CITY COUNCIL REGULAR MEETING
CITY OF BAY CITY

Tuesday, December 07, 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."*

Mayor Pro Tem Jason Childers

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.

Mayor Pro Tem Jason Childers

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. **City Council Public Works Workshop minutes of November 16, 2021.**
2. **City Council Aquatic Center Workshop minutes of November 16, 2021**
3. **City Council Regular Meeting minutes of November 16, 2021**
4. **City Council Special Called Meeting minutes of November 30, 2021**

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

5. **Consider and/or approve invoices recommended by the TIRZ #2 Board to pay out of TIRZ #2 funds.**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

6. **Presentation ~ Edward Byrne Memorial Justice Assistance Grant awarded to the Bay City Police Department in the amount of $87,874.12.** Robert Lister, Chief of Police
7. **Ordinance ~ Discuss, consider, and/or approve an Ordinance amending the City of Bay City Personnel Guidelines.** Rhonda Clegg, Director of Human Resources
8. **Property ~ Discuss, consider, and/or approve infrastructure improvements to the downtown private/public parking lot located at 2236 Avenue G in partnership with Bay City Main Street, Bay City Community Development Corporation, the City of Bay City, and property owner.** Tina Israel, Main Street Manager.
9. **Bids ~ Discuss, approve, and/or reject bid award for Elliot Subdivision Street Reconstruction and Waterline Improvements for the City of Bay City.** Alyssa Dibbern, City Engineer Tech
10. **Bids ~ Discuss, approve, and/or reject the Hamman Road Drainage Project Phase 1a contractor bids.** Alyssa Dibbern, City Engineer 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. **Resolution ~ A Resolution by the City Council of the City of Bay City, Texas, authorizing publication of notice of intention to issue Certificates of Obligation**

in connection with the receipt of financial assistance from the Texas Water Development Board through the Clean Water State Revolving Fund, and approving other matters incidental thereto. Scotty Jones, Finance Director

14. **Resolution ~ A Resolution by the City Council of the City of Bay City, Texas, authorizing publication of notice of intention to issue Certificates of Obligation in connection with the receipt of financial assistance from the Texas Water Development Board through the Drinking Water State Revolving Fund, and approving other matters incidental thereto.** Scotty Jones, Finance Director

15. **Policy ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting an amended investment policy**. Scotty Jones, Finance Director

16. **Ordinance ~ Discuss, consider, and/or approve an Ordinance adopting budget amendments for the quarter ending September 30, 2021**. Scotty Jones, Finance Director

17. **Appointment ~ Discuss, consider and approve appointing representatives to the proposed Aquatic Center project**. Shawna Burkhart

CLOSED / EXECUTIVE SESSION

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

19. **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).

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, December 3, 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 • NOVEMBER 16, 2021

COUNCIL CHAMBERS | 1901 5th Street	**City Council Workshop - Public Works**	**4:00 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 Council Workshop was called to order by Mayor Robert K. Nelson at 4:03 pm.

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

PUBLIC COMMENTS

There were no public comments.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND / OR APPROVAL

1. Discussion regarding water leaks.

Barry Calhoun reviewed Public Works organization and responsibilities of each division. Mr. Calhoun reviewed various types of water leaks and issues they sometimes come across when excavating. Mr. Calhoun gave status on water leaks by type. Currently understaffed to needs. Currently have only 3 on staff. Councilwoman Brown stated that City Council should be more positive and that way residents can see that work is going on, Council should not just acknowledge but address the issue. Councilman Westmoreland thanked the Public Works Director and sees great things are happening and appreciates him sharing public works staffing issues and challenges and hopes that we can work together and address..

ADJOURNMENT

Motion made by Councilwoman Sitz to adjourn, Seconded by Councilwoman Brown.Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried and Council adjourned at 5:06 pm.

PASSED AND APPROVED, this 7th day of December 2021.

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

JEANNA THOMPSON
CITY SECRETARY

CITY OF BAY CITY

MINUTES • NOVEMBER 16, 2021

COUNCIL CHAMBERS | 1901 5th Street	**City Council Workshop -Natatorium Aquatic Center**	**5:00 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 Council Workshop was called to order by Mayor Robert K. Nelson at 5:11 pm

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

PUBLIC COMMENTS

There were no public comments.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND / OR APPROVAL

1. **Discussion relative to the proposed design and construction of a new "all purpose' Aquatic Center in Bay City**. Loy Sneary

   Loy Sneary presented a "re-calibrated" aquatics center proposal stating that after the last meeting it became apparent that not all entities were favorable due to the price. New proposal has cut down the facility to just the covered pool and a smaller outside water park. Mr. Sneary stated that the aquatic center could attract developer, Hospital would be a tenant and financers would be the City and County. Mayor Pro Tem Childers asked what does that do to revenues and have they tried fund raising. Mr. Sneary replied that until they get some entities they have not pursued other but some private companies are interested. Councilwoman Sitz asked if there would be room to grow and Mr. Sneary replied yes. Mayor Pro Tem Childers stated that he thinks there is a need and he is interested in what the other entities have to say. Councilman Westmoreland stated that a workshop with the players to discuss needs to be done. Mayor Nelson added that Council should first determine where the City needs to be. Councilwoman Brown stated she loved the idea and recommended that Mr. Sneary look at the Tallahassee project. Councilman Folse stated that he wanted to make it clear that he is for the project but is concerned about the funding. Shawn Burkhart asked if Council would like her to get quotes on what the tax rate would look like on 2, 3, and 4 million dollar issuances.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse,

Councilwoman Sitz, Councilman Westmoreland. Motion carried and meeting adjourned at 5:49 pm.

PASSED AND APPROVED, this 7th day of December 2021.

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

CITY OF BAY CITY

MINUTES • NOVEMBER 16, 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 Pro Tem Jason Childers 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."*

Councilwoman Becca Sitz

CERTIFICATION OF QUORUM

Quorum present.

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 Becca Sitz

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

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

There were no public comments.

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.**

   Mayor Pro Tem Jason Childers read the proclamation honoring Tom Stanley and declaring that T-Hanger Access Road be renamed to T. Stanley Drive. The proclamation was presented to the family of Tom Stanley.

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

   Mayor Pro Tem Jason Childers read the State Senate Resolution honoring the late Councilman Brent Marceaux. The resolution was presented to the family of Brent Marceaux.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

Motion made by Councilman Westmoreland to approve the consent items with changes to items 7, 8, and 9 of the minutes of the Regular Council meeting of November 2, 2021, Seconded by Councilman Folse.

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

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.**

   David Pettit summarize the the proposed amendment to zone #2. Shawna Burkhart, City Manager, added that on November 30th Council will have a closed session to discuss the development agreement. Anne Marie Odefey, City Attorney, added that this land will be annexed.

   The Public Hearing was open for public comment at 6:29 pm.

Alex Kamkar, Bold Fox Development, stated that the idea has been in discussion for over year and same thing that coming up was housing. Mr. Kamkar added that he has brought others that see the same thing that the city has good bones and will help to get those that grew up here to come back to affordable housing.

Councilman Folse asked Mr. Kamkar when do they expect to break ground - Mr Kamkar responded 15 to 18 months. Councilman Westmoreland asked if it will be suppliers be from Bay City and Mr. Kamkar stated yes. All utilities city provided.

The Public Hearing was closed at 6:40 pm.

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.**

David Pettit, DPED, summarized the ordinance needed to expand the boundaries.

Motion made by Councilman Folse to approve the the Ordinance amending Ordinance 1557 concerning TIRZ #2, Seconded by Councilwoman Sitz. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

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

Shawn Blackburn, Parks & Rec Director, stated that he was notified by email from H-GAC that the new splash pad had received the recognition award and will receive the award February 11th.

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

Alyssa Dibbern, City Engineer Tech, stated that the Recycling Center were awarded $83,000 fully funded baler from H-GAC.

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

Robert Lister, Chief of Police, presented the ordinance. Councilwoman Sitz aske if this was enforceable? Chief Lister stated that is was and the decibel meters were in.

Motion made by Councilman Westmoreland to approve the ordinance with corrections to typed dB to read eighty, Seconded by Councilwoman Brown. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

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

Alyssa Dibbern, Engineering Tech, addressed the council and stated that she has reached out to TxDOT and there is not definition or guidelines for compact parking. Councilwoman Sitz asked about the dimensions 'stripping" was meant to be 'striping".

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

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.

Motion made by Councilwoman Brown to table the item until December 7th, Seconded by Councilwoman Sitz.Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

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

Motion made by Councilwoman Brown to table the item until December 7th, Seconded by Councilwoman Sitz.Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

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

Oscar Garcia, Assistant Public Works Director, presented his findings and impressions regarding streets and sidewalks. Mr. Garcia stated that they have cleaned up areas along 35 and 60. Other areas they are focusing on is potholes and will by saw cut. Mr. Garcia added that downtown has trip hazards and ADA compliance issues. Mr. Garcia reviewed personnel and equipment needs. Mayor Pro Tem Jason asked if we outsource personnel and asked about leasing or renting for immediate needs.

Councilman Westmorland asked about equipment capital funds that might be reallocate.

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

    Scotty Jones, Finance Director, presented the resolution authorizing PSP for the ARP. the administrative services will guide and connect the dots.

    Motion made by Councilman Westmoreland approve the resolution selecting GrantWorks to provide professional services, Seconded by Councilwoman Sitz. Voting Yea: Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz, Councilman Westmoreland. Motion carried.

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

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

CLOSED / EXECUTIVE SESSION

Council did not convene into an 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

    Council did not discuss and will bring at a later date as advised by City Manager.

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

    Council did not discuss and will bring at a later date as advised by City Manager.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Folse requested updates on Hamman drainage and soccer lighting at Hardeman Park. Shawn Burkhart responded that the Hamman drainage was being bidded and will be on 12/7 meeting.

Councilwoman Sitz gave "kudos" to city employees helped at the Day of the Dead event.

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 Council adjourned at 7:35 pm.

PASSED AND APPROVED, this 7th day of December 2021.

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

CITY OF BAY CITY

MINUTES • NOVEMBER 30, 2021

COUNCIL CHAMBERS | 1901 5th Street	**City Council Special Called 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 Special Called meeting was called to order by Mayor Robert K. Nelson at 6:00 pm.

CERTIFICATION OF QUORUM

Quorum certified

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

ABSENT
Councilman Brad Westmoreland

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

David Torrez, residing at 1616 cottonwood, has noticed nothing has changed and no one comes to these meetings. Mr. Torrez addressed the chunck holes by Hibbs Pharmacy, business says they have put in an order but have had no response. He is concerned because more businesses are coming and concerned that council does not act on it. He's noticed the city has new vehicles. concerned city is hiring plumbers to do city water work instead of city employees. fix the roads or at least patch them up.

