CITY COUNCIL REGULAR MEETING
CITY OF BAY CITY
Tuesday, November 16, 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 Becca Sitz

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 Becca Sitz

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.

PROCLAMATIONS

1. **Proclamation ~ Proclamation honoring Tom Stanley and declaring that the road formally known as T-Hanger Access Road be renamed to T. Stanley Drive.**

2. **Senate Resolution No. 27 ~ A Resolution Number 27 from the Senate of the State of Texas in memory of Brent Paul Marceaux.**

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

3. **City Council Regular Meeting minutes of November 2, 2021.**

4. **Accounts Payable, Direct Payable and Utility Refunds for July, August, and September 2021.**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

5. **Public Hearing ~ City Council of Bay City, Texas to consider the advisability of the amendment of Reinvestment Zone Number Two (2), Bay City, Texas for Tax Increment Financing Purposes pursuant to Chapter 311, Texas Tax Code and proposed expanded boundaries.**

6. **Ordinance ~ An Ordinance of the City Council of Bay City, Texas, amending Ordinance No. 1557 concerning Tax Increment Reinvestment Zone Two (TIRZ #2), Bay City, Texas, established pursuant to Chapter 311 of the Texas Tax Code, by expanding the boundary of Tax Increment Financing Reinvestment Zone Two, Bay City, Texas.**

7. **Presentation ~ Presentation of Amistad Community Park Splashpad selected to receive Special Recognition fro H-GAC Parks and Natural Areas Awards in the Planning category.** Shawn Blackburn, Parks & Rec Director

8. **Award ~Baler awarded to Recycling Center from H-GAC**. Barry Calhoun, Public Works Director

9. **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.** Robert Lister, Chief of Police

10. **Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City of Bay City, Texas, regarding the parking of compact cars.** Alyssa Dibbern, Engineering Tech

11. **Resolution ~ Resolution of Bay City, Texas, committing the City to provide local matching funds to secure and complete applications for the Hazard Mitigation Assistance (HMA) program.** Alyssa Dibbern, City Engineer Tech.

12. **Resolution ~ A Resolution authorizing the submission of multiple hazard mitigation assistance (HMA) grant applications, appointing the Mayor as the Chief executive officer and authorized representative to act in all matters in connection with the FEMA Mitigation Grants.** Alyssa Dibbern, City Engineer Tech

13. **Report ~ Street & Bridges assessment report.** Oscar Garcia, Assistant Public Works Director

14. **Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas, authorizing Professional Service Provider(s) selection for American Rescue Plan Act (ARP Act) program(s).** Scotty Jones, Finance Director

15. **Report ~ Discuss, consider, and/or approve the City's Quarterly Investment Report for the quarter ending September 30, 2021.** Scotty Jones, Finance Director

CLOSED / EXECUTIVE SESSION

16. **Executive Session pursuant to Texas Government Code Section 551.087 (Deliberation regarding Economic Development).**

OPEN SESSION

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

17. **Agreement ~ Discuss, consider, and/or approve a Developer Agreement with Crescent Capital Investments, LLC for the Russell Ranch Development.** Jessica Russell, BCCDC Director

18. **Resolution ~ discuss, consider, and/or approve a Resolution creating the Russell Ranch Public Improvement District.** Jessica Russell, BCCDC Director

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, November 12, 2021 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

PROCLAMATION

OFFICE OF THE MAYOR
CITY OF BAY CITY, TEXAS

WHEREAS, the Mayor and Bay City Regional Airport recognize the extraordinary contributions that Tom Stanley has made to the Airport and its community;

WHEREAS, Tom Stanley has been an integral part of Bay City Regional Airport and has been a tenant since 1968 when the Airport first moved to the Bay City location;

WHEREAS, Tom Stanley became a Pilot in 1961 and kept flying until his death;

WHEREAS, Tom Stanley was awarded the FAA Master Pilot Award in May 2018 for 50 years of safe flying;

WHEREAS, Tom Stanley was a flight instructor and aircraft mechanic. He was considered to be an expert in his field by those who knew him.

WHEREAS, Tom Stanley has always been a great help to the Bay City Regional Airport. He was always there to offer advice when needed and always quick to lend a helping hand. His absence is felt and he will be deeply missed.

NOW, THEREFORE, I, Mayor Robert K. Nelson, Airport Manager James Mason and Bay City Regional Airport do hereby declare that the road formally known as T-Hanger Access Road be renamed to T. Stanley Drive as a way to honor an extraordinary man his passion for flying, and his dedication to Bay City Regional Airport.

IN WITNESS WHEREOF, I have hereunto set my hand and Seal this 23rd day of October, 2021.

____

Robert K. Nelson, Mayor

ATTEST:

____

Jeanna Thompson, City Secretary

The Senate of The State of Texas

SENATE RESOLUTION NO. 27

**In Memory
of
Brent Paul Marceaux**

WHEREAS, The Senate of the State of Texas joins the citizens of Bay City in mourning the loss of Brent Paul Marceaux, who died May 6, 2021, at the age of 64; and

WHEREAS, A native of Kaplan, Louisiana, Brent Marceaux was born on August 29, 1956; he became an esteemed public servant, and he led a fulfilling life that centered on his spiritual faith, his love of family, and his devotion to his community; and

WHEREAS, Above all things, Brent cherished his family, and he and his beloved wife, Kim Howze Marceaux, raised their two children, Shawn Marceaux and Julie Marceaux Latson, by loving, generous example; a doting father, Brent eagerly attended his children's competitions and performances, and he took great joy in spoiling his four grandchildren, Fisher and Beatrice Marceaux and Wyatt and Hank Latson; and

WHEREAS, Brent loved cooking for others and he was the successful owner of a popular catering business; he was famous for his trademark Cajun dishes, and he is said to have cooked for everyone in Bay City at least once as a volunteer at social gatherings and community fund-raisers and benefits; and

WHEREAS, Brent also served the community in a number of civic leadership roles; he was a city councilman in Bay City, and he served on the boards of the Bay City Independent School District and the Holy Cross School; he was also a member of the Vestry of Saint Mark's Episcopal Church and a lifelong supporter of local sports organizations; and

S.R. No. 27

WHEREAS, A kind and gregarious gentleman, Brent Marceaux never met a stranger, and he always made sure his cherished friends and loved ones knew how much they meant to him; he was beloved by many, and he leaves behind memories that will long be treasured by all who were privileged to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, 1st Called Session, hereby extend sincere condolences to the bereaved family of Brent Paul Marceaux; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate and that when the Senate adjourns this day, it do so in memory of Brent Marceaux.

Kolkhorst

President of the Senate

I hereby certify that the above Resolution was adopted by the Senate on July 29, 2021, by a rising vote.

Secretary of the Senate

Member, Texas Senate

CITY OF BAY CITY

MINUTES • NOVEMBER 02, 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	Councilman	Councilwoman
Jim Folse	Bradley Westmoreland	Becca Sitz
Mayor Pro Tem		**Councilwoman**
Jason W. Childers		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 6:04.

INVOCATION & PLEDGE

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

Councilman Bradley Westmoreland

CERTIFICATION OF QUORUM

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

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 Bradley Westmoreland

APPROVAL OF AGENDA

Motion made by Mayor Pro Tem Childers 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

Susan Dancer, Blessing Animal Rescue, gave a history of the City Animal Impound. Ms. Dancer stated that the impound does not meet the needs of the community, it's small and under staffed. Ms. Dancer added that she wanted to put the issue on Council's radar.

APPROVAL OF MINUTES

1. **City Council Regular Meeting minutes of October 26, 2021**

   Motion made by Councilman Westmoreland to approve the minutes with Counciwoman Sitz's correction to add her statement on item number 5 of $27,405 spent and local artist could have filled the need, Seconded by Councilman Folse. 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

2. **Lease ~ Discuss, consider, and/or approve entering into a lease agreement at 2001 5th Street with Taylor Brothers Funeral Home for a period of one year**.

   Shawna Burkhart, City Manager, stated that the city was approached by Taylor Brothers Funeral Home about leasing the house on 2001 5th Street for business and embalming. The funeral home is needing space due to their recent loss from fire. Tim Riggs, Building Official, stated that the house did not meet the requirements due to the pier and beam foundation and lack of sealed room for embalming. Mayor Nelson asked that if it was purchased, could it be used? Mr. Riggs stated that it would take a lot of work but the garage is on a slab. Mayor Pro Tem Childers stated that he would like to see the City get rid of property. Anne Marie Odefey, City Attorney, replied that there is three ways to do this; vetted, bids, public auction. Council took no action.

3. **Contract ~ Discuss, consider, and/or review a one-year contract extension between the City of Bay City, Texas and EPIC Aviation, LLC, pursuant to the terms of the original agreement executed January 1, 2015.**

   James Mason, Airport Manager, presented the contract to extend additional year with Epic. Mr. Mason added that next year we will have to bid out again.

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

4. **Property ~ Review and discussion of proposed location and remodeling costs of Public Safety Services and provide direction of project.**

   Robert Lister, Chief of Police, asked for direction from Council regarding the new Public Safety facility now that the Fire Department does not want to move. Shawna Burkhart added that BCCDC is now leasing the previous proposed building to remodel. Ms. Burkhart added that we now need to locate a new location. Ms. Burkhart asked if we want to go with same architect that El Campo used and that the $200,000 set aside for assessing the BCCDC building is available if Council would like to move forward. Councilwoman expressed concerns regarding traffic and pedestrian safety in the location near Linnie Roberts that Chief Lister has been interested in. Ms. Burkhart asked if Council would like to vet some other parcels. Mayor Pro Tem Childers asked about the old Stanley's store plaza. Chief Lister replied that the buildings would have to be demolished, parking lot repaved and the possibility of asbestos. Councilwoman Brown made a motion to look at other parcels. Mayor Pro Tem Childers stated that this would be good to discuss in workshop.

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, presented the Scooter Ordinance with changes made. Councilwoman Sitz disagreed with the after dark restrictions.

