



BAY CITY

MINUTES • JULY 27, 2017

Council Chambers

Regular Meeting

7:00 PM

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

1. CALL TO ORDER

2. INVOCATION & PLEDGE OF ALLEGIANCE - COUNCILWOMAN, BECCA SITZ

Texas State Flag Pledge:

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

Attendee Name	Title	Status	Arrived
Becca Sitz	Councilwoman	Present	
Jason Childers	Councilman	Present	
Mark A. Bricker	Mayor	Present	
Chrystal Folse	Councilwoman	Present	
William Cornman	Mayor Pro-Tem	Present	
Julie Estlinbaum	Councilwoman	Present	

3. CERTIFICATION OF QUORUM

A Quorum was certified by the Mayor.

4. APPROVAL OF AGENDA

The agenda was approved by motion.

5. 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.

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Candice Brown, 2901 Ave. D, Bay City - Field across the street from her home has trees growing in ditch the ditch and animals are living in the area now. She would like the area cleaned by the City. Involves Ave D and Rugeley and Ave. E and Matthews.

Martha Brown with the Ebony Club asked that the security deposit be returned for leasing the Service Center in June 2017. The deposit was \$200.

Ottis Justice, former City Building inspector has items to address.

1. Code enforcement does not belong with the police department. The employees need proper training and supervision.

2. Open door policy by the Mayor. I could not speak my mind for the last two years here as building inspector to do quality inspections. We want city to grow. We want larger stores. One way to do this is to hire a planner. A professional that knows how to redevelop the city. Redevelopment. Grants for the community.

6. CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

The following items may be acted upon in a single motion. No separate discussion or action on any of these items will be held unless requested by a member of the City Council. Public comment on consent agenda items may be heard without removing the item from the consent agenda. Each person providing public comment will be limited to 3 minutes.

The Consent Agenda Items were approved by motion unanimously. The motion was made by Councilwoman Julie Estlinbaum and seconded by Councilman Jason Childers.

1. Appointment

DISCUSS, CONSIDER AND/OR APPROVE THE MAYOR'S APPOINTMENT OF FREDA DANIEL, MICHAEL GEORGE, KRIS HURLEY, SCOTT PEDEN AND DONNYE STONE TO THE BAY CITY HISTORIC COMMISSION BOARD.

Mayor Mark A. Bricker

2. Appointment

DISCUSS, CONSIDER, AND/OR APPROVE THE MAYOR'S APPOINTMENT OF FRAN BAKER, SAYRAH CRAFT, ELIZABETH HEWITT, CAROL ANN HUITT, ALICE LOWERY, ANN RYAN, TAMI SAVAGE, D'ANN SNEED, TAMMI TINNIN AND JENNIFER VOWELL TO THE MAIN STREET BOARD.

Mayor Mark A Bricker

3. Agreement

DISCUSS, CONSIDER, AND/OR AUTHORIZE THE MAYOR TO APPROVE A REQUEST FROM THE BAY CITY MAIN STREET PROGRAM AND HISTORIC DOWNTOWN BUSINESS ASSOCIATION FOR A VARIANCE TO ALLOW OPEN CONTAINERS CONTAINING ALCOHOL AT ROCK THE BLOCK AND CAMOFEST EVENTS (2017 - 2018) IN DOWNTOWN BAY CITY, AND DIRECT STAFF AS NECESSARY.

Councilwoman, Becca Sitz

4. Budget

DISCUSS, CONSIDER AND/OR APPROVE ACCOUNTS PAYABLE FOR: APRIL 7, 2017, APRIL 13, 2017, MAY 4, 2017, MAY 11, 2017, MAY 17, 2017, JUNE 1, 2017, JUNE 9, 2017, JUNE 15, 2017, JUNE 22, 2017, JUNE 29, 2017.

Finance Director, Scotty Jones

5. Budget

DISCUSS, CONSIDER, AND/OR APPROVE UTILITY REFUNDS FOR: MAY 4, 2017, JUNE 2, 2017, JUNE 9, 2017.

Finance Director, Scotty Jones

7. REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:

1. Report

DISCUSS THE CITY OF BAY CITY BECOMING A RAILROAD QUIET ZONE CITY.

Bay City Resident, Rick Lehmann

Rail Road Quiet Zone City was discussed. Mr. Rick Lehmann presented.

Mr. Lehman discussed his meetings with Assistant Public Works Director, Mala Jasek. He feels Phase 1 is a good plan.

Met with Marla - three meetings He requested seeing a typical engineering report from a city with a RR quiet zone.

Councilman Bill Cornman reported that there is currently no budgeted funds for this Phase.

Councilwoman Becca Sitz asked for a general estimate for an engineering fee (budgetary number) for Phase 1.

Marla Jasek agreed to seek estimates from her contacts.

2. Policy

DISCUSS, CONSIDER, AND/OR APPROVE THE BAY CITY HISTORIC COMMISSIONS' CERTIFICATE OF APPROPRIATENESS UPDATE.

Mayor Mark A. Bricker

Reviewed and discussed the Historic Commissions Certificate of Appropriateness changes. Motion to approve the newly changed document was made by Councilwoman Chyrstal Folse and seconded by Councilwoman Julie Estlinbaum. Motion was approved unanimously.