REGULAR ITEM FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

1. **Agreement ~ Discuss, consider, and/or approve an Economic Development Professional Services Agreement with David Pettit Economic Development, LLC., relating to the creation of a public improvement district (PID) in the City of Bay City, Texas.**

   Shawna Burkhart, City Manager, stated that the agreement was assistance with the Maddox Development. David Pettit helped create the TIRZ's and we have asked for help with the Public Improvement District. Contract limits us to up to $20,000 that is hourly based with cap. Mr. Pettit will be crunching numbers on PID and bonds. Ms. Burkhart also added that we may do a TIRZ overlay if needed. She has met with him at least 4 times with Community Development, finance and the City Attorney. He is well versed and familiar with bonds. The PID agreement is still in review and number

crunching. Mayor Pro Tem Childers stated that Mr. Pettit was very knowledgeable when he assisted with TIRZ 1, 2 and 3. Mayor says the city is not holding up the development. Ms. Burkhart added that the contract falls under professional services and is reimbursed by the developer.

2. **Discuss, consider, and/or approve the appointment of Shea Krauskopf to the Public Housing Authority**

   Mayor stated that Shea Krauskopf is unable to accept the appointment, but will assist locating another candidate.

3. **Discuss, consider, and/or approve the appointment of Donna Shook to the Public Housing Authority**

   Shawna Burkhart introduced Donna Shook. Ms. Shook introduced herself and gave a background of her experience in hospital administration and workforce solutions.

   Motion made by Councilwoman Brown to approve the appointment of Donna Shook to the Public Housing Authority, Seconded by Mayor Pro Tem Childers. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried.

CLOSED / EXECUTIVE SESSION

At 6:15 pm, Council convened into an executive session.

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

OPEN SESSION

At 6:50 pm, Council reconvened into the Regular session and took no action on items discussed in the executive session.

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Councilman Folse wished the Chief of Police a happy birthday.

ADJOURNMENT

Motion made by Councilwoman Brown to adjourn, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilwoman Brown, Councilman Folse, Councilwoman Sitz. Motion carried and the meeting adjourned at 6:52 pm.

PASSED AND APPROVED, this 7th day of December 2021.

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

CONSENT AGENDA:

CONSIDER AND/OR APPROVE INVOICES RECOMMENDED BY THE TIRZ 2 BOARD TO PAY OUT OF TIRZ 2 FUNDS.

EXECUTIVE SUMMARY

BACKGROUND:

On September 14, 2017, the TIRZ Board recommended approval of a Developer Agreement between City of Bay City and Bay City Community Development Corporation for the development Schulman Movie Theater.

On May 16, 2018, the TIRZ Board approved the BCCDC to be reimbursed **up to $2,845,190.62** for public improvements related to the Schulman Movie Theater Project.

Reimbursements are paid out annually based in TIRZ funds available.

12-3-21 Payment to BCCDC- **$190,000** for Open Space Improvements

In addition, the City receives 2.5% administration fee based on revenue collected each year. The amount for FY 21 was **$4,526.89**

Max Amount Due BCCDC= $ 2,354,462.69

AGENDA ITEM FOR CITY COUNCIL APPROVAL

Consider/Approve TIRZ 2 expenditures as recommended by the TIRZ Board on November 9, 2021

Tax Increment Reinvestment Zone #2

The Board of Directors shall make recommendations to the City Council concerning the administration, management, and operation of the Zone. (Ord. 1557, 1568)

The TIRZ Board recommended the following invoices for payment on November 9, 2021.

Invoice Date	Invoice #	Requested/ Recommended by	Check Amount	Payee	Description	Category	Check Date
6/30/2021		N/A	$4,526.89	City of Bay City	2.5% Admin Fee	Administrative Costs	
11/9/2021	10101-3	TIRZ Board	$190,000.00	Bay City Community Development Corporation	Reimb. Water Improvements	Open Space Improvements	
		TOTAL	**$194,526.89**				

Invoice in the amount of $2,845,190.62 was approved by TIRZ Board on May 16, 2018, however funds were not available.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, AMENDING ORDINANCE NO. 1649, BY AMENDING THE EMPLOYEE GUIDELINES FOR CITY EMPLOYEES; PROVIDING FOR PUBLICATION OF AMENDED EMPLOYEE GUIDELINES; PROVIDING FOR A CUMULATIVE AND CONFLICT CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the current edition of the City of Bay City Employee Guidelines for City Employees (hereinafter "Employee Guidelines") was adopted on December 1, 2020, by passage of Ordinance No. 1657; and

WHEREAS, the Council finds it appropriate to revise the Employee Guidelines:

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

I.
EMPLOYEE GUIDELINES AMENDED

The Employee Guidelines adopted on December 1, 2020, by passage of Ordinance No. 1657 is hereby amended by replacing same in its entirety with the language set out in Exhibit "A" attached hereto and incorporated herein for all purposes.

II.
PUBLICATION

The Director of Human Resources is hereby authorized and directed to revise the publication of the "City of Bay City Employee Guidelines for City Employees" to reflect the revisions adopted herein.

III.
CUMULATIVE & CONFLICTS

This Ordinance shall be cumulative of all provisions of Ordinances of the City of Bay City, Texas, except where the provisions of the Ordinances 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.

IV.
SEVERABLITY

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.

V.
EFFECTIVE DATE

This Ordinance shall become effective immediately upon passage.

PASSED AND APPROVED on this the 7th day of December 2021.

Robert K. Nelson, Mayor
City of Bay City

ATTEST:

Jeanna Thompson, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

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

Robert K. Nelson, Mayor,
City of Bay City

ATTEST:

Jeanna Thompson
City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

EXHIBIT "A"
EMPLOYEE GUIDELINES AS ADOPTED

Personnel Policy Amendments

MINOR AMENDMENTS:

1. Page I, Notice to Employees
    a. Updated verbiage
2. Page 3, Section 1.8 – Equal Employment Opportunity – General
    a. Expanded the types of discrimination.
3. Page 7, Section 1.9.8 – Employees Acknowledge Receipt of Policy
    a. Deleted section.
        i. This is covered in the written form during new hire orientation.
4. Page 8, Section 1.10 – Persons with Disabilities
    a. Deleted last paragraph. It is covered in subsection 1.10.3.
5. Page 9, Section 1.10.3 – Request for Accommodations
    a. Added a clarifying paragraph
6. Page 16 and 17, Section 2.4.1 – Guidelines
    a. Added language “or as soon as you are made aware” to the sentence. Currently states 72 hour notices, but sometimes notice is less than that.
    b. Added the words “with or” in relation to an employee submitting doctor’s release that may have limitations.
7. Page 31, Section2.13.4 – Employee Social Media
    a. #7 added the language, “and/or unless it is a part of promotional campaign or City employee event. (i.e. Customer Service Week)
8. Page 44, Section 4.1 – Categories of Employment
    a. Removed direct deposit and an item temporary and seasonal employees were ineligible for.
9. Page 45, Section 4.2 – Introductory Period
    a. Removed the words, “if budgeted and recommended” and replaced with wording that states it must be identified on the appropriate new hire form.
10. Page 47, Section 5.1.3 – Deductions
    a. Clarified #3 by adding that TMRS is mandatory for regular full-time employees.
11. Page 51, Section 5.6 – Call-Back Pay
    a. Updated the reference section number to 6.8.
12. Page 68 – Section 7.7 – Leave Time
    a. Remove Section. It only prefaces that the leave policy is the next section.
13. Page 72, Section 8.4 – Holidays
    a. Added the Council approved holiday, Juneteeth.
    b. Updated the reference section on #1 to 6.8.
    c. Updated the number of holidays referenced in #5

MAJOR AMENDMENTS

1. Pages 15 and 16, Section 2.2 – Professional Appearance
    a. Removed language from #1, “or a City polo or shirt is acceptable.”
    b. Removed language from #4a and b, “No t-shirts.”
    c. Removed language from #5a, “that have a back or strap.”
    d. Removed and replaced language on #5e with “in-between the toe flip flop shoes.”
2. Page 46, Section 5.1.2 – Paychecks.
    a. Modifying the entire section to be reflective of the City’s push to use less paper and more current.
        i. Employees would be required to go direct deposit and have their direct deposit stub go to their email.
        ii. We started this push because there were a number of outstanding uncashed checks. It was becoming cumbersome to track down payee and/or ask the payee to cash it or we reissue it.
3. Page 49, Section 5.2 – Promotions
    a. Increased the pay increase percentage from 5% to 8%.
4. Page 64, Section 6.11.5 – Compensation During Emergency
    a. Added language that spells out the City will not compensate employees to sleep during a designated emergency period.
5. Page 70, Section 8.3 – Vacation Leave
    a. Reduce the length of time an employee must be employed before being eligible for vacation.
        i. Our effort to assist in recruitment and to be more in line with other municipalities.
6. Page 108, Section 11.7.1 – Car Allowance
    a. Adding this section.
        i. Currently the City does not have a formal policy addressing car allowance.

CITY OF BAY CITY
1901 FIFTH STREET
BAY CITY, TEXAS 77414
(979) 245-2137
FAX: (979) 323-1626

AGENDA ITEM SUBMISSION FORM

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Requestor Name: Israel, Tina / Garcia, Oscar *Last, First*
Date Submitted: 11/09/2021 *MM/DD/YYYY*

Requestor Type: City Staff *Citizen/City Staff/Council Member*
Meeting Date: 11/16/2021 *MM/DD/YYYY*

Position Title Bay City Main Street Manager / Assistant Director of Public Works
For City Staff Only

Agenda Location: Discussion Item
(e.g.: Consent Agenda/ Discussion Item/ Public Hearing/ Executive Session/ Presentation)

Agenda Content:

DISCUSS, CONSIDER, AND/OR APPROVE INFRASTRUCTURE IMPROVEMENTS TO THE PRIVATE/PUBLIC PARKING LOT DOWNTOWN LOCATED AT 2236 AVE G IN PARTNERSHIP WITH BAY CITY MAIN STREET, BAY CITY COMMUNITY DEVELOPMENT CORPORATION, THE CITY OF BAY CITY, AND PROPERTY OWNER MR. JASON RAHAIM.

Executive Summary of Item:

The Bay City Main Street Board is seeking to make improvements to an existing private parking to convert it into a public parking lot to help increase parking in the downtown area. Improvements will include striping, remove/replace brick pavers, remove/relocate streetlight, and remove planter. Property owner, Mr. Jason Rahaim, is working with the BCCDC and Bay City Main Street to provide additional parking to businesses in the downtown area.