Motion made by Councilwoman Brown to approve the Scooter Ordinance, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilman Westmoreland Voting Nay: Councilwoman Sitz. Council was polled and the motion carried.

6. Easement ~ Discuss, consider, and/or approve an easement agreement with Dunn Heat Exchangers and commit to an improved roadway to well site.

Anne Marie Odefey, City Attorney, corrected the agenda wording from Easement to Special Warranty Deed. Ms. Odefey reviewed the deed which is property needed for the North Water Plant. Council discussed the options regarding type of roadway improvement. Ms. Odefey added that there is no exchange of money and that Dunn has not reviewed and that he may want to tweak.

Motion made by Councilwoman Brown to approve the Special Warranty Deed agreement with Dunn Heat Exhangers, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

7. Tourism ~ Discuss and provide staff direction regarding recently approve branding and logo.

Shawna Burkhart, City Manager, stated that they have a tourism sign to be permanently etched with the new logo, but if new logo is an issue then we can for go that. Mayor Pro Tem Childers stated that he did not want a permanent etching and would like feed back from the community. Councilman Westmoreland agreed.

8. Appointment ~ Discuss, consider, and/or approve the appointment of TIRZ #1 Chairman of the Board.

Motion made by Councilwoman Brown to appoint Julie Estlinbaum as TIRZ #1 Board Chair and Ken Pollack as alternative, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

9. Appointment ~ Discuss, consider, and/or approve the appointment of TIRZ #2 Chairman of the Board.

Motion made by Councilwoman Brown to appoint Julie Estlinbaum as TIRZ #2 Board Chair and Ken Pollack as alternative, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned and convened into Executive Session at 7:06 pm.

10. **Executive Session - To discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (To discuss appointment, employment, evaluation, responsibilities, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee) Roles and Responsibilities of Mayor, Council Members, and City Manager.**

OPEN SESSION

Council reconvened into Regular meeting at 8:08 pm and there were no items to take action on in closed session.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Folse stated that as Councilwoman Sitz has brought up before, we need the street cleaner out due to debris on streets washing down into drainage. Mayor Nelson replied that Oscar is training people and it will take awhile.

Councilwoman Sitz gave a shout out to Shawna Burkhark, City Manager, and Shawn Blackburn, Parks Director, for the clean slate at the sign for Le Tulle Park. She would like to see a few shrubs.

Councilwoman Brown commended Animal Control for their work and response to a call.

Councilman Folse asked when Council will be given tour of City facilities and Shawna Burkhart replied that they will be given a date and time this week.

Shawna Burkhart informed Council of workshops scheduled for November 16th on water leaks and the natatorium.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and the meeting adjourned at 8:15 pm.

PASSED AND APPROVED, this 16th day of November 2021.

ROBERT K. NELSON, MAYOR	JEANNA THOMPSON
CITY OF BAY CITY, TEXAS	CITY SECRETARY

AGENDA ITEM REQUEST
FOR
CITY COUNCIL APPROVAL

PER CHARTER SECTION 4.10 (C) - AT LEAST ONCE A QUARTER, COUNCIL SHALL VOTE TO APPROVE THE CITY EXPENDITURES MADE SINCE THE LAST QUARTER. EXPENDITURE DETAIL CAN BE FOUND ON THE CITY'S WEB. **https://cityofbaycity.mygovcenter.com**

ACCOUNTS PAYABLE	**07/02/21**
ACCOUNTS PAYABLE	**07/09/21**
ACCOUNTS PAYABLE	**07/16/21**
ACCOUNTS PAYABLE	**07/23/21**
ACCOUNTS PAYABLE	**07/30/21**
ACCOUNTS PAYABLE	**08/05/21**
ACCOUNTS PAYABLE	**08/13/21**
ACCOUNTS PAYABLE	**08/24/21**
ACCOUNTS PAYABLE	**08/25/21**
ACCOUNTS PAYABLE	**08/27/21**
ACCOUNTS PAYABLE	**09/02/21**
ACCOUNTS PAYABLE	**09/13/21**
ACCOUNTS PAYABLE	**09/17/21**
ACCOUNTS PAYABLE	**09/24/21**
ACCOUNTS PAYABLE	**09/30/21**
ACCOUNTS PAYABLE	**09/30/21**
DIRECT PAYABLES	**07/13/21**
DIRECT PAYABLES	**07/20/21**
DIRECT PAYABLES	**07/30/21**
DIRECT PAYABLES	**08/02/21**
DIRECT PAYABLES	**08/17/21**
DIRECT PAYABLES	**08/25/21**
DIRECT PAYABLES	**09/01/21**
DIRECT PAYABLES	**09/08/21**
DIRECT PAYABLES	**09/13/21**
DIRECT PAYABLES	**09/17/21**
DIRECT PAYABLES	**09/30/21**
UTILITY REFUNDS	**07/26/21**

UTILITY REFUNDS	**08/02/21**
UTILITY REFUNDS	**08/27/21**
UTILITY REFUNDS	**09/15/21**

RESPECTFULLY SUBMITTED

FINANCE DIRECTOR

November 1, 2021

SCOTTY JONES

PUBLIC HEARING NOTICE

NOTICE OF PUBLIC HEARING OF THE CITY COUNCIL OF BAY CITY, TEXAS TO CONSIDER THE ADVISABILITY OF THE AMENDMENT OF REINVESTMENT ZONE NUMBER TWO, BAY CITY, TEXAS FOR TAX INCREMENT FINANCING PURPOSES PURSUANT TO CHAPTER 311, TEXAS TAX CODE

NOTICE IS HEREBY GIVEN THAT the City Council of Bay City, Texas (the “City”), pursuant to Chapter 311.003 Texas Tax Code, as amended, (the “Act”), will hold a public hearing at 6:00 p.m. on Tuesday, November 16, 2021, at City Hall, 1901 Fifth Street, Bay City, TX 77414, for the purpose of considering the amendment of Reinvestment Zone Number Two, Bay City, Texas, located both within the boundaries of the City and the extra-territorial jurisdiction of the City, to expand the boundaries of the zone.

All persons are invited to attend the hearing and speak for or against the amendment of Tax Increment Reinvestment Zone Number Two, Bay City, Texas, the proposed expanded boundaries, or the concept of tax increment financing. Written or oral statements will be considered. The legal description and boundary map of the proposed expanded Reinvestment Zone Number Two, Bay City, Texas, are on file and open for public inspection in the office of the City Secretary at 1901 Fifth Street, Bay City, TX 77414. Questions or requests for additional information may be directed to David Pettit, David Pettit Economic Development, LLC, dpettit@dpedllc.com; 817-439-9515.

ORDINANCE __________

AN ORDINANCE OF THE CITY COUNCIL OF BAY CITY, TEXAS, AMENDING ORDINANCE NO. 1557 CONCERNING TAX INCREMENT REINVESTMENT ZONE NUMBER TWO, BAY CITY, TEXAS, ESTABLISHED PURSUANT TO CHAPTER 311 OF THE TEXAS TAX CODE, BY EXPANDING THE BOUNDARY OF TAX INCREMENT FINANCING REINVESTMENT ZONE NUMBER TWO, BAY CITY, TEXAS

WHEREAS, Bay City, Texas (the "City"), pursuant to Chapter 311 of the Texas Tax Code, as amended (the "Act"), may designate a geographic area within the City as a tax increment reinvestment zone if the area satisfies the requirements of the Act; and

WHEREAS, the Act provides that the governing body of a municipality by ordinance may designate a contiguous or noncontiguous geographic area that is in the corporate limits of the municipality, in the extraterritorial jurisdiction of the municipality, or in both, to be a reinvestment zone if the governing body determines that development or redevelopment would not occur solely through private investment in the reasonably foreseeable future; and

WHEREAS, the City Council desires to promote the development of a certain contiguous geographic area in the City, which is more specifically described in ***Exhibits "A"*** and ***"B"*** of this Ordinance (the "Zone"), through the expansion of the boundary of a reinvestment zone as authorized by and in accordance with the Tax Increment Financing Act, codified at Chapter 311 of the Texas Tax Code; and

WHEREAS, on November 19, 2015, the City Council of Bay City, Texas, pursuant to Chapter 311 of the Texas Tax Code, approved Ordinance No. 1557 designating a contiguous geographic area within the City as a Reinvestment Zone Number Two, Bay City, Texas (the "Original Boundaries"); and

WHEREAS, on March 24, 2016, the City Council of Bay City, Texas, pursuant to Chapter 311 of the Texas Tax Code, approved Ordinance No. 1568 extending the deadline to appoint board members; and

WHEREAS, the City Council of Bay City, Texas, now desires to amend Reinvestment Zone Number Two, Bay City, Texas, to expand the boundaries of the Zone ("TIRZ 2A"); and

WHEREAS, upon approval of this Ordinance, Reinvestment Zone Number Two, Bay City, Texas, will consist of contiguous land, as described and depicted in ***Exhibits "A" and "B"*** of this Ordinance, a copy of which is attached hereto and is incorporated herein for all purposes; and

WHEREAS, Section 311.011(e) of the Texas Tax Code, in pertinent part provides, "[I]f an amendment reduces or increases the geographic area of the zone, increases the amount of bonded indebtedness to be incurred, increases or decreases the percentage of a tax increment to be contributed by a taxing unit, increases the total estimated project costs, or designates additional property in the zone to be acquired by the municipality or county, the approval must be by ordinance or order, as applicable, adopted after a public hearing that satisfies the procedural requirements of Sections 311.003(c) and (d);" and

WHEREAS, pursuant to and as required by the Act, the City has prepared a *Preliminary Amended Project Plan and Financing Plan for Reinvestment Zone Number Two, Bay City, Texas* attached as ***Exhibit "C"*** (hereinafter referred to as the "Preliminary Amended Project and Finance Plan") for the proposed expanded tax increment reinvestment zone containing the real property within the Zone; and

WHEREAS, notice of the public hearing on the expansion of the proposed zone was published in a newspaper having general circulation in the City on November 7, 2021 which date is before the seventh (7th) day before the public hearing held on November 16, 2021; and

WHEREAS, at the public hearing on November 16, 2021, interested persons were allowed to speak for or against the expansion of the boundaries, and the concept of tax increment financing, and owners of property in the proposed Zone were given a reasonable opportunity to protest the inclusion of their property in the Zone; the public hearing was held in full accordance with Section 311.003(c) of the Act; and

WHEREAS, evidence was received and presented at the public hearing on November 16, 2021, and in favor of the amendment of the Zone; and

WHEREAS, after all comments and evidence, both written and oral, were received by the City Council, the public hearing was closed on November 16, 2021; and

WHEREAS, the City has taken all actions required to amend the Zone including, but not limited to, all actions required by the home-rule Charter of the City, the Act, the Texas Open Meetings Act (defined herein), and all other laws applicable to the creation of the Zone; and

WHEREAS, the percentage of the property in the proposed zone, excluding property that is public owned, that is used for residential purposes is less than thirty percent; and

WHEREAS, a Preliminary Amended Project and Finance plan has been prepared for the reinvestment zone.

