	3,207,569.96	0.035422997	177
Palacios ISD	11,303,148.51	0.124827018	624
Tidehaven ISD	14,516,566.91	0.160314602	802
Van Vleck ISD	11,845,238.60	0.130813623	654
City of Bay City	5,879,914.09	0.064935194	325
City of Palacios	1,708,627.33	0.018869331	94
Total:	90,550,497.04	1.000000000	5000

Voting entities are then asked to submit nominations by resolution. All resolutions nominating a candidate will need to be in on or before October 15, 2021.

Once the names have been collected, the Chief Appraiser will prepare and mail the official ballot to the voting entities before October 30, 2021. The voting entities will determine the votes by resolution and return the ballot and resolution to the Chief Appraiser before December 15, 2021. The Chief Appraiser will notify the voting entities of the outcome of the election by December 31, 2021. Should you have any questions, please feel free to contact our office

Sincerely,



Vince Maloney
Chief Appraiser

2020-2021 Board of Directors:

Stephen Zapalac – Chairman

nominated by: TISD

David Cobb – Vice Chairman

nominated by Matagorda County

Jay Kennedy – Secretary

nominated by BCISD

Tony Kucera

nominated by VVISD

Peter Zamarrippa

nominated by PISD***

***Mr. Connor passed away in 2020; Mr. Zamarrippa was elected to serve out the remaining year of Mr. Connor's term.

Timeline of events:

1. Voting entities submit nominations to the CAD by a board resolution on or before October 14, 2021. (*agenda item*)
2. Chief Appraiser prepares the official ballot and sends out a list of all candidates nominated on or before October 29, 2021.
3. Voting entities cast votes to elect the board and submits to the Chief Appraiser-the official ballot and the board resolution on the number of votes casts for by the entity on or before December 14, 2021. (*agenda item*)
4. Chief Appraiser counts the ballots and notifies the voting entities of the election results by December 31, 2021.

If at any time, you have any questions regarding the election of the Matagorda County Appraisal District Board of Directors, please do not hesitate to call or contact the Chief Appraiser at 979-244-2031 or mcad@co.matagorda.tx.us.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS,
NOMINATING CANDIDATES FOR APPOINTMENT TO THE MATAGORDA
COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE TERM OF
JANUARY 1, 2022 THROUGH DECEMBER 31, 2023.**

WHEREAS, Pursuant to Chapter 6 of the Texas Property Tax Code, the City of Bay City is authorized to nominate and vote on the appointment of a member or members to the Board of Directors of the Matagorda County Appraisal District; and

WHEREAS, Pursuant to Chapter 6 of the Texas Property Tax Code, the City of Bay City may nominate one candidate for each position to be filed on the Board of Directors; and

WHEREAS, The Chief Appraiser of Matagorda County Appraisal District has delivered written notification to the City of Bay City of its right to nominate a candidate or candidates for appointment to the board of directors and its voting entitlement; and

WHEREAS, The City Council of the City of Bay City has determined it is in the public interest to nominate the following person(s) as candidate(s) for appointment to the board of directors of the Matagorda County Appraisal District:

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

That the City Council of the City of Bay City, Texas, nominate the following person(s) as candidate(s) for appointment to the board of directors of the Matagorda County Appraisal District:

CAROLYN THAMES

PASSED AND APPROVED AT BAY CITY TEXAS THIS 12TH DAY OF OCTOBER 2021

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

ATTEST:

APPROVED AS TO FORM:

Jeanna Thompson, City Secretary

Anne Marie Odefey, City Attorney