This agenda item is seeking City Council's support and financial commitment to support this small project. The Public Works Department is in support of this project.

MAIN STREET
Bay City

This parking lot in question will be able to open more public parking to the businesses along Avenue G and 5th street. The entrance will be from the main road of Avenue G and the exit point will be towards the public alleyway to deter from the main traffic. Working with Ryan Leissner, Jason Rahaim, City of Bay City, BCCDC, and Main Street this project will continue the direction of "Keeping Bay City Beautiful" and increasing parking needs which have been a constant issue for years. With the ongoing maintenance of downtown the brick pavers that will be pulled from the entrance will be recycled into fixing the preexisting trip hazards along other sections of downtown. The continued beautification and curb appeal of our beautiful historic downtown is our top priority and continued goal for years to come.

Thank you so much,

Tina Israel

Main Street Program Manager

2236 Avenue G

Oscar Garcia Jessica Russell Barry Calhoun Tina Israel Julio Gonzales Jason Rahaim Ryan Leissner

Entrance

- Create one way entrance from Avenue G and exit through public alley at rear of property.
- All pavers removed will be recycled to repair trip hazards.

Right Side

Flip pavers and create Handicap Parking access to sidewalk.

Left Side

Flip pavers and create Handicap parking to Sidewalk. Special parking for loft renters.

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AGENDA ITEM SUBMISSION FORM

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☐Citizen ☒City Staff ☐Council Member

Requestor Name: Alyssa Dibbern Date Submitted: 11/30/2021

Position Title (If City Staff): Engineering Tech

Council Meeting Date: 12/07/2021

Type of Agenda Item:

☐Consent Agenda ☐Presentation

☐Public Hearing ☐Executive Session

☒Regular Item for Discussion

Agenda Wording:

Discuss, approve, and/or reject a bid award for Elliot Subdivision Street Reconstruction and Waterline Improvements for the City of Bay City.

Executive Summary of Item:

Civil Corp designed and bid out for Reconstruction of Elliot subdivision streets and waterline improvements.

The bids ran for two weeks (11/14/2021 & 11/21/2021) and are due December 2nd at 3pm.

Award will be sought and recommended from City Council on December 7th.

Presenter will hand out information and recommended bid awards at the meeting.

CivilCorp
ENGINEERS • SURVEYORS

December 3, 2021

Mr. Barry Calhoun
Director of Public Works
City of Bay City
1901 5th St.
Bay City, Texas 77414

Re: Elliot Subdivision Street Reconstruction and Water Improvements Project – Recommendation Letter

Dear Barry:

We have reviewed the following two bids received for the Elliot Subdivision Street Reconstruction and Water Improvements Project on December 2, 2021:

Contractor	Bid Amount	Calendar Days
Lester Contracting Inc.	$1,477,218.70	270
Brannan Paving Co., Ltd.	$1,657,552.38	220

Lester Contracting is the low bidder. The Engineer's Estimate was $1,607,000.

All bids were checked and are correct. The bid tabulation is attached.

Lester Contracting has extensive experience with street reconstruction and water line projects.

I recommend awarding this project to Lester Contracting, Inc. in the amount of $1,477,218.70 with a contract time of 270 calendar days. Please let me know if you have any questions or need me to provide any other information.

Sincerely,

Randy P. Janak, PE
Vice President – Victoria Office

Attachment

XC: Oscar Garcia – City of Bay City
Louis Rodriguez – City of Bay City

Bid Tabulation
For
City of Bay City - Elliot Subdivision Street Reconstruction and Water Improvement Project

				LESTER CONTRACTING		BRANNAN PAVING CO,	
ITEM	DESCRIPTION	UNIT	EST QUANTITY	UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)	UNIT PRICE	AMOUNT BID (QTY. X UNIT PRICE)
1	110 Excavation (Roadway)	CY	4,920	$15.00	$73,800.00	$14.84	$73,012.80
2	132 Embankment (Compl in Place)	CY	631	$23.00	$14,513.00	$16.48	$10,398.88
3	164 Cell Fiber Mulch Seed (Perm)(Urban)(Clay)	SY	17,857	$0.85	$15,178.45	$0.67	$11,964.19
4	168 Vegetative Watering	MG	50	$122.00	$6,100.00	$35.00	$1,750.00
5	247 Flex Base (TY A) (GR 1-2) (Final Position)	CY	4,395	$110.50	$485,647.50	$94.58	$415,679.10
6	260 Lime Treat Subgrade (6") (Final Position)	SY	16,645	$6.00	$99,870.00	$5.30	$88,218.50
7	Geogrid	SY	16,645	$3.00	$49,935.00	$1.89	$31,459.05
8	316 Asph (RC 250) (Underseal) (Final Position)	GAL	4,540	$5.45	$24,743.00	$4.58	$20,793.20
9	316 Asph (AC -15P or CRS-2P)(Final Position)	GAL	7,263	$4.50	$32,683.50	$3.79	$27,526.77
10	316 Aggr (TY B, GR 5)(Underseal)(Final Position)	CY	108	$300.00	$32,400.00	$251.73	$27,186.84
11	316 Aggr (TY PE, GR 3. SAC-B)(Final Position)	CY	152	$188.25	$28,614.00	$157.90	$24,000.80
12	340 D-GR HMA (SQ) TY D (Surf) (1.5") PG 64-22	TON	1,249	$143.00	$178,607.00	$120.25	$150,192.25
13	500 Mobilization	LS	1	$35,000.00	$35,000.00	$120,250.00	$120,250.00
14	502 Barricades, Signs and Traffic Handling	LS	1	$7,950.00	$7,950.00	$16,750.00	$16,750.00
15	506 Temp Sediment Control Fence (Install)	LF	325	$4.25	$1,381.25	$3.00	$975.00
16	506 Temp Sediment Control Fence (Remove)	LF	325	$1.00	$325.00	$1.00	$325.00
17	560 Remov & Reinstall Mailbox S (WC-Post) TY 3	EA	66	$150.00	$9,900.00	$150.00	$9,900.00
18	644 Remove & Relocate Sm Rdsd Sign Assembly, Complete in Place	EA	21	$300.00	$6,300.00	$600.00	$12,600.00
19	760 Clean and Grade Ditch	LF	8,176	$7.25	$59,276.00	$5.00	$40,880.00
20	2660 Adjust Ex Water Valve to Grade, Complete	EA	1	$295.00	$295.00	$500.00	$500.00
21	2660 Install 8"x6" Tapping Sleeve and Valve	EA	8	$4,700.00	$37,600.00	$8,500.00	$68,000.00
22	2660 Install 6" PVC C900 Water Main (Traffic), Incl Bedding and Cement Stabilized Sand	LF	452	$47.00	$21,244.00	$95.00	$42,940.00
23	2660 Install 6" PVC C900 Water Main (Non-Traffic), Incl Bedding and Backfill	LF	3,878	$32.00	$124,096.00	$75.00	$290,850.00
24	2660 Install 6" Gate Valve and Box	EA	9	$1,250.00	$11,250.00	$1,200.00	$10,800.00
25	2660 Install 6" (22.5°) Bend	EA	4	$420.00	$1,680.00	$875.00	$3,500.00
26	2660 Install 6"x6" Tee	EA	2	$610.00	$1,220.00	$925.00	$1,850.00
27	2660 Install 6"x6" Cross	EA	2	$840.00	$1,680.00	$925.00	$1,850.00
28	2660 Install 6" Plug	EA	2	$195.00	$390.00	$800.00	$1,600.00
29	2660 Install Fire Hydrant Assembly	EA	4	$5,350.00	$21,400.00	$8,000.00	$32,000.00
30	2660 Short Water Service (Remove Existing Service Line and Install New Service Line to Meter, Install New Meter Box, New Tap, Plug Existing Corp Stop if Existing Main to Remain)	EA	39	$960.00	$37,440.00	$1,200.00	$46,800.00
31	2660 Long Water Service (Remove Existing Service Line and Install New Service Line to Meter, Install New Meter Box, New Tap, Plug Existing Corp Stop if Existing Main to Remain)	EA	30	$1,650.00	$49,500.00	$1,600.00	$48,000.00
32	2660 Cut, Plug and Abandon Existing Waterline	EA	10	$720.00	$7,200.00	$2,500.00	$25,000.00
				BID TOTAL	**$1,477,218.70**		**$1,657,552.38**
					270 Calendar Days		220 Calendar Days

City of Bay City
Construction Bids

Project: Elliot Subdivision Street Reconstruction and Water Improvement Project

Date: December 2, 2021, 3:00 pm
Location: Bay City - City Hall, 1901 Fifth Street, Bay City, Texas 77414

Contractor:	Bid Amount:	Addendums Acknowledged	Bid Security
1. Lester Contracting	$ 1,477,218.70	✓	✓
2. Brannan Paving Co.	$ 1,657,552.38	✓	✓
3.	$		
4.	$		
5.	$		

SUMMARY OF PAVING QUANTITIES

STREET	STATION TO STATION	ITEM 110 EXCAVATION (ROADWAY) (2)	ITEM 132 EMBANK (DENSITY CONTROL)	ITEM 164 CELL FIBER MULCH SEEDING (PERM) (URBAN) (CLAY)	ITEM 247 FL BS COMPL IN PLACE (TY A GR 2) (10")	ITEM 260 LIME TREATED SUBGRADE (6") (3)	SURFACE AREA FOR ASPHALT	ITEM 316 AGGR MATL (TY B GR 5) UNDERSEAL	ITEM 316 ASPHALT RC-250 (1) UNDERSEAL	ITEM 316 AGGR MATL (TY PE GR 3 SAC-B) SEAL COAT	ITEM 316 ASPHALT AC-15P (1) SEAL COAT	ITEM 340 ACP SURF (1.5") (TY D) (PG 64-22)	GEOGRID (4)
		CY	CY	SY	CY	SY	SY	CY	GAL	CY	GAL	TON	SY
JUDY AVE	STA 0+08.14 TO STA 03+21.06	214	21	17857	219	831	755	5	227	8	362	62	831
MELESSIA AVE	STA 0+11.17 TO STA 11+14.56	780	83		721	2730	2482	18	745	25	1191	205	2730
LAURA AVE	STA 0+12.20 TO STA 12+20.45	906	118		787	2981	2710	19	813	27	1301	224	2981
IDA AVE	STA 0+14.68 TO STA 10+87.92	838	141		699	2648	2408	17	722	24	1156	199	2648
LINDSEY AVE	STA 0+19.13 TO STA 14+87.71	1068	126		957	3623	3293	24	988	33	1581	272	3623
RONALD AVE	STA 0+00.00 TO STA 15+33.74	1114	142		1012	3832	3483	25	1045	35	1672	287	3832
	TOTAL	4920	631	17857	4395	16645	15131	108	4540	152	7263	1249	16645

BASIS OF ESTIMATE

ITEM	DESCRIPTION	RATE
316	AGGR MATL (TY B GR 5) - UNDERSEAL	1 CY/140 SY
	RC-250 - UNDERSEAL	0.20 GAL/SY
	AGGR MATL (TY PE GR 3 SAC-B) - SEAL COAT	1 CY/100 SY
	ASPH (AC-15P) - SEAL COAT	0.38 GAL/SY (1)
	ASPH (CRS-2P) - SEAL COAT	0.48 GAL/SY (1)

(1) ASPHALT RATES ARE ESTIMATES. QUANTITY SHOWN IS FOR CRS-2P ASPHALT. IF AC-15P IS USED, PAID QUANTITIES WILL BE ADJUSTED. CONTRACTOR TO BE PAID FOR ACTUAL GALLONS USED BASED ON RATE USED AT TIME OF APPLICATION.