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

SECTION 1. RECITALS INCORPORATED.

The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct.

SECTION 2. FINDINGS.

That the City Council, after conducting the above described hearing and having heard the evidence and testimony presented at the hearing, has made the following findings and determined based on the evidence and testimony presented to it:

(a) That the public hearing on the expansion of the boundaries has been properly called, held, and conducted and that notice of such hearing has been published as required by law; and

(b) That the reinvestment zone with boundaries as described and depicted in ***Exhibits "A"*** and ***"B"*** will result in benefits to the City, its residents and property owners, in general, and to the property, residents, and property owners in the reinvestment zone; and

(c) That the reinvestment zone, as defined in ***Exhibits "A"*** and ***"B"***, meets the criteria for the creation of a reinvestment zone set forth in the Act in that:

1. It is a contiguous or noncontiguous geographic area that is in the corporate limits of the municipality, in the extraterritorial jurisdiction of the municipality, or in both; and

2. That the City Council further finds and declares that the proposed zone meets the criteria and requirements of Section 311.005 of the Texas Tax Code because the proposed zone is predominantly open and, because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impair or arrest the sound growth of the City or county.

(d) That 30 percent or less of the property in the proposed reinvestment zone, excluding property dedicated to public use, is currently used for residential purposes; and

(e) That the total appraised value of all taxable real property in the proposed reinvestment zone according to the most recent appraisal rolls of the City, together with the total appraised value of taxable real property in all other existing reinvestment zones within the City, according to the most recent appraisal rolls of the City, does not exceed 50 percent of the current total appraised value of taxable real property in the City and in the industrial districts created by the City, if any; and

(f) That the improvements in the proposed reinvestment zone will significantly enhance the value of all taxable real property in the proposed reinvestment zone and will be of general benefit to the City or county; and

(g) That the development or redevelopment of the property in the proposed reinvestment zone will not occur solely through private investment in the reasonable foreseeable future.

SECTION 3. DURATION OF THE ZONE.

That the expanded Zone shall take effect immediately upon the passage and approval of this Ordinance, consistent with Section 311.004(a)(3) of the Act, and termination of the Zone, to include the Original Boundaries and the subsequent expansion, TIRZ 2A, shall occur upon any of the following: (i) on December 31, 2046; (ii) at an earlier time designated by subsequent ordinance; (iii) at such time, subsequent to the issuance of tax increment bonds, if any, that all project costs, tax increment bonds, notes and other obligations of the Zone, and the interest thereon, have been paid in full, in accordance with Section 311.017 of the Act.

SECTION 4. TAX INCREMENT BASE AND TAX INCREMENT

That the Tax Increment Base for the Original Boundaries of the TIRZ is the total taxable value of all real property taxable by the City and located in the TIRZ, determined as of January 1, 2016, the year in which both the Original Boundaries were designated. That the Tax Increment Base for the boundaries expanded in 2021, TIRZ 2A, is the total taxable value of all real property taxable by the City and located in the TIRZ, determined as of January 1, 2021, the year in which TIRZ 2A was designated.

For the Original Boundaries and TIRZ 2A the TIF Fund shall consist of (i) the percentage of the tax increment, as defined by Section 311.012(a) of the Texas Tax Code, that each taxing unit which levies real property taxes in the Zone, other than the City, has elected to dedicate to the TIF Fund under an agreement with the City authorized by Section 311.013(f) of the Texas Tax Code, and (ii) one hundred percent (100%) of the City's tax increment, as defined by section 311.012(a) of the Texas Tax Code, subject to any binding agreement executed at any time by the City that pledges a portion of such tax increment or an amount of other legally available funds whose calculation is based on receipt of any portion of such tax increment.

SECTION 5. SEVERABILITY CLAUSE.

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 6. OPEN MEETINGS.

It is hereby found, determined, and declared that sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at the City Hall of the City for the time required by law preceding its meeting, as required by Chapter 551 of the Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter hereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its adoption and publication in accordance with and as provided by law and the City Charter.

PASSED AND APPROVED ON this _______day of November 2021.

Council Member:	Voted Aye	Voted No	Absent
Robert K. Nelson, Mayor	___________	___________	___________
Floyce Brown	___________	___________	___________
James Folse	___________	___________	___________
Jason Childers	___________	___________	___________
Becca Sitz	___________	___________	___________
Brad Westmoreland	___________	___________	___________

Robert Nelson, Mayor
City of Bay City

ATTEST:

Jeanna Thompson
City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey
City Attorney

APPROVED AS TO CONTENT:

Shawna Burkhart
City Manager

EXHIBIT A
BOUNDARY DESCRIPTION

Legal Description TIRZ #2

Beginning at the point of intersection of the eastern Right-of-Way (ROW) line of McCrosky Road and the southern ROW line of Old van Vleck Road, thence

South along the eastern ROW line of McCrosky Road to a point where said line intersects with the southern ROW line of TX-35, thence

West along the southern ROW line of TX-35 to a point where said line intersects with the western property line of AB 0339, I & G N RR CO, ACRES 1.3774, 75% UND INT, thence

Southeast along the western property line of AB 0339, I & G N RR CO, ACRES 1.3774, 75% UND INT to a point where said line intersects with the western property line of SHOWBOAT ADDITION, LOT RESERVE A (PT), LOCATED INSIDE CITY LIMITS, ACRES 2.5137, thence

Southeast along the western property line of SHOWBOAT ADDITION, LOT RESERVE A (PT), LOCATED INSIDE CITY LIMITS, ACRES 2.5137 to a point where said line intersects with the western property line of SHOWBOAT ADDITION, LOT RESERVE A (PT), LOCATED OUTSIDE THE CITY LIMITS, ACRES 16.6963, thence

Southeast along the western property line of SHOWBOAT ADDITION, LOT RESERVE A (PT), LOCATED OUTSIDE THE CITY LIMITS, ACRES 16.6963 to a point where said line intersects with the southeastern property line of SHOWBOAT ADDITION, LOT RESERVE A (PT), LOCATED OUTSIDE THE CITY LIMITS, ACRES 16.6963, thence

Northeast along the southeastern property line of SHOWBOAT ADDITION, LOT RESERVE A (PT), LOCATED OUTSIDE THE CITY LIMITS, ACRES 16.6963 to a point where the projection of said line intersects with the western ROW line of Me Crosky Road, thence

South along the western ROW line of Me Crosky Road to a point where said line intersects with the southern property line of I & G N AB 339 15.44 ACRES (15.90 AC LESS .46 = 15.44AC), thence

East along the southern property line of I & G N AB 339 15.44 ACRES (15.90 AC LESS .46 = 15.44AC) to a point where said line intersects with the southern property line of I & G N AB 339 5.66 ACRES, thence

East along the southern ROW line of I & G N AB 339 5.66 ACRES to a point where said line intersects with the eastern property line of I & G N AB 339 5.66 ACRES, thence

North along the eastern ROW line of I & G N AB 339 5.66 ACRES to a point where said line intersects with the southern ROW line of TX-35, thence

East along the southern ROW line of TX-35 to a point where said line intersects with the projection of the eastern property line of AB 0150, JOHN DUNCAN, ACRES 19.66, thence

North along the eastern property line of AB 0150, JOHN DUNCAN, ACRES 19.66 to a point where said line intersects with the eastern property line of AB 0150, JOHN DUNCAN, ACRES 117.893, 1/3 UND INT (OUTSIDE CITY LIMITS), thence

North along the eastern property line of AB 0150, JOHN DUNCAN, ACRES 117.893, 1/3 UND INT (OUTSIDE CITY LIMITS) to a point where said line intersects with the southern ROW line of Old van Vleck Road, thence

West along the southern ROW line of Old van Vleck Road to the point there said line intersects the eastern ROW line of Me Crosky Road, which is the point of beginning.

Legal Description TIRZ #2A

Beginning at the point where the eastern right of way boundary of McCrosky Road meets the northern right of way boundary of TX-35, thence

West along the northern right of way boundary of TX-35 to the point it meets the southwest corner of Property ID 20961, thence

North to Property ID 20118, continuing north along the western boundary of Property ID 20118 to the point it meets an easement, thence

North across the easement to the southwest corner of Property ID 20111, thence

East along the southern boundary of Property ID 20111 to the point it meets the southwest corner of Property ID 20953, thence

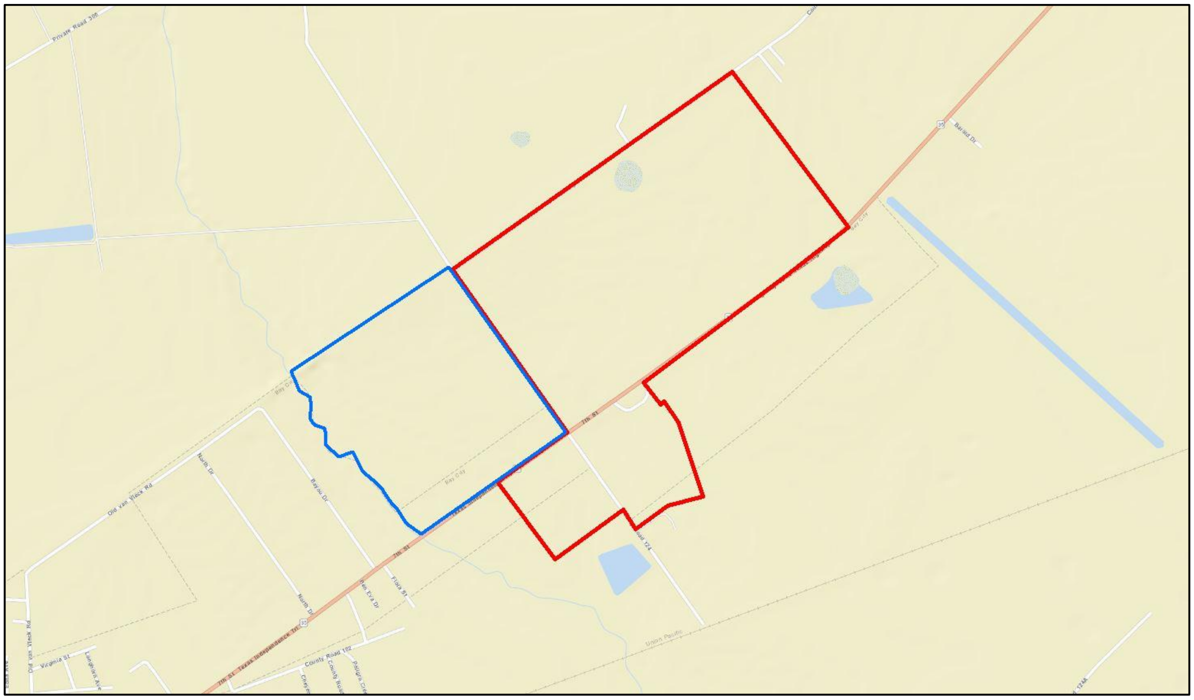
East along the southern boundary of Property ID 20953 to the point it meets the western right of way boundary of McCrosky Road, thence

East across McCrosky road to the point the eastern right of way boundary of McCrosky Road meets the southwest corner of Property ID 23012, thence

South along the eastern right of way boundary of McCrosky Road to the point it meets the northern right of way boundary of TX-35, which is the point of beginning.

EXHIBIT B

BOUNDARY MAP



- TIRZ #2 Boundary
- TIRZ #2A Boundary

EXHIBIT C

PRELIMINARY PROJECT PLAN AND FINANCE PLAN

TO: FY22/23 Solid Waste Implementation Grant Applicants
FROM: Erin Livingston, Principal Planner
DATE: November 2, 2021

RE: Awarding of H-GAC FY22/23 Solid Waste Implementation Grants

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Thank you for applying for our FY22/23 solid waste implementation grants. We greatly appreciate the time each one of you took in submitting an application.

We received 29 applications from various local governmental entities, totaling $1,960,764. The amount of funding available was $1.05 million. The subcommittee was asked to score each application for project merit, local commitments and cost evaluation, for a maximum total score of 100 points.

The results of the subcommittee's ranking, funding recommendations and staff comments are shown on the document titled FY22/23 Solid Waste Grant Scoring Results.

Applicants may appeal the recommendations to the H-GAC. All appeals must be based on a **specific, identified error** of the Solid Waste Grants scoring process and not on factors that allow discretion by the Solid Waste Grants Scoring Subcommittee members. **The appeal deadline is 5:00 p.m., Thursday, November 11, 2021. Applicants must notify H-GAC staff of any appeals. Notification may be via email or letter.** The written notification must include a justification of the grounds for the appeal.

If there are any appeals, they will be heard by the Solid Waste Management Committee at 10:00 a.m., Thursday, November 18, 2021 via Zoom. However, please note that these recommendations will not be final until considered by the H-GAC Board of Directors.

The H-GAC Board of Directors will consider final grant selection on Tuesday, December 21, 2021, at 10:00 a.m.**.** It is not necessary for you to attend this meeting. Once selected, grant recipient information will be sent to the Texas Commission on Environmental Quality (TCEQ) for review and comment. If you are awarded a grant, H-GAC staff will notify you with additional details at that time.

If you have any questions, please contact the following H-GAC staff members:

- Cheryl Mergo at cheryl.mergo@h-gac.com
- Erin Livingston at erin.livingston@h-gac.com

Application Number	Applicant	Project Title	Grant Request	Average Score	Deductions	Amount Recommended for Funding	Explanation of Deductions	Comments
56	Wharton County	Solid Waste Transfer Station	$ 100,000.00	90.7143	$0.00	$100,000.00		
26	Colorado County	2021 Colorado County Household Hazardous Waste Collection and Education Program	$ 78,465.00	87.2857	$0.00	$78,465.00		
20	City of Houston PD	FY22/23 Solid Waste Management Program	$ 46,125.00	82.8333	$0.00	$46,125.00		
60	Walker County	Walker County Used Tire Recycling Events	$ 20,000.00	81.3333	$0.00	$20,000.00		
32	Montgomery County	North Montgomery County Recycle Center	$ 29,164.00	79.8571	$250.00	$28,914.00	Deduct $250 for forklift certifications (not Solid Waste related).	
34	Pasadena	Illegal Dumping Enforcement	$ 26,980.00	79.7143	$0.00	$26,980.00		
49	City of League City	Fall Household Hazardous Waste Event	$ 100,000.00	77.8571	$0.00	$100,000.00		
61	Greater Southeast Management District	GSMD Heavy Trash Abatement Project	$ 150,000.00	77.8571	$37,500.00	$112,500.00		
51	City of Houston	Renew, Restore, Reach Out, and Educate!	$ 115,000.00	77.8333	$36,500.00	$78,500.00	Deduct the densifier $36,500	
21	City of Bay City	Bay City Equipment Update	$ 83,000.00	77	$0.00	$83,000.00		

23	Harris County Precinct 2	HCP2 Illegal Dumping Cleanup Vehicle PY2022	$ 215,000.00	74		$0.00		
29	Austin County	Austin County - Countywide Tire Collection Event	$ 35,000.00	73.1429		$0.00		
16	Hitchcock Police Department	Clean Waterways	$ 102,941.00	73		$0.00		
44	Harris County Constable Precinct 3	Constable Sherman Eagleton Illegal Dumping Crime Prevention and Surveillance Program	$ 45,000.00	72		$0.00		
54	Austin County	Austin County HHW & E-SCRAP Collection Event	$ 52,000.00	71.2857		$0.00		
65	Galveston County	Galveston County Household Hazardous Waste Event	$ 137,500.00	70		$0.00		
64	City of Houston	Houston Pick up	$ 41,307.00	66.3333		$0.00		
50	City of Bellaire	City of Bellaire Household Hazardous Waste Voucher Program	$ 12,000.00	65.8571		$0.00		
52	City of Sugar Land	City of Sugar Land Household Hazardous Waste Collection Event	$ 75,000.00	64.5714		$0.00		
53	City of Pattison	Local Environment Enforcement Program	$ 10,000.00	59.2857		$0.00		

ORDINANCE _______________

ORDINANCE AMENDING THE CITY CODE OF ORDINANCES RELATING SECTIONS OF CHAPTER 38 ARTICLE V, NOISE INCLUDING SEC. 38.171 UNREASONABLE NOISE PROHIBITED AND SEC. 38.172 SPECIFIC NOISES, ACTS DECLARED LOUD AND DISTURBING; CREATING NEW SECTION 38.173 TESTS AND STANDARDS FOR NOISES; 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 38 Article V, Section 38.171, Section 38.172, and creation of Section 38.173 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. 38-171. - Unreasonable noise prohibited.

~~The creation of any unreasonable loud, disturbing and unnecessary noises in the city is hereby prohibited. Noises of such character, intensity and duration as are reasonably calculated to be detrimental to the life or health of any ordinary reasonable person are hereby prohibited.~~

It shall be unlawful for any person to make, permit or allow to be made, or cause to be made or continued, any loud, unnecessary or unusual noise or any noise which disturbs, injures or endangers the comfort, repose, health, peace, safety or welfare of others within the limits of the city, unless the making and continuing of such noise is necessary for the improvement, protection or preservation of property or the health, safety, life or limb of some person.

Sec. 38-172 Specific noises, acts declared loud and disturbing.

(2)The playing of any radio, phonograph or any musical instrument in such manner, or with such volume, particularly during the hours between 11:00 p.m. and 7:00 a.m. as to create a noise such as is reasonably calculated to disturb a person of ordinary disposition under the same or similar circumstances residing in a dwelling or other type of residence in the vicinity. No stationary loudspeaker or amplifier shall be operated on any weekday between the hours of 11:00 p.m. and 7:00 a.m. In residential areas, noise shall not exceed sixty (80) dB(a) from 7 a.m. to 11 p.m. Noise shall not exceed fifty (80) dB(a) after 11 p.m. to 7 a.m. In and around non-residential property, noise shall not exceed sixty (80) dB(a) after 11 p.m. on a Sunday, Monday, Tuesday, Wednesday, or Thursday and before 7 a.m. on the following morning or after 12 a.m. and before 7 a.m. on a Saturday or Sunday.

(15) *Mufflers.* No person shall operate a gasoline engine or any similar engine of any kind unless the engine shall be equipped with an exhaust muffler in effective working condition, which muffler shall be used whenever the engine is in operation so that there will be no excessive or unusual noise, or the engine shall be so constructed or designed that the noise is deadened as if such engine were equipped with a muffler. No person shall operate a motor

vehicle upon any street unless such motor vehicle is equipped with a muffler at all times in good working order sufficient to prevent excessive or unusual noise.