(2) REMOVAL OF EXISTING PAVEMENT IS INCLUDED IN THE EXCAVATION QUANTITY.

(3) LIME TREAT SUBGRADE TO INCLUDE FURNISHING LIME @ 5% (NO SEPARATE PAY FOR LIME). RATE BASED ON UNIT WEIGHT OF 110#/CF OF SUBGRADE MATERIAL.

(4) INSTALL AS PER MANUFACTURER'S RECOMMENDATIONS. GEOGRID TO BE TRIAXIAL (TENSAR TX 5, TENSAR TX-130S OR APPROVED EQUAL).

SUMMARY OF DITCH CLEANING QUANTITIES

STREET	PLAN-PROFILE SHEET NO.	ITEM 760 DITCH CLEANING LF
JUDY AVE	1	503
MELESSIA AVE	1	692
	2	726
	3	338
LAURA AVE	1	448
	2	623
	3	145
IDA AVE	1	845
	2	793
	3	60
LINDSEY AVE	1	607
	2	685
	3	267
RONALD AVE	1	496
	2	214
	3	667
	4	67
	TOTAL	8176

MISC SUMMARY

STREET NAME	PLAN & PROFILE SHEET NO.	ITEM 560 REMOVE & REINSTALL MAILBOX EA	ITEM 644 REMOVE & REINSTALL SIGN EA
JUDY ST.	1 OF 1		1
IDA AVE.	1 OF 3	7	
	2 OF 3	5	2
	3 OF 3	1	1
LAURA ST.	1 OF 3	3	2
	2 OF 3	1	1
	3 OF 3	2	
LINDSEY AVE.	1 OF 3	9	
	2 OF 3	7	4
	3 OF 3	9	1
MELESSIA ST.	1 OF 3		2
	2 OF 3		2
	3 OF 3		
RONALD AVE.	1 OF 4	8	2
	2 OF 4	7	3
	3 OF 4	7	
	4 OF 4		
	TOTALS	66	21

CIVILCORP, LLC
FIRM REGISTRATION NUMBER: 10283

STATE OF TEXAS
RANDY P. JANAK
90185
LICENSED
PROFESSIONAL ENGINEER

NAME: _____ PE
DATE: 11/16/2021

THE CITY OF
BAY CITY
TEXAS

2022 CAPITAL IMPROVEMENTS PROJECT

ELLIOT SUBDIVISION RECONSTRUCTION

PAVING & MISC SUMMARY

CivilCorp
ENGINEERS • SURVEYORS

PROJECT NO.	2109802	SHEET NO. 7

REVISIONS

NO.		

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WATER SUMMARY

STREET NAME	PLAN & PROFILE SHEET NO.	INSTALL 8"X6" TAPPING SLEEVE& VALVE	INSTALL 6" GATE VALVE & BOX	INSTALL WATERLINE (6") (PVC C900) (TRAFFIC)	INSTALL WATERLINE (6") (PVC C900) (NON-TRAFFIC)	6" (22.5°) BEND	6"X6" TEE	6"X6" CROSS	ADJUST EX WATER VALVE TO GRADE	INSTALL SINGLE WATER SERVICE (SHORT)	INSTALL SINGLE WATER SERVICE (LONG)	CUT, PLUG, AND ABANDON EXISTING WATERLINE	FH ASSEMBLY	6" PLUG
		EA	EA	LF	LF	EA	EA	EA	EA	EA	EA	EA	EA	EA
JUDY ST.	1 OF 1													
IDA AVE.	1 OF 3	1			505					5		1		
	2 OF 3		1	70	430		1			4	1			
	3 OF 3	1		44	53							1		
LAURA ST.	1 OF 3									3	4			
	2 OF 3			44					1	2	1			
	3 OF 3		1		247					1	1		1	1
LINDSEY AVE.	1 OF 3	1			515					5	3	1		
	2 OF 3		2	112	388			1		1	1			
	3 OF 3	2	1	28	472	2				5	5	2	1	
MELESSIA ST.	1 OF 3		1	24	134		1					1		
	2 OF 3	2	1	105	396			1		2	1	1		
	3 OF 3		1		155						1	1	1	1
RONALD AVE.	1 OF 4									3	4			
	2 OF 4	1		25	73	2				4	4	1		
	3 OF 4				500					4	3			
	4 OF 4		1		10						1	1	1	
TOTALS		8	9	452	3878	4	2	2	1	39	30	10	4	2

CIVILCORP, LLC
FIRM REGISTRATION NUMBER: 10283

STATE OF TEXAS
RANDY P. JANAK
90185
LICENSED
PROFESSIONAL ENGINEER

NAME: _____ PE
DATE: 11/16/2021

THE CITY OF
BAY CITY
TEXAS

2022 CAPITAL
IMPROVEMENTS PROJECT

ELLIOT SUBDIVISION
RECONSTRUCTION

WATER
SUMMARY

CivilCorp
ENGINEERS • SURVEYORS

PROJECT NO.	2109802	SHEET NO.
		8

REVISIONS

NO.		

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

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☐Citizen ☒City Staff ☐Council Member

Requestor Name: Alyssa Dibbern Date Submitted: 11/30/2021

Position Title (If City Staff): Engineering Tech

Council Meeting Date: 12/7/2021

Type of Agenda Item:

☐Consent Agenda ☐Presentation

☐Public Hearing ☐Executive Session

☒Regular Item for Discussion

Agenda Wording:

Discuss, approve, and/or reject the Hamman Road Drainage Project Phase 1a contractor bids.

Executive Summary of Item:

Jones and Carter designed and ran the bids for the Hamman Road Drainage Project. After reaching out to ten different contractors, only two responded; both bids received were higher than the engineer's price.

Aranda Industries came in at: $434,189.00

T-Gray Utility came in at: $289,770.50

Recommended approval of T-Gray or Rebid.

BACKGROUND:

Chateaux Drive has been experiencing flooding due to overland sheet flow across the historical drainage route. The stormwater inlets and pipes are too small for heavy rain events and produce a bottleneck effect therefore being inundated and flooding out the area. The Hamman Road Drainage Project will relieve flooding to the area by installing new upsized storm sewer and inlets. Phase 1a, will capture the overland sheet flow by installing inlets and culvert pipe within the apartment complex next to Chateaux Dr.

FINANCIAL IMPACT:

For now, General Funds will be accessed for this project. We have budgeted Drainage monies. Looking to possibly find reimbursement through a Grant program.

IMPACT ON COMMUNITY SUSTAINABILITY:
After the Hamman Road Drainage Project is complete, this area will set a fine example for Bay City's Drainage standards.

RECOMMENDATION:

Award T-Gray Utility/lowest bidder. Possible Rebid for better pricing.

ATTACHMENTS:

Cost Estimate, Exhibit for Project

JONES | CARTER

6330 West Loop South, Su
Bellaire, Texas 77401
Tel: 713.777.5337
Fax: 713.777.5976
www.jonescarter.com

November 30, 2021

Mr. Barry Calhoun
Director of Public Works
City of Bay City
1217 Avenue J
Bay City, Texas 77414

Re: Construction of Hamman Road Drainage Improvements
City of Bay City

Dear Mr. Calhoun:

We received bids for the referenced contract on November 30, 2021 at 10:00 AM. Bids were publicly opened and read at that time.

Two (2) reputable contractors submitted proposals for this work. A summary tabulation of the bids is enclosed for your review. T. Gray Utility AIMS, LLC submitted the lowest Base Bid proposal in the amount of $289,770.50.

We have worked with T. Gray Utility AIMS, LLC in the past and find them to be an acceptable contractor. We recommend that the referenced contract be awarded to T. Gray Utility AIMS, LLC on the basis of its Base Bid proposal in the amount of $289,770.50.

Sincerely,

Brian T. Geier

Brian T. Geier, PE

BTG/mbb
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Enclosure

JONES | CARTER

Public Bid

BID TABULATION SHEET

Hamman Road Drainage Improvements

City of Bay City

R0017-0056-00

BIDS WERE RECEIVED IN THE OFFICE OF

City of Bay City

Time: 10:00 AM

Date: 11/30/2021

	BIDDERS						
	Aranda Industries	T-Gray Utility					
Base Bid	$434,189.00	$289,770.50					
Bid Security	✓	✓					
1295 Form		✓					

Brian T Green

PRELIMINARY COST ESTIMATE
FOR CONSTRUCTION OF
HAMMAN ROAD DRAINAGE IMPROVEMENTS PHASE 1a
FOR
CITY OF BAY CITY
May-21

.