(b)
(3) It is an affirmative defense that the person producing, permitting, or allowing the sound is an event sponsored by the City of Bay City, is acting pursuant to a valid parade permit or has otherwise received permission from the City of Bay City to have an event with a variance from this Section.

Sec. 38.173 Tests and standards for noises.

Factors to consider: The standards which shall be considered in determining whether a violation of Sec. 38-172 exists shall include but shall not be limited to the following:

(1) The volume of the noise.

(2) The intensity of the noise.

(3) Whether the nature of the noise is usual or unusual.

(4) Whether the origin of the noise is natural or artificial.

(5) The volume and intensity of the background noise, if any.

(6) The proximity of the noise to residential sleeping facilities.

(7) The nature of the area within which the noise emanates.

(8) The density of inhabitation of the area within which the noise emanates.

(9) The time of the day or night the noise occurs.

(10) The duration of the noise.

(11) Whether the noise is recurrent, intermittent or constant.

(12) Whether the noise is produced by a commercial or noncommercial activity.

Section 2: Other than as amended herein, all remaining sections of Chapter 38 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 16th day of November, 2021.

____

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

Council Member:	Voted Aye	Voted No	Absent
Robert K. Nelson, Mayor	___________	___________	___________
Floyce Brown	___________	___________	___________
James Folse	___________	___________	___________
Jason Childers	___________	___________	___________
Becca Sitz	___________	___________	___________
Brad Westmoreland	___________	___________	___________

CITY OF BAY CITY
1901 FIFTH STREET
(979) 245-2137
FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be consider for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.

☐Citizen ☒City Staff ☐Council Member

Requestor Name: Alyssa Dibbern Date Submitted: May 13, 2021

Position Title (If City Staff): Engineering Tech

Council Meeting Date: May 25, 2021

Type of Agenda Item:

☐Consent Agenda ☐Presentation

☐Public Hearing ☐Executive Session

☒Regular Item for Discussion

Agenda Wording:

Discuss, consider, and/or approve a code of ordinance for compact parking within the City of Bay City.

Executive Summary of Item:

As per the City's Mission Statement, compact parking is the next step to improving the quality services and way of life here within our community. The square in particular gets crowded during business hours, especially along Highways 35 & 60. Adopting this ordinance my help deliver safer traffic conditions with certain laws/rules in place.

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 SEVERABILTY 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:

____
Jeanna Thompson, City Secretary
City of Bay City

APPROVED AS TO FORM:

____
Anne Marie Odefey, City Attorney

Council Member:	**Voted Aye**	**Voted No**	**Absent**
Robert K. Nelson Mayor	________	________	________
Floyce Brown	________	________	________
James Folse	________	________	________
Jason Childers, Mayor Pro Tem	________	________	________
Becca Sitz	________	________	________
Bradley Westmoreland	________	________	________

CITY OF BAY CITY
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AGENDA ITEM SUBMISSION FORM

Any item(s) to be consider for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.

☐Citizen ☒City Staff ☐Council Member

Requestor Name: Alyssa Dibbern Date Submitted: 11/8/2021

Position Title (If City Staff): Engineering Tech

Council Meeting Date: 11/16/2021

Type of Agenda Item:

☐Consent Agenda ☐Presentation

☐Public Hearing ☐Executive Session

☒Regular Item for Discussion

Agenda Wording:

Recommend approval of a Resolution committing the city to provide local matching funds to secure and complete applications for the Hazard Mitigation Assistance (HMA) Program. This resolution will commit the City to provide the 25%, or more, required local match for any approved grant applications.

Executive Summary of Item:

Permission to apply to multiple grants under multiple funding groups.

We would like to apply for projects such as raising of three bridges throughout town; the potential of creating and utilizing an urban drainage plan for general classifying of area specific drainage and maintenance; and potential new generators at public buildings.

The title is board as to allow for compliance with Grant applications.

RESOLUTION

A RESOLUTION OF BAY CITY, TEXAS, COMMITTING THE CITY TO PROVIDE LOCAL MATCHING FUNDS TO SECURE AND COMPLETE APPLICATIONS FOR THE HAZARD MTIGATION ASSISTANCE (HMA) PROGRAM.

WHEREAS, the City is applying for FEMA Hazard Mitigation Assistance funds for raising of bridges, update to the City's stormwater management plan, and generators; and

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

1. Bay City commits to providing the 25% or more local share for the FEMA Hazard Mitigation Assistance grant projects.
2. The local share will be paid from the City's CDBG-DR Infrastructure distribution if and when such funds become available to the City, pending the required citizen participation requirements.
3. Should these funds not be available for whatever reason, the City will pay its local share from the general fund.

PASSED AND APPROVED ON ____________________, 2021.

ATTEST:

______________________________ ______________________________

MAYOR CITY SECRETARY

CITY OF BAY CITY
1901 FIFTH STREET
(979) 245-2137
FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

Any item(s) to be consider for action by the City Council, must be included on this form, and be submitted along with any supporting documentation. Completed Agenda Item Submission forms must be submitted to the City Secretary's Office no later than 4:00 p.m. on the Monday of the week prior to the Regular Council meeting.

☐Citizen ☒City Staff ☐Council Member

Requestor Name: Alyssa Dibbern Date Submitted: 11/8/2021

Position Title (If City Staff): Engineering Tech

Council Meeting Date: 11/16/2021

Type of Agenda Item:

☐Consent Agenda ☐Presentation

☐Public Hearing ☐Executive Session

☒Regular Item for Discussion

Agenda Wording:

Recommend approval of a Resolution authorizing the submission of Hazard Mitigation Grant Applications under the Hazard Mitigation Assistance Program and further funding opportunities, appointing the Mayor as the Chief Executive Officer and authorized representative to act in all matters in connection with the FEMA Mitigation Grants

Executive Summary of Item:

Texas Division of Emergency Management (TDEM) is accepting applications for the Hazard Mitigation Grant Program related to multiple disaster declarations. All entities seeking funding under this opportunity must have a FEMA approved Hazard Mitigation Plan at the time the project is submitted to FEMA for consideration and at the time award is made. Priority consideration for these funds will be given to jurisdictions from the counties designated in the disaster declaration. The first deadline is December 3, 2021. The grant is reimbursable at 75% and there is a 25% match.

RESOLUTION

A RESOLUTION OF BAY CITY, TEXAS, AUTHORIZING THE SUBMISSION OF MULTIPLE HAZARD MITIGATION ASSISTANCE (HMA) GRANT APPLICATIONS, APPOINTING THE MAYOR AS THE CHIEF EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE TO ACT IN ALL MATTERS IN CONNECTION WITH THE FEMA MITIGATION GRANTS.

WHEREAS, Bay City is considering the submission of FEMA Hazard Mitigation Assistance grant applications for funds for raising of bridges, generators, and an update to the City's stormwater management plan; and

WHEREAS, FEMA Mitigation Fund applicants are required to appoint an official to act as the Authorized Representative in all matters in connection with the Mitigation Grants.

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

Section 1. That the City is authorizing the submission of multiple applications for FEMA's Hazard Mitigation Assistance Grant Program; and

Section 2. That the Mayor be appointed the Chief Executive Officer and Authorized Representative to act on behalf of the City in all matters in connection with the FEMA Mitigation Grants.

PASSED AND APPROVED ON ______________________, 2021.

ATTEST:

_______________________________ _______________________________

MAYOR CITY SECRETARY

A RESOLUTION OF CITY OF BAY CITY, TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER(S) SELECTION FOR AMERICAN RESCUE PLAN ACT (ARP ACT) PROGRAM(S).

EXECUTIVE SUMMARY

AMERICAN RESCUE PLAN ACT OF 2021- ADMIN SERVICES

BACKGROUND: The American Rescue Plan (ARP) Act of 2021 – the latest COVID-19 stimulus package - became law on March 11, 2021. (1.9 trillion economic stimulus bill)

The City of Bay City is projected to receive $ 4,344,926.61 from the US Treasury as allocated in the American Rescue Plan (ARP) Act. The City will have until December 31, 2024 to expend the funds.

On April 13, 2021, the City Council authorized the City to seek administrative or engineering services if needed.

After projects were identified, City staff determined it was in the best interest of the City to seek administrative services. These services can be paid by ARP funds.

FINANCIAL IMPLICATIONS: There is no match requirement.

IMPACT ON COMMUNITY SUSTAINABILITY: The funds can be used for water, sewer, or broadband infrastructure. Funds can be used to respond to the public health emergency or its negative economic impacts, may include assistance to households, businesses, and non-profits.

RECOMMENDATION: Scoring Committee will make a recommendation at the City Council meeting to award administrative services.

ATTACHMENTS: Resolution

RESOLUTION

A RESOLUTION OF CITY OF BAY CITY, TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER(S) SELECTION FOR AMERICAN RESCUE PLAN ACT (ARP ACT) PROGRAM(S).

WHEREAS, participation in American Rescue Plan Act (ARP Act) program(s) requires implementation by professionals experienced in the administration of federally-funded projects;

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Proposals (RFP) process for administration services has been completed in accordance with the federal requirements;

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to the ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources

NOW, THEREFORE, BE IT RESOLVED:

Section 1.	That ____________________________________ is selected to provide project-related **administration services** for ARP Act program(s).
Section 2.	That any and all project-related services contracts or commitments made with the above-named service provider(s) are dependent on the successful negotiation of a contract with the service provider(s).

PASSED AND APPROVED ON ____________________, 2021.

APPROVED:

____

Robert K. Nelson, Mayor

ATTEST:

____

Jeanna Thompson, City Secretary

~ DISCUSS, CONSIDER, AND/OR APPROVE THE CITY'S QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2021

EXECUTIVE SUMMARY

INVESTMENT REPORT

BACKGROUND:

The Public Funds Investment Act (Chapter 2256, Government Code) requires the City's Investment Report to be reviewed by the governing body at least quarterly.

FINANCIAL IMPLICATIONS:

An investment policy itself protects City dollars by restricting certain types of transactions. It also enables the City to invest in other instruments to increase interest earnings.

IMPACT ON COMMUNITY SUSTAINABILITY:

The report permits an outside reader to evaluate the performance of the investment program.

RECOMMENDATION:

Staff recommends City Council approve the Quarterly Investment Report.

ATTACHMENTS:

To be reviewed at meeting.

CITY OF BAY CITY, TEXAS
QUARTERLY INVESTMENT REPORT
FOR THE QUARTER ENDED SEPTEMBER 30, 2021

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

Investment Officer: ______________________
Scotty Jones, Finance Director

Date: 11-10-21

Investment Report
Quarter Ended September 2021

The City has a weighted average portfolio of 221 days with an average book yield of .27%. City is relatively liquid with 84% of the portfolio in a 0-1-year maturity. Average interest rates have declined since prior quarter except for the banks who are held to depository contracted price. All short-term investments average less than 1%. Investment earnings are $4,622.98 for the quarter and down $13,614.86 as compared to the same quarter last year. The investment strategy currently is to stay short with diversification (Checking, Investment Pools, and Securities less than 5 years to maturity) to minimize interest rate risk in the future.

September 30, 2021 Balances

	Total Bal by Type		% of Portfolio
Int'l Bank of Commerce	$	4,303,195.94	26%
Prosperity Bank	$	234,601.27	1%
Prosperity Bank Money Market	$	4,362,178.92	27%
Petty Cash/Cash Drawers	$	4,112.00	0%
Texpool	$	2,056,541.51	13%
Texas Class	$	2,312,333.21	14%
CD's	$	-	0%
Securities	$	3,074,000.00	19%
		$16,346,962.85	100%

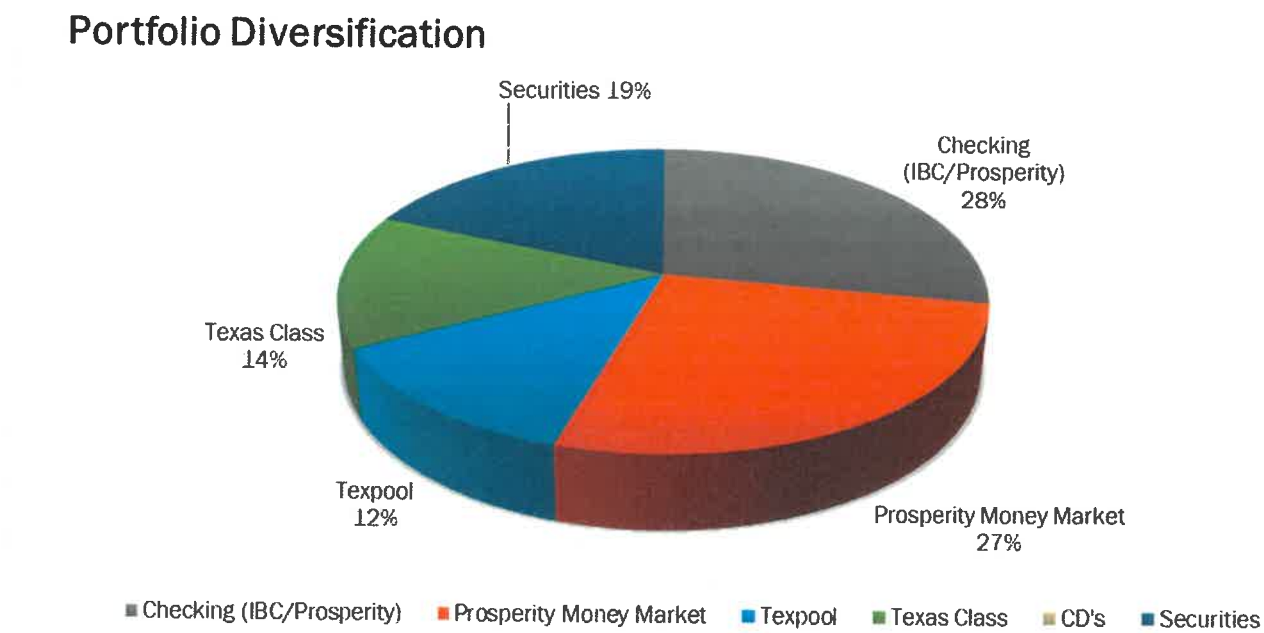
Interest Earnings

Interest received during the 4th quarter totaled $ 4,622.98 and represents interest paid on checking accounts and investments.

Portfolio	**Qtr 9-30-21**	**Qtr 9-30-20**	**Over Prior Year**
Interest Received	4,622.98	$18,237.84	$<13,614.86>

Portfolio Diversification

Portfolio Diversification is used to create a structure to reduce investment risks and a portfolio that will experience minimal volatility during economic cycles.



Portfolio Maturity Schedule

The goal is to ladder the City's portfolio. Due to some economic uncertainty and low interest rates, staying short for investment purposes is the strategy for any investments.

Years to Maturity	Face Value	% Total
0-1	$13,766,962.85	84%
1-2	$ 0.00	0%
2-3	$ 498,000.00	3%
3-4	$ 1,085,000.00	7%
4-5	$ 997,000.00	6%
Total	**$16,346,962.85**	**100%**

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City of BAY CITY vs. Benchmarks
for Quarter Ending September 30, 2021

BOOK VALUE	MARKET VALUE	Unrealized Gain/<Loss>	Average Book Yield	Benchmark Pools	Benchmark 90 Day T-Bill
$ 16,346,963	$ 16,345,729	(1,234.10)	0.27%	0.04%	0.05%

	Weighted Average		
Maturity	220.58 Day(s)	0.27%	Yield

ITEM #15.

INVESTMENT PORTFOLIO- CITY OF BAY CITY- BY FUND
for Quarter Ending September 30, 2021

ACCT NAME CUSIP	GENERAL LEDGER CODE	GENERAL LEDGER BAL.	AVG INT RATE	TYPE	CPN	MATURITY DATE	BOOK VALUE	MARKET VALUE
All Funds								
GENERAL FUND								
General Fund								
IBC (Pooled Cash)	11-1100	$ 316,656.88	0.08%	IOC				
Cash Drawers	11-11XX	$ 752.00					N/A	
Petty Cash	11-11XX	$ 1,820.00					N/A	
Investments-TEXPOOL	11-1125	$ 133,294.91	0.02%	LOC GOVT POOL				$ 133,294.91
Investments-Texas Class	11-1130	$ 224,452.98	0.05%	LOC GOVT POOL				$ 224,452.98
Prosperity	11-1111	$ 232,601.27	0.15%	IOC				
Prosperity Money Market	11-1115	$ 1,327,646.00	0.25%	IOC				
Cash Held in Escrow- PD	11-1120	$ 98,923.78	0.00%	IOC				
Certificates of Deposit	11-1220	$ -	0.00%	CD			$ -	$ -
Securities	11-1215	$ 2,576,000.00	1.01%	SEC		See maturity schec	$ 2,576,000.00	$ 2,574,765.86
TOTAL GENERAL FUND		$ 4,912,147.82						
FIXED ASSET REPLACEMENT FUND								
Fixed Asset Replacement Fund								
IBC (Pooled Cash)	12-1100	$ 291,471.96	0.08%	IOC				
TOTAL FIXED ASSET REPLACEMENT FUND		$ 291,471.96						
CAPITAL PROJECT FUNDS								
Street Construction / Maintenance Fund								
IBC (Pooled Cash)	28-1100	$ 846,335.16	0.08%	IOC				
Investments-TEXPOOL	28-1125	$ 615,958.76						$ 615,958.76
TOTAL STREET MAINT. FUND		$ 1,462,293.92						
ax Note- Building Improvements/Road Equip.								
IBC (Pooled Cash)	34-1100	$ 41.73	0.08%	IOC				
Investments-TEXPOOL	34-1125	$ -	0.02%	LOC GOVT POOL				$ -
TOTAL PROJECT FUND		$ 41.73						
2016 CO'S- Phase III Street Project								
IBC (Pooled Cash)	36-1100	$ -	0.08%	IOC				
Investments-TEXPOOL	36-1125	$ -	0.02%	LOC GOVT POOL				$ -
TOTAL PHASE III STREET PROJECT		$ -						
2020 CO'S- Nile Valley Phase I Reconstruction & Equipment (Fire Truck/Gradall)								
IBC (Pooled Cash)	37-1100	$ (1,092,692.57)	0.08%	IOC				
TexPool	37-1125	$ -	0.02%	LOC GOVT POOL				
Prosperity Money Market	37-1115	$ 3,034,532.92	0.25%	MM				$ 3,034,532.92
Certificates of Deposit	37-1220	$ -	0.00%	CD				$ -
TOTAL NILE VALLEY PROJECT		$ 1,941,840.35						
TOTAL CAPITAL PROJECT FUNDS		$ 3,404,176.00						
DEBT SERVICE FUND								
13,14,16 18, 20, 21 Series I & S								
IBC (Pooled Cash)	80-1100	$ (87,469.18)	0.08%	IOC				
Investments-TEXPOOL	80-1125	$ 210,235.03	0.02%	LOC GOVT POOL				$ 210,235.03
Investments-Texas Class	80-1130	$ 87,226.58	0.05%					$ 87,226.58
TOTAL I & S FUND		$ 209,992.43						
TOTAL DEBT SERVICE		$ 209,992.43						