Item No.	Description	Unit	Quantity	Unit Price	Total [1]
1.	Move-in and Set-up, including Bonds and Insurance	L.S.	1	$ 20,000	$ 20,000
Paving Items					
2.	Removal and replacement of ADA Compliant Ramp	Ea.	2	$ 3,000	$ 6,000
3.	Removal and Replacement of Concrete Pavement	S.Y.	420	$ 70	$ 29,400
4.	Removal and Replacement of Concrete Sidewalk	S.Y.	65	$ 50	$ 3,300
5.	Removal and Replacement of Driveway	Ea.	1	$ 4,500	$ 4,500
				Subtotal Paving Items	$ 43,200
Storm Sewer Items					
6.	Removal of Existing Dual 18-inch Storm Sewer	L.F.	20	$ 20	$ 1,000
7.	Installation of 36" RCP via Open Cut	L.F.	45	$ 120	$ 6,000
8.	Installation of 24" RCP Storm Sewer via Open Cut	L.F.	400	$ 70	$ 28,000
9.	Trench Safety System	L.F.	445	$ 2	$ 900
10.	Installation of an H-2 Inlet	Ea.	4	$ 6,000	$ 24,000
11.	Installation of Storm Outfall Structure	Ea.	1	$ 6,000	$ 6,000
				Subtotal Storm Sewer Items	$ 65,900
Misc.					
12.	Site Preparation	L.S.	1	$ 5,000	$ 5,000
13.	Site Restoration (Grading, Replacement of Fences, etc.)	L.S.	1	$ 5,000	$ 5,000
14.	Storm Water Pollution Prevention Plan	L.S.	1	$ 2,000	$ 2,000
				Subtotal Misc Items	$ 12,000
				Subtotal All Items	**$ 141,100**
	Contingencies (15%)				$ 22,000
	Surveying				$ 12,000
	Engineering (15%)				$ 25,000
	TOTAL				**$ 200,100** [2]

NOTES :

[1] All Totals have been rounded up to the nearest $1,000.
[2] This cost estimate was created for construction budgeting estimation during the bidding process. This estimate was not prepared under the supervision of an engineer, and is not acceptable to be released to any clients or third-parties.

This Document is Released for the Purpose of:
General Financial Planning
It is Preliminary in Nature and not to be Used for Feasibilty of Land Purchases, Loans or Grants

LEGEND:

- 24" RCP
- 36" RCP
- 48" RCP
- Type-H2 Curb Inlet
- Type-E Area Inlet
- Manhole
- Phase 1a
- Phase 1b
- Phase 2

NO.	DATE	REVISIONS	APP.

CITY OF BAY CITY
MATAGORDA COUNTY, TEXAS

HAMMAN DRAINAGE IMPROVEMENTS

COST ESTIMATE EXHIBIT

JONES|CARTER
Texas Board of Professional Engineers Registration No. F-439
2322 W. Grand Parkway N. #150 • Katy, Texas 77449
832.913.4000

SCALE: N.T.S. DGN. BY: JWS MBB
DATE: MAY 2021 DWN. BY: JWS
JOB NO. DWG. NO.
SUBMITTED: SURV. BY:
F.B. NO.

K:\R0017\R0017-0900-19 2019 General Consultation (Bay City)\Correspondence\Cost Estimates\2021 Holly and Hamman Drainage Improvements\Border_recover.dwg Mar 04,2021 - 4:16pm JWS2

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: 11/30/2021

Position Title (If City Staff): Engineering Tech

Council Meeting Date: 12/07/2021

Type of Agenda Item:

☐Consent Agenda ☐Presentation

☐Public Hearing ☐Executive Session

☒Regular Item for Discussion

Agenda Wording:

Discuss, consider, and approve a 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.

Executive Summary of Item:

The resolution attached provides staff permission to provide local matching funds to secure and complete applications for the Hazard Mitigation Assistance program. Application deadlines are due by end of January 2022.

BACKGROUND:

Hazard Mitigation Assistance (HMA) grant programs provide funding for eligible mitigation activities that reduce disaster losses and protect life and property from future disaster damages.

Proposed Grant Projects:

1) Last year, the city applied for the Building Resilient Infrastructure and Communities (BRIC 2020) program but was not selected for funding. Being advised by GrantWorks that this is a good project, we will reapply for funding.

2) The city would benefit from extra generators at multiple critical facilities including: the airport, the city annex, and the Amory.

3) A stormwater management plan would be very beneficial to the city. The plan would focus specifically on targeted areas within the city limits. This plan will focus on ditches, street flooding, culverts, and storm sewers. From this plan we hope to obtain maintenance strategies and conclude why certain areas flood. In addition, a GIS will be provided for our use.

FINANCIAL IMPACTS:

1) BRIC - Any match can be “spread out” given the construction/grant timeline.

2) Generators - 25% local match ($95,324) out of the general fund. The match can be “spread out” given this is a construction project.

3) Bay City Stormwater Management Plan - 25% local match ($162,500) out of general fund. This project could be awarded in mid-summer with some match required by end of year.

IMPACTS ON COMMUNITY SUSTAINABLILTY:

1) BRIC will raise three bridges- 12th street, 6th and Avenue I, and Hamman. Raising of these bridges will allow for water to flow, unobstructed, so that flood waters will leave town without causing any back-ups or issues.

2) Generator Projects- adding generators to critical facilities will help the city better respond to any emergencies.

3) Stormwater management plan- The plan would help develop maintenance strategies and conclude why certain targeted areas flood. This plan will focus on ditches, street flooding, culverts, and storm sewers. We would then be able to be sustainable by doing some ‘in-house’ drainage work through the Public Works Department.

RECOMMENDATIONS:

Recommend approval of the resolution attached.

ATTACHMENTS:

Resolution

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, development of a 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: 11/30/2021

Position Title (If City Staff): Engineering Tech

Council Meeting Date: 12/07/2021

Type of Agenda Item:

☐Consent Agenda ☐Presentation

☐Public Hearing ☐Executive Session

☒Regular Item for Discussion

Agenda Wording:

Discuss, consider, and approve 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 matter in connection with the FEMA Mitigation Grants.

Executive Summary of Item:

The resolution attached provides staff permission to apply for multiple Hazard Mitigation Assistance grants and appoints the mayor as the chief executive officer and authorized representative for all matters to these grants. Application deadlines are due by end of January 2022.

BACKGROUND:

Hazard Mitigation Assistance (HMA) grant programs provide funding for eligible mitigation activities that reduce disaster losses and protect life and property from future disaster damages.

Proposed Grant Projects:

1) Last year, the city applied for the Building Resilient Infrastructure and Communities (BRIC 2020) program but was not selected for funding. Being advised by GrantWorks that this is a good project, we will reapply for funding.

2) The city would benefit from extra generators at multiple critical facilities including: the airport, the city annex, and the Amory.

3) A stormwater management plan would be very beneficial to the city. The plan would focus specifically on targeted areas within the city limits. This plan will focus on ditches, street flooding, culverts, and storm sewers. From this plan we hope to obtain maintenance strategies and conclude why certain areas flood. In addition, a GIS will be provided for our use.

FINANCIAL IMPACTS:

1) BRIC - Any match can be "spread out" given the construction/grant timeline.

2) Generators - 25% local match ($95,324) out of the general fund. The match can be "spread out" given this is a construction project.

3) Bay City Stormwater Management Plan - 25% local match ($162,500) out of general fund. This project could be awarded in mid-summer with some match required by end of year.

IMPACTS ON COMMUNITY SUSTAINABLILTY:

1) BRIC will raise three bridges- 12th street, 6th and Avenue I, and Hamman. Raising of these bridges will allow for water to flow, unobstructed, so that flood waters will leave town without causing any back-ups or issues.

2) Generator Projects- adding generators to critical facilities will help the city better respond to any emergencies.

3) Stormwater management plan- The plan would help develop maintenance strategies and conclude why certain targeted areas flood. This plan will focus on ditches, street flooding, culverts, and storm sewers. We would then be able to be sustainable by doing some 'in-house' drainage work through the Public Works Department.

RECOMMENDATIONS:

Recommend approval of the resolution attached.

ATTACHMENTS:

Resolution

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 development of a 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

RESOLUTION~ A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN CONNECTION WITH THE RECEIPT OF FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD THROUGH THE CLEAN WATER STATE REVOLVING FUND; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

EXECUTIVE SUMMARY

Notice of Intent- CO SERIES 2022A (CWSRF)

BACKGROUND: The Clean Water State Revolving Fund, authorized by the Clean Water Act, provides low-cost financial assistance for planning, acquisition, design, and construction of wastewater, reuse, and stormwater infrastructure. The City was approved by the Texas Water Development Board (TWDB) for financial assistance to make critical improvements to the City's wastewater systems. These improvements will include upgrades to our existing wastewater treatment plant, wastewater lift stations, and wastewater collection system.

The resolution attached serves as a notice of intent to issue debt. The maximum principal amount will not exceed $12,707,000. This is the 2nd of 4 issues that will occur during the project period. This bond will fund the following:

- Completion of engineering design and bidding services for the **Wastewater Treatment Plant Improvements**, **Trunk Sewer Rehabilitation**, and **Cottonwood Lift Station Rehabilitation**
- Initial payments to the construction contractor, including mobilization and initial construction work for the projects listed above
- Initial construction management services (Resident Project Representative or "RPR") for the projects listed above

RECOMMENDATION: Staff recommends City Council approve the resolution as presented**.**

ATTACHMENTS: Resolution of NOI

RESOLUTION NO. R-2021-0025

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN CONNECTION WITH THE RECEIPT OF FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD THROUGH THE CLEAN WATER STATE REVOLVING FUND; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

THE STATE OF TEXAS §
COUNTY OF MATAGORDA §
CITY OF BAY CITY §

WHEREAS, the City of Bay City, Texas (the "City") is pursuing financial assistance from the Texas Water Development Board (the "TWDB") under the Clean Water State Revolving Fund; and

WHEREAS, the City Council of the City (the "City Council") deems it advisable to issue certificates of obligation (the "Certificates") of the City in accordance with the notice hereinafter set forth in order to evidence a loan from the TWDB; and

WHEREAS, it is hereby found and determined that the meeting at which this resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended; NOW, THEREFORE

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

Section 1. The findings, determinations, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by City Council and made a part hereof for all purposes.

Section 2. The City Secretary is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto as Exhibit A, a notice of the City's intention to issue the Certificates (the "Notice").

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper that is of general circulation in the City, the date of the first publication to be at least forty-six (46) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates. In addition, the Notice shall be posted continuously on the City's website for at least forty-five (45) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates.

Section 4. For the purposes of the Notice, the City hereby designates as self-supporting those public securities listed in the attached Exhibit B, the debt service on which the City currently pays from sources other than ad valorem tax collections. The City plans to continue to pay these

public securities based on this practice; however, there is no guarantee this practice will continue in future years.

Section 5. For purposes of section 1.150-2(d) of the Treasury Regulations, to the extent that an official intent to reimburse has not previously been adopted by the City, this Notice serves as the City's official declaration of intent to reimburse itself from proceeds of the Certificates in the maximum principal amount and for expenditures paid in connection with the projects, each as set forth in Exhibit A hereof. Any such reimbursement will only be made (i) for an original expenditure paid no earlier than 60 days prior to the date hereof and (ii) not later than 18 months after the later of (A) the date the original expenditure is paid or (B) the date the project to which such expenditure relates is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

Section 6. The City hereby authorizes the City's financial advisor, USCA Municipal Advisors, LLC, bond counsel, Bracewell LLP, and engineer, Garver LLC, to proceed with the necessary arrangements for the sale of the Certificates and the receipt of financial assistance from the TWDB.