ACCT NAME CUSIP	GENERAL LEDGER CODE	GENERAL LEDGER BAL.	AVG INT RATE	TYPE	CPN	MATURITY DATE	BOOK VALUE	MARKET VALUE
SPECIAL REVENUE FUNDS								
TIRZ 1 Fund								
IBC (Pooled Cash)	20-1100	$ 95,931.03	0.08%	IOC				
TOTAL TIRZ FUND		**$ 95,931.03**						
TIRZ 2 Fund								
IBC (Pooled Cash)	21-1100	$ 192,727.89	0.08%	IOC				
TOTAL TIRZ FUND		**$ 192,727.89**						
TIRZ 3 Fund								
IBC (Pooled Cash)	22-1100	$ -	0.08%	IOC				
TOTAL TIRZ FUND		**$ -**						
Hazard Mitigation Fund								
IBC (Pooled Cash)	23-1100	$ 2,378,281.18	0.08%	IOC				
TOTAL HAZARD MITIGATION FUND		**$ 2,378,281.18**						
Hotel Occupancy Tax Fund								
IBC (Pooled Cash)	25-1100	$ 572,786.91	0.08%	IOC				
TOTAL HOTEL FUND		**$ 572,786.91**						
Police Forfeiture Fund								
IBC (Pooled Cash)	24-1100	$ -	0.08%	IOC				
Police Forfeiture Account	24-1115	$ 61,437.93	0.08%	IOC				
Police Pending Forfeiture Account	24-1116	$ 10,375.63	0.08%	IOC				
TOTAL FORFEITURE FUND		**$ 71,813.56**						
Building Security Fund								
IBC (Pooled Cash)	27-1100	$ 17,248.09	0.08%	IOC				
TOTAL BUILDING SEC FUND		**$ 17,248.09**						
Technology Fund								
IBC (Pooled Cash)	29-1100	$ 12,156.63	0.08%	IOC				
TOTAL COURT TECHNOLOGY FUND		**$ 12,156.63**						
Home Program - TDHCA								
IBC (Pooled Cash)	30-1100	$ (71.00)	0.08%	IOC				
TOTAL Home Program - TDHCA Fund		**$ (71.00)**						
Drainage Projects (HazMit)								
IBC (Pooled Cash)	31-1100	$ (65,121.84)	0.08%	IOC				
Investments-TEXPOOL	31-1125	$ -	0.00%	LOC GOVT POOL				$ -
TOTAL GLO/CDBG GRANT PROJECTS		**$ (65,121.84)**						
TCF Sidewalk								
IBC (Pooled Cash)	32-1100	$ (24,000.00)	0.08%	IOC				
TOTAL TCF/CDGB GRANT PROJECTS		**$ (24,000.00)**						
TOTAL SPECIAL REVENUE FUNDS		**$ 3,251,752.45**						

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ACCT NAME CUSIP	GENERAL LEDGER CODE	GENERAL LEDGER BAL.	AVG INT RATE	TYPE	CPN	MATURITY DATE	BOOK VALUE	MARKET VALUE
ENTERPRISE FUNDS								
Public Utility Fund								
IBC (Pooled Cash)	61-1100	$ 385,584.87	0.08%	IOC				
Cash Drawer-UTILITY BILLING	61-1102	$ 150.00						
Cash Drawer-FAC	61-1104	$ 150.00						
Cash Drawer-UTILITY	61-1105	$ 1,240.00						
Prosperity	61-1111	$ 2,000.00	0.15%	IOC				
Investments-TEXPOOL	61-1125	$ 576,995.29	0.02%					$ 576,995.29
Investments-TEXAS CLASS	61-1130	$ 2,000,653.65	0.05%	LOC GOVT POOL				$ 2,000,653.65
Certificates of Deposit	61-1220	$ -	0.00%	CD				$ -
Securities	61-1215	$ 498,000.00	1.01%	SEC		See maturity schedule		$ -
TOTAL UTIL OPER FUND		**$ 3,464,773.81**						
Utility Construction Funds								
Utility Construction Funds- Waterline NW Quadrant								
IBC (Pooled Cash)	62-1100	$ (351,365.05)	0.08%	IOC				
Investments-TEXPOOL	62-1125	$ 315,792.84	0.02%	IOC				$ 315,792.84
TOTAL UTILITY CONSTRUCTION FUND		**$ (35,572.21)**						
2016 CO'S- Grace WWTP/Waterline Hwy 60N, etc								
IBC (Pooled Cash)	66-1100	$ (124,676.52)	0.08%	IOC				
Investments-TEXPOOL	66-1125	$ 125,229.26	0.02%	LOC GOVT POOL				$ 125,229.26
TOTAL 2016 UTILITY PROJECT FUND		**$ 552.74**						
TWDB - WATER								
IBC (Pooled Cash)	68-1100	$ 822,306.93	0.08%	IOC				
TOTAL TWDB - WATER		**$ 822,306.93**						
- SEWER								
IBC (Pooled Cash)	69-1100	$ (1,023,607.30)	0.08%	IOC				
TOTAL TWDB - SEWER		**$ (1,023,607.30)**						
TOTAL UTIL CONSTRUCTION FUNDS		**$ (236,319.84)**						
Utility Debt Service Funds								
PUF- 2014,2016, 2021 Bonds								
IBC (Pooled Cash)	63-1100	$ 55,212.77	0.08%	IOC				
Investments-TEXPOOL	63-1125	$ 79,035.42	0.02%	LOC GOVT POOL				$ 79,035.42
TOTAL UTILITY DEBT FUND		**$ 134,248.19**						
TOTAL UTIL DEBT SERVICE		**$ 134,248.19**						
TOTAL ALL UTIL FUNDS		**$ 3,362,702.16**						
Airport Fund								
Airport Operating Fund								
IBC (Pooled Cash)	64-1100	$ 87,081.85	0.08%	IOC				
TOTAL AIRPORT OPERATING FUND		**$ 87,081.85**						
2020 CO'S- Airport Improvements (Hangers & Taxiway)								
IBC (Pooled Cash)	67-1100	$ 659,284.89	0.08%	IOC				
Certificates of Deposit	67-1220	$ -	0.00%	CD				$ -
TOTAL 2020 AIRPORT PROJECT FUND		**$ 659,284.89**						
TOTAL AIPORT FUND		**$ 746,366.74**						

ACCT NAME CUSIP	GENERAL LEDGER CODE	GENERAL LEDGER BAL.	AVG INT RATE	TYPE	CPN	MATURITY DATE	BOOK VALUE	MARKET VALUE
INTERNAL SERVICE FUNDS								
Information Technology								
IBC (Pooled Cash)	81-1100	$ 19,046.22	0.08%	IOC				
TOTAL INFORMATION TECHNOLOGY		**$ 19,046.22**						
Maintenance Fund (Facilities/Equipment)								
IBC (Pooled Cash)	82-1100	$ 124,047.71	0.08%	IOC				
TOTAL MAINTENANCE FUND		**$ 124,047.71**						
TOTAL INTERNAL SERVICE FUNDS		**$ 143,093.93**						
EMPLOYEE TRUST FUND								
Employee Trust Fund								
IBC (Pooled Cash)	96-1118	$ 1.00	0.08%	IOC				
TOTAL EMPLOYEE TRUST FUND		**$ 1.00**						
FLEXIBLE SPENDING ACCOUNT								
FSA Fund								
IBC (Pooled Cash)	98-1118	$ 25,258.36	0.08%	IOC				
TOTAL FSA FUND		**$ 25,258.36**						

ACCT NAME CUSIP	GENERAL LEDGER CODE	GENERAL LEDGER BAL.	AVG INT RATE	TYPE	CPN	MATURITY DATE	BOOK VALUE	MARKET VALUE

CITY GRAND TOTAL		**$ 16,346,962.85**	
	Bank GL	**Total Bal by Type**	**% of Portfolio**
International Bank of Commerce		$ 4,303,195.94	26.32%
Prosperity Bank		$ 234,601.27	1.44%
Prosperity Bank- Money Market		$ 4,362,178.92	26.68%
Petty Cash / Cash Drawers		$ 4,112.00	0.03%
Texpool		$ 2,056,541.51	12.58%
Texas Class		$ 2,312,333.21	14.15%
CD's		$ -	0.00%
Securities		$ 3,074,000.00	18.80%
		$ 16,346,962.85	100.00%
		$ -	

The City's investments are in compliance with the investment strategy as expressed in the Investment Policy with the relevent provisions of Ch.2256 of the TX Gov. Code

Cash Balance	*All Funds*	**$ 16,346,962.85**	
Less Restricted Cash			
Operating Reserves-Policy General Fund		3,591,756.00	25% Operating Expenditures
Operating Reserves-Policy Utility Fund		2,206,635.00	25% Operating Expenditures
Street Maint Fund		1,462,293.92	
Projects Encumbered		5,508,628.77	Nile Valley, TWDB Projects, GLO Mit Drainage
Other AP Encumbered		154,088.70	
Debt Payments Due		0.00	Payments Due
Total		**$ 3,423,560.46**	

CURRENT YEAR				***Current Qtr***
INTEREST EARNINGS	(Oct-Dec)	(Jan-March)	(Apr-June)	(July-Sept)
IBC/Prosperity Bank	533.37	1,376.63	1,908.85	1,332.58
Texpool	867.42	241.44	62.66	118.84
Texas Class	1,291.38	942.51	615.31	423.95
Money Market	10,913.01	7,957.20	2,716.04	2,747.61
Securities	8,776.22	1,504.22	3,617.27	
CD's	-	1,989.78	-	-
Total	**$ 22,381.40**	**$ 14,011.78**	**$8,920.13**	**$ 4,622.98**

PRIOR YEAR				***Prior Year***
INTEREST EARNINGS	(Oct-Dec)	(Jan-March)	(Apr-June)	(July-Sept)
IBC/Prosperity Bank	2,605.06	4,111.30	4,123.21	3,485.23
Texpool	16,776.46	12,818.59	2,365.67	1,556.30
Texas Class	14,281.77	13,251.65	7,905.35	3,248.30
Money Market		1,520.94	1,885.25	8,313.81
Securities			8,746.91	1,634.20
Total	**$ 33,663.29**	**$ 31,702.48**	**25,026.39**	**$ 18,237.84**

			Interest 20 vs 21	
Balance at 9-30-20	$	**16,070,446.75**	$ 18,237.84	Interest at 9-30-20
Balance at 9-30-21	$	**16,346,962.85**	$ 4,622.98	Interest at 9-30-21
Balance up from PY	$	276,516.10	$ (13,614.86)	Interest down from PY

Investment Officer- Scotty Jones

Investment Committee- City Manager

Investment Committee- Councilman

Investment Committee- Councilman

Investment Committee- Mayor

Date of Meeting: 11/12/21

ITEM #15.