Section 7. The Mayor, City Manager, Finance Director, Director of Public Works, City Secretary, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

Section 8. This resolution shall take effect immediately upon its passage.

Section 9. The notice and agenda relating to this meeting and heretofore posted by the City Secretary, and the posting thereof, are hereby authorized, approved, and ratified.

[Execution Page to Follow]

PASSED AND APPROVED on this the 7th day of December, 2021 by the City Council of the City of Bay City, Texas.

_____
The Honorable Robert K. Nelson, Mayor,
City of Bay City, Texas

ATTEST:

_____
Jeanna Thompson, City Secretary
City of Bay City, Texas

[SEAL]

APPROVED AS TO FORM:

_____
City Attorney
City of Bay City, Texas

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Bay City, Texas (the "City"), will meet at City Hall, 1901 5th Street, Bay City, Texas, 77414 at 7:00 p.m. on the 8th day of February, 2022, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City's Tax and Surplus Revenue Certificates of Obligation, Series 2022A (CWSRF), in the maximum aggregate principal amount not to exceed $12,707,000, payable from ad valorem taxes and from a pledge of a lien on the surplus revenues of the City's water and sewer system, bearing interest at any rate or rates not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council of the City at the time of issuance of the certificates of obligation, and maturing over a period not to exceed forty (40) years from the date of issuance, for the purposes of evidencing the indebtedness of the City for all or any part of the costs associated with improvements to the City's sanitary sewer system, including the planning, acquisition, design and construction of (i) the City's wastewater treatment plant and lift stations, (ii) the City's sewer lines, and (iii) the costs of professional services related thereto. The Certificates are being issued to evidence the receipt of financial assistance from the Texas Water Development Board under the Clean Water State Revolving Fund. The estimated combined principal and interest required to pay the Certificates on time and in full is $16,988,062. Such estimate is provided for illustrative purposes only, and is based on an assumed interest rate of approximately 1.99%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting in Resolution No. R-2021-0025, dated December 7, 2021, which resolution is available from the City upon request) is $11,183,233. Based on the City's expectations, as of the date of this notice, the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting) on time and in full is $13,644,441.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 7th day of December, 2021.

Jeanna Thompson
City Secretary
City of Bay City, Texas

EXHIBIT B

SELF-SUPPORTING DEBT

$12,763,767 Total Principal Amount Designated as Self-Supporting

The total principal amount of self-supporting debt is comprised of some or all of the debt from the following series of obligations:

Series Designation
Tax and Revenue Certificates of Obligation, Series 2014
Tax and Revenue Certificates of Obligation, Series 2016
Tax and Revenue Certificates of Obligation, Series 2020
General Obligation Refunding Bonds, Series 2021
Tax and Surplus Revenue Certificates of Obligation, Series 2021A (CWSRF)
Tax and Surplus Revenue Certificates of Obligation, Series 2021B (DWSRF)

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF MATAGORDA §

I, the undersigned officer of the City Council of the City of Bay City, Texas, hereby certify as follows:

1. The City Council of the City of Bay City, Texas, convened in a regular meeting on the 7th day of December, 2021, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Robert K. Nelson	Mayor
Floyce Brown	Council Member, Position No. 1
James Folse	Council Member, Position No. 2
Brad Westmoreland	Council Member, Position No. 3
Becca Sitz	Council Member, Position No. 4
Jason W. Childers	Mayor Pro Tem and Council Member, Position No. 5

and all of said persons were present, except the following absentee(s): _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION NO. R-2021-0025

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN CONNECTION WITH THE RECEIPT OF FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD THROUGH THE CLEAN WATER STATE REVOLVING FUND; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

_____ Member(s) of City Council shown present voted "Aye."

_____ Member(s) of City Council shown present voted "No."

_____ Member(s) of City Council shown present abstained from voting.

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said resolution has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 7th day of December, 2021.

City Secretary
City of Bay City, Texas

[SEAL]

RESOLUTION~ A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN CONNECTION WITH THE RECEIPT OF FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD THROUGH THE DRINKING WATER STATE REVOLVING FUND; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

EXECUTIVE SUMMARY

Notice of Intent- CO SERIES 2022B (DWSRF)

BACKGROUND: The Drinking Water State Revolving Fund, authorized by the Safe Drinking Water Act, provides low-cost financial assistance for planning, acquisition, design, and construction of water infrastructure. The City of Bay City was approved by the Texas Water Development Board (TWDB) for financial assistance to make critical improvements to the City's water systems. These improvements will include upgrades to our existing water plants, water distribution system and new water plants.

The resolution attached serves as a notice of intent to issue debt. The maximum principal amount will not exceed $5,645,000. This is the 2nd of 5 issues that will occur during the project period. This bond will fund the following:

- Construction phase services and construction of the **AMI Water Meter Replacement** project throughout the City's drinking water distribution system
- Detailed design and bidding services for the new **North Water Plant** (along Hwy 60 on the parcel previously owned by Dunn Heat Exchangers)
- Initial construction contractor payments for the construction of the North Water Plant
- Initial design phase services for the new **Northeast Water Plant** (along Hwy 35 on a parcel deeded to the City by Tenaris)

RECOMMENDATION: Staff recommends City Council approve the resolution as presented**.**

ATTACHMENTS: Resolution of NOI

RESOLUTION NO. R-2021-0026

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN CONNECTION WITH THE RECEIPT OF FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD THROUGH THE DRINKING WATER STATE REVOLVING FUND; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

THE STATE OF TEXAS §
COUNTY OF MATAGORDA §
CITY OF BAY CITY §

WHEREAS, the City of Bay City, Texas (the "City") is pursuing financial assistance from the Texas Water Development Board (the "TWDB") under the Drinking Water State Revolving Fund; and

WHEREAS, the City Council of the City (the "City Council") deems it advisable to issue certificates of obligation (the "Certificates") of the City in accordance with the notice hereinafter set forth in order to evidence a loan from the TWDB; and

WHEREAS, it is hereby found and determined that the meeting at which this resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code, as amended; NOW, THEREFORE

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

Section 1. The findings, determinations, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by City Council and made a part hereof for all purposes.

Section 2. The City Secretary is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto as Exhibit A, a notice of the City's intention to issue the Certificates (the "Notice").

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper that is of general circulation in the City, the date of the first publication to be at least forty-six (46) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates. In addition, the Notice shall be posted continuously on the City's website for at least forty-five (45) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates.

Section 4. For the purposes of the Notice, the City hereby designates as self-supporting those public securities listed in the attached Exhibit B, the debt service on which the City currently pays from sources other than ad valorem tax collections. The City plans to continue to pay these

public securities based on this practice; however, there is no guarantee this practice will continue in future years.

Section 5. For purposes of section 1.150-2(d) of the Treasury Regulations, to the extent that an official intent to reimburse has not previously been adopted by the City, this Notice serves as the City's official declaration of intent to reimburse itself from proceeds of the Certificates in the maximum principal amount and for expenditures paid in connection with the projects, each as set forth in Exhibit A hereof. Any such reimbursement will only be made (i) for an original expenditure paid no earlier than 60 days prior to the date hereof and (ii) not later than 18 months after the later of (A) the date the original expenditure is paid or (B) the date the project to which such expenditure relates is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

Section 6. The City hereby authorizes the City's financial advisor, USCA Municipal Advisors, LLC, bond counsel, Bracewell LLP, and engineer, Garver LLC, to proceed with the necessary arrangements for the sale of the Certificates and the receipt of financial assistance from the TWDB.

Section 7. The Mayor, City Manager, Finance Director, Director of Public Works, City Secretary, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

Section 8. This resolution shall take effect immediately upon its passage.

Section 9. The notice and agenda relating to this meeting and heretofore posted by the City Secretary, and the posting thereof, are hereby authorized, approved, and ratified.

[Execution Page to Follow]

PASSED AND APPROVED on this the 7th day of December, 2021 by the City Council of the City of Bay City, Texas.

_____
The Honorable Robert K. Nelson, Mayor,
City of Bay City, Texas

ATTEST:

_____
Jeanna Thompson, City Secretary
City of Bay City, Texas

[SEAL]

APPROVED AS TO FORM:

_____
City Attorney
City of Bay City, Texas

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Bay City, Texas (the "City"), will meet at City Hall, 1901 5th Street, Bay City, Texas, 77414 at 7:00 p.m. on the 8th day of February, 2022, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of the City's Tax and Surplus Revenue Certificates of Obligation, Series 2022B (DWSRF), in the maximum aggregate principal amount not to exceed $5,645,000, payable from ad valorem taxes and from a pledge of a lien on the surplus revenues of the City's water and sewer system, bearing interest at any rate or rates not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council of the City at the time of issuance of the certificates of obligation, and maturing over a period not to exceed forty (40) years from the date of issuance, for the purposes of evidencing the indebtedness of the City for all or any part of the costs associated with improvements to the City's water system, including the planning, acquisition, design and construction of (i) two water plants, including water wells, ground storage tanks, hydropneumatic tanks, booster pump stations, disinfection equipment, and related infrastructure and equipment, (ii) water transmission lines, (iii) water meter replacements, and (iv) the costs of professional services related thereto. The Certificates are being issued to evidence the receipt of financial assistance from the Texas Water Development Board under the Drinking Water State Revolving Fund. The estimated combined principal and interest required to pay the Certificates on time and in full is $7,699,759. Such estimate is provided for illustrative purposes only, and is based on an assumed interest rate of approximately 2.14%. Market conditions affecting interest rates vary based on a number of factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting in Resolution No. R-2021-0026, dated December 7, 2021, which resolution is available from the City upon request) is $11,183,233. Based on the City's expectations, as of the date of this notice, the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting) on time and in full is $13,644,441.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 7th day of December, 2021.

Jeanna Thompson
City Secretary
City of Bay City, Texas

EXHIBIT B

SELF-SUPPORTING DEBT

$12,763,767 Total Principal Amount Designated as Self-Supporting

The total principal amount of self-supporting debt is comprised of some or all of the debt from the following series of obligations:

Series Designation
Tax and Revenue Certificates of Obligation, Series 2014
Tax and Revenue Certificates of Obligation, Series 2016
Tax and Revenue Certificates of Obligation, Series 2020
General Obligation Refunding Bonds, Series 2021
Tax and Surplus Revenue Certificates of Obligation, Series 2021A (CWSRF)
Tax and Surplus Revenue Certificates of Obligation, Series 2021B (DWSRF)

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF MATAGORDA §

I, the undersigned officer of the City Council of the City of Bay City, Texas, hereby certify as follows:

1. The City Council of the City of Bay City, Texas, convened in a regular meeting on the 7th day of December, 2021, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Robert K. Nelson	Mayor
Floyce Brown	Council Member, Position No. 1
Jim Folse	Council Member, Position No. 2
Brad Westmoreland	Council Member, Position No. 3
Becca Sitz	Council Member, Position No. 4
Jason W. Childers	Mayor Pro Tem and Council Member, Position No. 5

and all of said persons were present, except the following absentee(s): _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION NO. R-2021-0026

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION IN CONNECTION WITH THE RECEIPT OF FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD THROUGH THE DRINKING WATER STATE REVOLVING FUND; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

_____ Member(s) of City Council shown present voted "Aye."

_____ Member(s) of City Council shown present voted "No."

_____ Member(s) of City Council shown present abstained from voting.

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said resolution has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 7th day of December, 2021.

_____

City Secretary
City of Bay City, Texas

[SEAL]

~ DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION OF THE CITY OF BAY CITY, TEXAS ADOPTING AN AMENDED INVESTMENT POLICY

EXECUTIVE SUMMARY

INVESTMENT POLICY

BACKGROUND:

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

FINANCIAL IMPLICATIONS:

An Investment Policy protects City dollars by restricting certain types of transactions to minimize risk. It also enables the City to invest in other instruments to increase interest earnings.

IMPACT ON COMMUNITY SUSTAINABILITY:

It provides policy guidelines to protect the investments of tax dollars.

RECOMMENDATION:

Staff recommends City Council approve the Resolution to amend the recently the City's Investment Policy.

ATTACHMENTS:

Resolution and Amended Investment Policy

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, ADOPTING AN AMENDED INVESTMENT POLICY

WHEREAS, the City Council of Bay City recognizes that the administration of City funds and the investment of those funds as its highest public trust; and

WHEREAS, City Council annually adopts an investment policy to protect the administration of City funds and the investment of such funds; and

WHEREAS, the City's Finance Director generally brings this policy to the City Council annually and the policy was previously approved at the September 28, 2021 meeting; and

WHEREAS, the City's Finance Director desires to amend the policy adopted at the September 28, 2021 meeting.

WHEREAS, the City's Finance Director recommends the adoption of the Amended Investment Policy attached hereto; and

WHEREAS, City Council deems it appropriate to adopt such policy.

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

Section one.

The Investment Policy attached hereto is hereby adopted as amended in the attached Investment Policy on the date shown below.

Section two.

Unless otherwise amended or revised by resolution of City Council, the Investment Policy shall remain in full force and effect and shall supersede such investment policies of prior date.

Section three.

This Resolution shall become effective December 7, 2021.

PASSED AND APPROVED AT BAY CITY TEXAS THIS 7th DAY OF DECEMBER 2021.

_____
Robert K. Nelson, Mayor
City of Bay City

ATTEST:

_____
Jeanna Thompson, City Secretary

APPROVED AS TO FORM:

_____
Anne Marie Odefey, City Attorney

Investment Policy and Strategy

I. POLICY STATEMENT

It is the policy of the City that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investments shall be made in a manner which will provide the maximum security of principal invested through limitations and diversification while meeting the daily cash flow needs of the City and conforming to the Public Funds Investment Act (the "Act") Texas Government Code Chapter 2256. It is the intent of the City to be in complete compliance with local law and the Act.

II. SCOPE

This investment policy applies to all the financial assets and funds of the City. The City commingles its funds into one pooled investment fund for investment purposes to provide efficiency and maximum investment opportunity. These funds are defined in the City's Comprehensive Annual Financial Report (CAFR).

Any new funds created by the City shall be included unless specifically exempted by the City Council and this policy.

III. OBJECTIVES

It is the policy of the City that all funds shall be managed and invested with four primary objectives, listed in order of their priority: safety, liquidity, diversification and yield.

Effective cash management is recognized as essential to good fiscal management. Cash management is defined as the process of managing monies in order to ensure maximum cash availability/flow.

Safety

The primary objective of the City's investment activity is the preservation of capital. Each investment transaction shall be conducted in a manner to avoid capital losses, whether from security defaults, safekeeping, or erosion of market value.

Liquidity

The City's investment portfolio shall be structured to meet all cash flow obligations in a timely manner. This shall be achieved by matching investment maturities with forecasted cash flow liabilities and maintain additional liquidity for unexpected liabilities.

Cash Flow Forecasting
Cash flow forecasting is designed to protect and sustain cash flow requirements of the City. Supplemental to the financial and budgetary systems, the Investment Officer will develop and use a cash flow forecasting process as needed to monitor and forecast cash positions for investment purposes.

Diversification
The City's portfolio shall be diversified by market sector and maturity in order to avoid market risk.

Yield
The benchmark of the City's portfolio shall be the 3 month or 6 month U.S. Treasury, designated for its comparability to the City's expected average cash flow pattern. The benchmark will serve as a risk measurement of the portfolio.

IV. STRATEGY

The City maintains one commingled portfolio for investment purposes which incorporates the specific investment strategy considerations and the unique characteristics of the fund groups represented in this portfolio. The investment strategy has as its primary objective assurance that anticipated liabilities are matched and adequate investment liquidity provided. The City shall pursue a conservative portfolio management strategy. This may be accomplished by creating a ladder maturity structure with some extension for yield advancement. **The maximum weighted average maturity (WAM) of the portfolio shall not exceed 2 years.**

V. LEGAL LIMITATIONS, RESPONSIBILITIES AND AUTHORITY

Direct specific investment parameters for the investment of public funds in Texas are found in the Public Funds Investment Act, Chapter 2256, Texas Government Code, (the "Act"). The Public Funds Collateral Act, Chapter 2257, Texas Government Code, specifies collateral requirements for all public funds deposits. All investments will be made in accordance with these statutes.

VI. INVESTMENT COMMITTEE

An Investment Committee consisting of the Finance Director and at least one Council Member shall meet at least quarterly to determine operational strategies and to monitor results. The Investment Committee shall discuss things such as economic outlook, portfolio diversification, maturity structure, and any potential risk of the City's funds. In addition, this committee shall review investment purchases that occurred since the last investment committee meeting and approve new brokers.

VII. DELEGATION OF INVESTMENT AUTHORITY

The Finance Director acting on behalf of the City, is designated as the Investment Officer of the City and is responsible for investment management decisions and activities. All participants in the investment process shall seek to act responsibly as custodians of the public trust.

The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and staff. The Investment Officer shall attend at least one training session relating to the Officer's responsibility under this act within 12 months after assuming duties and thereafter, a training session should be attended not less than once every two years with at least 8 hours of instruction from an independent source. The Investment Officer shall designate a staff person as a liaison/deputy in the event circumstances require timely action and the Investment Officer is not available.

No officer or designee may engage in an investment transaction except as provided under the terms of this Policy and the procedures established.

Officers will refrain from personal business that would conflict with proper and impartial execution of their duties. All personal and business relationships with entities doing business with the City will be disclosed to the Investment Committee.

Limitation of Personal Liability

The investment Officer and those delegated investment authority under this Policy, when acting in accordance with the written procedures and this Policy and in accord with the Prudent Person Rule, shall be relieved of personal responsibility and liability in the management of the portfolio provided that deviations from expectations for a specific security's credit risk or market price change or portfolio shifts are reported in a timely manner and that appropriate action is taken to control adverse market effects.

VIII. PRUDENCE

The standard of prudence to be used in the investment function shall be the "prudent person" standard and shall be applied in the context of managing the overall portfolio. This standard states:

> "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived."

IX. INTERNAL CONTROLS

The Investment Officer shall establish and maintain an internal control structure which will be reviewed annually with the independent auditor of the City. The controls shall be designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the City. The internal controls shall address the following points at a minimum:

- Control of collusion,
- Separation of transaction authority from accounting and record keeping,
- Custodial safekeeping,
- Clear delegation of authority,
- Documentation of all transactions,

Monitoring Credit Ratings

The Investment Officer will monitor, on at least a monthly basis, the credit rating on all authorized investments in the portfolio that require a credit ratings based upon independent information from a nationally recognized credit agency. If any security falls below the minimum rating required by this Policy; the Investment Officer will immediately advise the Investment Committee of the loss of rating and the possible loss of principal. The Investment Committee and Investment Officer will decide on the prudent liquidation of the security.

X. AUTHORIZED INVESTMENTS

Acceptable investments under this policy shall be limited to the instruments listed below and as further defined and described by the Public Funds Investment Act. If changes are made to the Act, they are not authorized until this Policy is modified and adopted by City Council.

A. Obligations of the United States Government, its agencies and instrumentalities, and government sponsoring enterprises, not to exceed five years to stated maturity, including collateralized mortgage obligations (CMOs); CMO's cannot be either an Interest-Only or Principal-Only CMO nor can it be an inverse floater.

B. Fully insured or collateralized certificates of deposit from a bank doing business in the State of Texas, with a maximum maturity of 24 months, collateralized with 102% coverage with:

- In accordance with 2256.010 of the Act, certificates of deposit may be purchased from a Texas depository institution through a nationally coordinated program in which (a) the depository arranges for deposits in one or more federally insured depositories allowing for full FDIC coverage and (b) the depository receives comparable deposits from other linked depositories.
- Collateral agreements must be in writing and require a bank resolution of approval.

C. FDIC insured *brokered certificates of deposit securities* from a bank in any US State, delivery versus payment to the safekeeping agent, not to exceed five years to maturity. Before purchase, the Investment Officer must verify FDIC status of the bank on www.fdic.gov to assure that the bank is FDIC insured.

D. Commercial paper rated A-1/P-1 or the equivalent by at least two nationally recognized rating agencies not to exceed 90 days to stated maturity.

E. AAA-rated money market mutual funds as defined by the Public Funds Investment Act.

F. Obligations of the States, agencies thereof, Counties, Cities, and other political subdivisions of any state, with a maximum maturity not to exceed five years, and having been rated as investment quality by a nationally recognized investment rating firm of not less than "A" or its equivalent.

G. AAA-rated, constant dollar Texas Local Government Investment Pools as defined by the Public Funds Investment Act - must be approved by City Council.

No additional security will be eligible for investment by the City until this policy has been amended and the amended version approved by the City Council. *Exceptions* to investment maturities may be approved by council in order to meet debt service requirements.

Competitive Bidding Requirement
Generally, the City will seek competitive offerings for all securities, including certificates of deposit before it invests to verify that the City is receiving fair market value/price for the investment with the *exception* of new issues that are still in syndicate.