ITEM #15.

INVESTMENT PORTFOLIO- CITY OF BAY CITY- BY MATURITY

for Quarter Ending September 30, 2021

Call Date or Maturity Date

	ACCT NAME CUSIP	GENERAL LEDGER BAL.	AVG INT RATE	2020-2021	2021-2022	2022-2026
CASH						
IBC- All funds	Claim on Cash (Pooled)	$ 4,303,195.94	0.0800%			
Prosperity- All funds	Claim on Cash (Pooled)	$ 234,601.27	0.1500%			
MONEY MARKET						
Prosperity- All funds	Money Market	$ 4,362,178.92	0.2500%			

PETTY CASH	ACCT NAME CUSIP	GENERAL LEDGER BAL.	AVG INT RATE	2020-2021	2021-2022	2022-2026
All funds	Petty Cash	$ 4,112.00				

SECURITIES/Fund	ACCT NAME CUSIP	GENERAL LEDGER BAL.	Book Yield	2020-2021	2021-2022	2022-2026
General Fund 9-22-21	38149MA29	$ 248,000.00	1.050%			9/22/2026
UtilityFund 9-22-21	90348JT59	$ 249,000.00	0.950%			9/22/2026
General Fund 9-22-21	649447VM8	$ 249,000.00	0.650%			9/10/2024
eneral Fund 9-23-21	3130ANQ37	$ 1,085,000.00	0.625%			4/9/2025
ility Fund 9-24-21	05580AE26	$ 249,000.00	0.650%			9/24/2024
neral Fund 9-30-21	3130AP5H4	$ 500,000.00	0.750%			9/30/2025
neral Fund 11-13-19	38149MJV63	$ 247,000.00	1.700%	11/15/2021		
neral Fund 11-14-19	61690UNR76	$ 247,000.00	1.700%	11/15/2021		

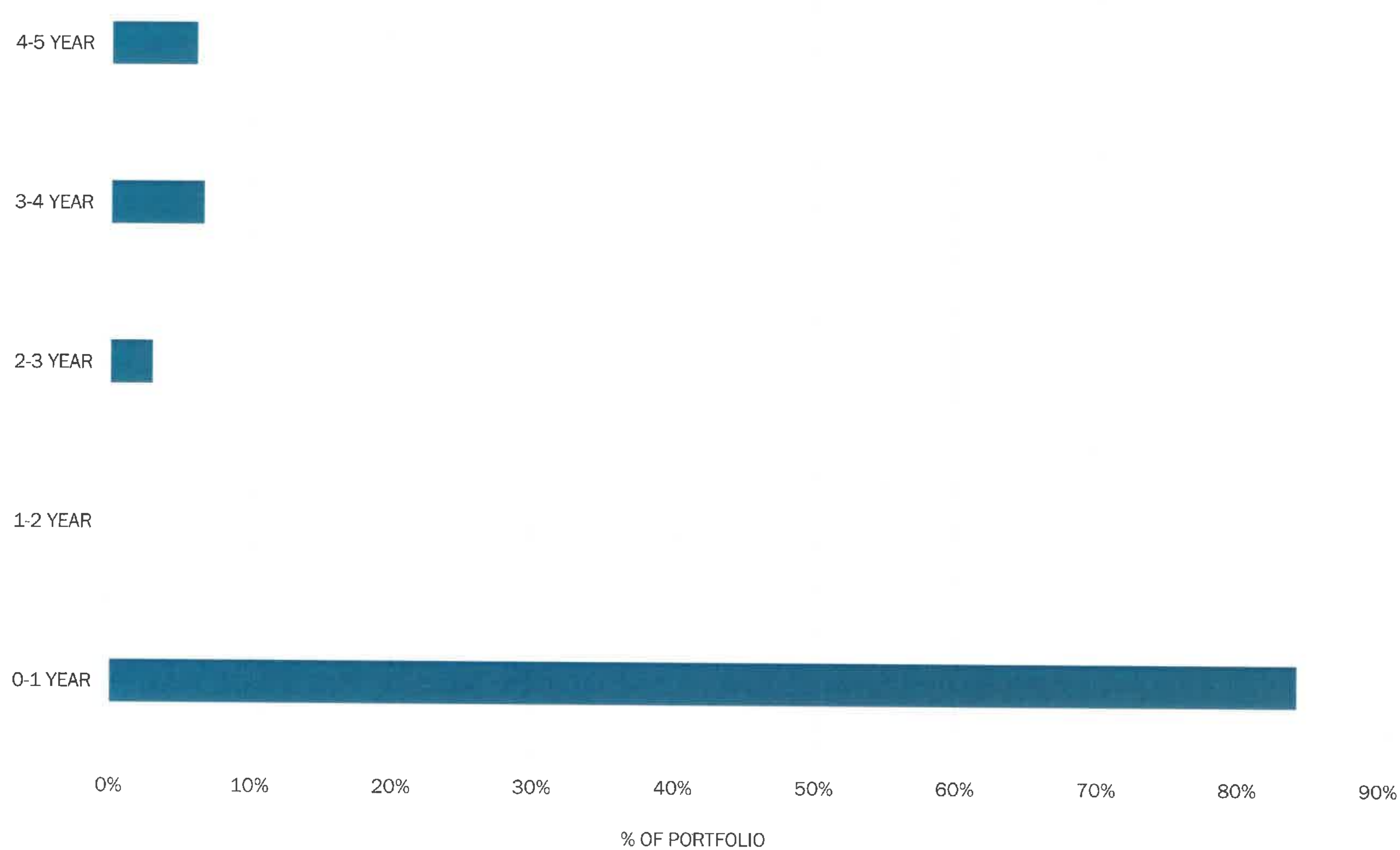
CD'S	ACCT NAME CUSIP	GENERAL LEDGER BAL.	AVG INT RATE	2020-2021	2021-2022	2022-2026
Airport	2810022739	$ -	0.0000%	1/31/2021		
Nile Valley	2810022739	$ -	0.0000%	1/31/2021		
		$ -	0.0000%			
		$ -	0.0000%			
		$ -				

TEXPOOL	ACCT NAME CUSIP	GENERAL LEDGER BAL.	AVG INT RATE	2020-2021	2021-2022	2022-2026
All funds	Texpool	$ 2,056,541.51	0.0200%			

TEXAS CLASS	ACCT NAME CUSIP	GENERAL LEDGER BAL.	AVG INT RATE	2020-2021	2021-2022	2022-2026
All funds	Texas Class	$ 2,312,333.21	0.0500%			

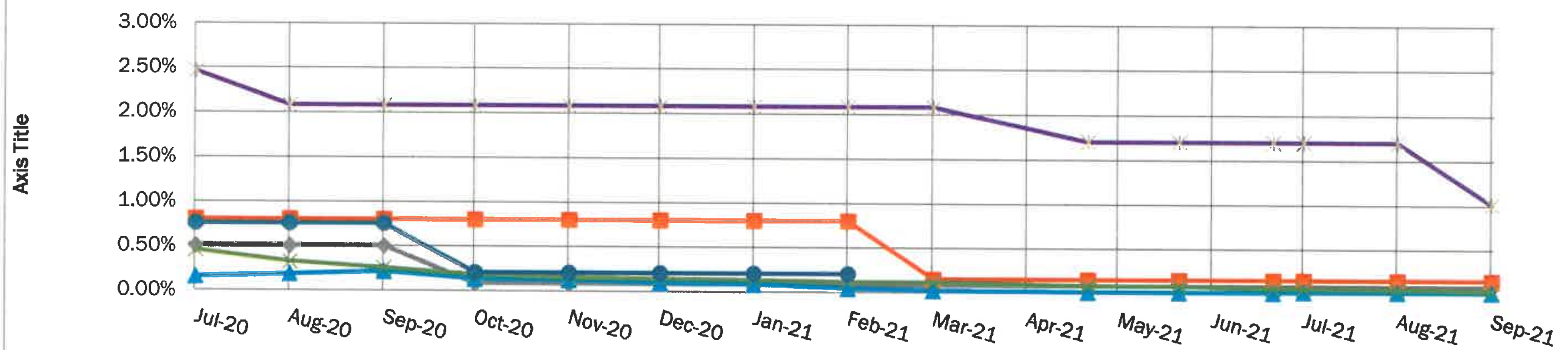
Maturity Time Frame		
0-1 YEAR	$ 13,766,962.85	84.2173%
1-2 YEAR	$ -	0.0000%
2-3 YEAR	$ 498,000.00	3.0464%
3-4 YEAR	$ 1,085,000.00	6.6373%
4-5 YEAR	$ 997,000.00	6.0990%
	$ 16,346,962.85	100.0000%

Maturity by Year



ITEM #15.

Interest Rate Trends



	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21
IBC	0.50%	0.50%	0.50%	0.08%	0.08%	0.08%	0.08%	0.08%	0.08%	0.08%	0.08%	0.08%	0.08%	0.08%	0.08%
Prosperity	0.80%	0.80%	0.80%	0.80%	0.80%	0.80%	0.80%	0.80%	0.15%	0.15%	0.15%	0.15%	0.15%	0.15%	0.15%
Texpool	0.15%	0.18%	0.21%	0.13%	0.12%	0.09%	0.08%	0.04%	0.02%	0.01%	0.01%	0.01%	0.02%	0.02%	0.02%
Texas Class	0.45%	0.32%	0.25%	0.18%	0.15%	0.14%	0.13%	0.11%	0.11%	0.08%	0.08%	0.06%	0.06%	0.05%	0.04%
Securities	2.46%	2.08%	2.08%	2.08%	2.08%	2.08%	2.08%	2.08%	2.08%	1.70%	1.70%	1.70%	1.70%	1.70%	1.01%
CD's	0.75%	0.75%	0.75%	0.20%	0.20%	0.20%	0.20%	0.20%							