The City recognizes that a competitive offering process is not always necessary or is not always in the best interest of the City. On these occasions, the Investment Officer is authorized to purchase a security without seeking competitive offerings. Examples of these occasions are:

A. Market conditions are changing rapidly.
B. The security is a "new issue" that is still in the primary market.
C. A specific type of security, maturity date, or rate of return is sought that may not be immediately available.

Delivery versus Payment
All security transactions, including collateral for repurchase agreements, entered into by the City, shall be conducted on a delivery versus payment (DVP) basis. Funds shall not be released until receipt of the security by the City's approved custodian.

Diversification
The City recognizes that investment risks can result from issuer defaults, and market price changes. Risk is controlled through portfolio diversification. The maximum limits for diversification will be:

Investment Type	**Max % of Portfolio**
US Obligations	not to exceed 80%
US Agencies/Instrumentalities	not to exceed 80%
-MB Securities	not to exceed 50%
Certificates of Deposits*	not to exceed 40%
Brokered CD*	not to exceed 20%
Commercial Paper	not to exceed 25%
Money Market Funds*	100%
Local Government Investment Pools	100%

*Limit per bank up to $250,000 without collateralization agreement.

XI. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

Depository
The City will designate at least one banking institution through a competitive process as its central banking services provider at least every five years in accordance with the Texas Government Code 105. Other banking institutions from which the City may purchase

certificates of deposit will also be designated after they provide their latest audited financial statements to the City. All depositories will execute a depository agreement and have the Bank's Board or Bank Loan Committee pass a resolution approving the agreement if collateral is required.

Security Broker/Dealers
The Investment Committee will review the list of authorized broker/dealers annually. The Investment Officer will obtain and maintain information on each broker/dealer.
Securities broker/dealers not affiliated with a bank, who desire to transact business with the City must supply the following documents to be maintained by the Finance Department:

-audited financial statement for the most recent period,
-proof of certification by the National Association of Securities Dealers (NASD),
-proof of current registration with the State Securities Commission

Every broker/dealer, local government pool, and bank with whom the City transacts business will be provided a copy of this Investment Policy to assure that they are familiar with the goals and objectives of the City's investment program. A representative of the firm will be required to return a signed certification stating the Policy has been received and reviewed and that controls are in place to assure that only authorized securities are sold to the City.

XII. SAFEKEEPING AND COLLATERALIZATION

The laws of the State and prudent treasury management require that all purchased securities be bought on a delivery versus payment (DVP) basis and be held in safekeeping by either the City, an independent third party financial institution, or the City's designated depository.

All safekeeping arrangements shall be designated by the Investment Officer and an agreement of the terms executed in writing. The third party custodian shall be required to issue safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip number, and other pertinent information. Each safekeeping receipt will be clearly marked that the security is held for the City or pledged to the City.

All securities pledged to the City for time or demand deposits shall be held by an independent third party bank doing business in Texas. The safekeeping bank may not be within the same holding company as the bank where the securities are pledged. The bank is responsible for monitoring collateral.

Collateralization
Collateralization shall be required on certificates of deposits over the FDIC insurance coverage of $250,000. In order to anticipate market changes and provide a level of additional security for all funds, the collateralization level required will be 102% of the market value of the principal and accrued interest. Collateral will be held by an independent third party safekeeping agent.

XIII. PERFORMANCE EVALUATION AND REPORTING

The Investment Officer shall submit quarterly reports to the City Council containing sufficient information to permit an informed outside reader to evaluate the performance of the investment

program and consistent with statutory requirements. The Investment officer will report to the Investment Committee a report that will include the following at a minimum:

- A full description of all securities held at the end of the reporting period,
- Overall change in market value for each security and the change during the period as a measure of volatility (obtained by an independent source),
- Weighted average maturity (WAM) of the portfolio,
- Total earnings for the period,
- Compare market value of pledged securities to the ending balance of the City's portfolio,
- Analysis of the total portfolio by maturity, by book value, and
- Statement of the compliance of the investment portfolio with the Act and the Investment Policy and Strategy of the City.

XIV. INVESTMENT POLICY AMENDMENTS

The Director of Finance and the Investment Committee shall review the Investment Policy and Strategy on an annual basis. Future recommended changes will be approved by the City Council amending the current Investment Policy and Strategy resolution on record.

WITNESS MY HAND AND SEAL OF OFFICE THIS 7th DAY OF DECEMBER 2021
PASSED AND APPROVED THIS 7TH DAY OF DECEMBER 2021.

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

ATTEST:

_____
JEANNA THOMPSON, CITY SECRETARY

BUDGET AMENDMENT

DEPARTMENT: General Fund Date: 9/30/2021

Reason for Budget Amendment: (Please indicate)

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

Brief Description of Request: **FY2021: General Fund-Various Departments Year End Budget Amendments- Net effect zero Effective Date 9-30-21**

Account Description	Fund #	Account #	*Expenditure Increase or Revenue Decrease* Debit	*Exp. Decrease or Rev. Increase* Credit	Notes
Health Insurance	11	105-4225	$ 6,500		Administration (New Hire)
Misc. Furniture & Equip.	11	105-4498	$ 2,500		Administration (Desk)
Contracted Services	11	120-4425	$ 3,000		Human Resource (Increased Testing)
					(New Hires, COVID)
Salaries & Wages	11	130-4105	$ 23,000		Finance- New Hire to Replace Payroll Retiree
Over Time	11	130-4106	$ 13,000		Finance- Increased paperwork (Cares Act, Winter Storm,)
Health Insurance	11	130-4225	$ 17,000		Finance- New Hire, Diff Med Elections
Over Time	11	170-4106	$ 4,000		Recycling Center
Health & Compensation Pool	11	110-4496		$ 19,000	Reduced Budget
Contracted Services	11	110-4425		$ 30,000	Reduced Budget
Travel and Training	11	110-4230		$ 20,000	Reduced Budget
To relflect various amendments among General Fund Departments. The offset was made from budget remaining in compensation plan pool, contracted services (no strategic planning), and travel and training (No TML)					
TOTAL			**$ 69,000**	**$ 69,000**	

Dept. Head Signature: _____ Date _____

Finance Director Signature: _____ Date 12-2-21

City Manager: Shawna Q Burkhart Date 12-3-21

BUDGET AMENDMENT

DEPARTMENT: General Fund/Debt Service Fund Date: 9/30/2021

Reason for Budget Amendment: (Please indicate)

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

Brief Description of Request: FY2021: General Fund/Debt Service Fund (Reclass Nile Valley Debt)
Year End Budget Amendments- Net effect zero
Effective Date 9-30-21

Account Description	Fund #	Account #	*Expenditure Increase or Revenue Decrease* Debit	*Exp. Decrease or Rev. Increase* Credit	Notes
Transfer to Debt Service	11	110-4780		$ 478,231	Reclass Nile Valley Debt Service Pmt
Other Income- BCCDC	11	3698	$ 239,116		to the Debt Service Fund
Other Income- BC Gas	11	3696	$ 239,115		
Other Income- BCCDC	80	3698		$ 239,116	Record Payment in Debt Service Fund
Other Income- BC Gas	80	3696		$ 239,115	Record Payment in Debt Service Fund
Transfer to GF	80	3711	$ 478,231		Remove Transfer from General Fund
To reclass Nile Valley Debt Payment to the Debt Service Fund					
TOTAL			**$ 956,462**	**$ 956,462**	

Dept. Head Signature: _____ Date _____

Finance Director Signature: _____ Date 12-2-21

City Manager: Shawna D Burkhart Date 12-3-21

BUDGET AMENDMENT

DEPARTMENT: Airport Fund Date: 9/30/2021

Reason for Budget Amendment: (Please indicate)

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

Brief Description of Request: FY2021: Airport Fund
Year End Budget Amendments- Net effect zero
Effective Date 9-30-21

Account Description	Fund #	Account #	*Expenditure Increase or Revenue Decrease* Debit	*Exp. Decrease or Rev. Increase* Credit	Notes
Aviation/Jet Fuel	64	640-4320	$ 60,000		Increase in Fuel Purchases
Jet Fuel Sales	64	3805		$ 60,000	Increase in Fuel Sales

BUDGET~ DISCUSS, CONSIDER, AND/OR APPROVE AN ORDINANCE ADOPTING BUDGET AMENDMENTS FOR THE QUARTER ENDING SEPTEMBER 30, 2021.

EXECUTIVE SUMMARY

BUDGET AMENDMENTS

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

FINANCIAL IMPLICATIONS: Amending the budget provides a revised parameter for the budget.

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

ATTACHMENTS: Ordinance and Budget Amendments

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, ADOPTING A "BUDGET AMENDMENT #4 TO THE "ANNUAL BUDGET OF THE CITY OF BAY CITY, TEXAS, FOR THE FISCAL YEAR 2021"; PROVIDING FOR SUPPLEMENTAL APPROPRIATION AND/OR TRANSFER OF CERTAIN FUNDS; PROVIDING FOR SEVERABILITY; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT.

WHEREAS, by Ordinance No. 1651, the City of Bay City, Texas, adopted its "Annual Budget" for Fiscal Year 2021;

WHEREAS, the City Council has determined the revenues and/or reserves are available for supplement appropriation and/or transfer of certain funds interdepartmentally is economically feasible and in the best interest of prudent budgeting; and

WHEREAS, the City Council desires to amend said Original General Budget to reflect such supplemental appropriation and/or transfer in the fiscal year 2021; now, therefore,

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

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

Section 2. The "Annual Budget" of the City of Bay City, Texas, for the Fiscal Year 2021, is hereby amended as shown on "Budget Amendment #4" to the Original Budget of the City of Bay City, Texas, for the Fiscal Year 2021, attached hereto. These amendments are for municipal purposes. Said Budget Amendment shall be attached to and made a part of such Annual Budget by the City Secretary and shall be filed as required by state law, a true ad correct copy of which is attached hereto as Exhibit "A" and made a part hereof for all purposes.

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

PASSED AND APPROVED on first and final reading this 7th day of December 2021.

CITY OF BAY CITY, TEXAS

_____
Robert K. Nelson, Mayor

ATTEST:

_____
Jeanna Thompson, City Secretary

APPROVED as to FORM:

_____
Anne Marie Odefey, City Attorney

Council Member:	Voted Aye	Voted No	Absent
Bradley Westmoreland	_____	_____	_____
Jim Folse	_____	_____	_____
Floyce Brown	_____	_____	_____
Becca Sitz	_____	_____	_____
Jason Childers Mayor Pro-Tem	_____	_____	_____

_____
Robert K. Nelson, Mayor

ATTEST:

_____
Jeanna Thompson, City Secretary

APPROVED AS TO FORM AND SUBSTANCE:

_____
Anne Marie Odefey, City Attorney