3. Ordinance

DISCUSS, CONSIDER AND/OR APPROVE GRANTING AEP NON-EXCLUSIVE RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, MAINTAIN AND OPERATE A SUBSTATION IN THE UNIMPROVED RIGHT-OF-WAY, IDENTIFIED AS THE WEST HALF OF THAT SEGMENT OF AVENUE G THAT RUNS BETWEEN 11TH STREET AND 12TH STREET; AND AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS, APPROVED BY THE CITY ATTORNEY, TO EFFECTUATE THIS GRANT.

Barry Calhoun, Director of Public Works

The AEP Substation Ordinance was reviewed and discussed. The motion was made to approve the Exclusive agreement instead of a non-exclusive due to the request of AEP representatives. The motion was made by Councilman Jason Childers and seconded by Councilwoman Julie Estlinbaum. The motion was approved unanimously.

4. Resolution

DISCUSS, CONSIDER, AND/OR APPROVE THE DIRECTOR OF PUBLIC WORKS PREPARING AN ANNEXATION SERVICE PLAN THAT PROVIDES THE EXTENSION OF FULL MUNICIPAL SERVICES TO THE AREAS TO BE ANNEXED BY THE CITY OF BAY CITY.

Public Works Director, Barry Calhoun

The Multi-Area Annexation Plan was presented by Assistant Public Works Director, Marla Jasek.

The pros and cons of this plan were discussed. It was noted that utility services were in close proximity of these sites.

It was noted that legal fees were still a concern and the cost of a service plan.

Councilman Bill Cornman requested that the City select the easy annexations, which would be areas 5, 6, 7, A1, A2 & 10 to determine standard fees for these annexations within a five year plan.

A motion was made to seek cost estimates on the top five priority properties was made by Councilwoman Julie Estlinbaum and Seconded by Councilman Bill Cornman. The motion was approved unanimously.

5. Presentation

DISCUSS THE COLLECTION AND DISPOSAL OF SCRAP TIRES WITHIN THE CITY LIMITS AND THE POSSIBLE CREATION OF A SCRAP TIRE ORDINANCE.

Councilwoman, Becca Sitz

Scrap Tire Collection and disposal discussion was led by Councilwoman Becca Sitz. WCA representative, Matt Cartier was in attendance to answer questions. Councilwoman Sitz indicated that she had met with four (4) local tire companies regarding the tire disposal issues faced by the City. She indicated that all four companies voiced a desire to assist the City if possible.

The legal aspect of an ordinance will need to be reviewed before an actual ordinance can be designed. The goal is to have this done before the October "Clean-Up" date if possible.

6. Presentation

DISCUSS THE STATUS UPDATE RELATIVE TO THE PLANNED CITY-WIDE "CLEAN-UP DAY," TO BE HELD ON SATURDAY, OCTOBER 28, 2017.

Councilman, Bill Cornman

Councilman, Bill Cornman reported on the planned "Clean Up Day" scheduled to coincide with Matagorda County's Clean-Up Day on October 28, 2017. Councilwoman, Becca Sitz is working on advertisement for the event. WCA is assisting with the clean up.

7. Presentation

DISCUSS THE STATUS UPDATE RELATIVE TO THE TEXAS THEATER PROGRESS, PLANS, AND PROBLEMS.

Councilman, Bill Cornman

An update regarding the Texas Theater renovation was given by Councilman, Bill Cornman. Much work has been completed to make the building safe and a new roof over the theater has been completed. The CAST board and the Art League are working with Cornman to develop a 501c3 organization. Mayor Bricker praised the two organizations working together to form this new partnership.

8. Report

DISCUSS, CONSIDER, AND/OR APPROVE THE CITY'S QUARTERLY FINANCIAL AND INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2017.

Scotty Jones, Director of Finance

Finance Director, Scotty Jones reviewed the City's quarterly financial and investment report with Council members.

A motion was made to approve the report. Motion was made by Councilman Jason Childers and seconded by Councilwoman Julie Estlinbaum. Motion passed unanimously.

9. Budget

DISCUSS, CONSIDER, AND/OR APPROVE AN ORDINANCE ADOPTING BUDGET AMENDMENTS FOR THE QUARTER ENDING JUNE 30, 2017.

Scotty Jones, Director of Finance

Budget amendments were reviewed with Council members by Finance Director, Scotty Jones. The budget amendments were approved by motion. The motion was made by Councilman Bill Cornman and seconded by Councilwoman Julie Estlinbaum. Motion passed unanimously.

8. ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

Mayor Bricker announced that George Hyde was no longer with the law firm that represents the City. His goal is to reducing cost of attorney fees, but will keep the current firm on as special counsel.

Keep firm on special counsel

9. 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 Agenda City Council August 8, 2013 in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Executive Sessions Authorized:

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

conducted by all participants in reliance on this opinion.

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on Friday, July 21, 2017 before 7:00 p.m. Any questions concerning the above items, please contact Mayor Mark A. Bricker at (979) 245-2137.

David Holubec
City Secretary



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2692

AGENDA ITEM (ID # 2692)

**DISCUSS, CONSIDER AND/OR APPROVE THE MAYOR'S
APPOINTMENT OF FREDA DANIEL, MICHAEL GEORGE,
KRIS HURLEY, SCOTT PEDEN AND DONNYE STONE TO THE
BAY CITY HISTORIC COMMISSION BOARD.**

As we manage our boards and commissions, we are finding that many of our members have not been renewed by Mayor and Council for a number of years. This is an agenda item to correct this issue so we are following the organization's by-laws as they pertain to membership terms in office.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Appointment
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2691

AGENDA ITEM (ID # 2691)

**DISCUSS, CONSIDER, AND/OR APPROVE THE MAYOR'S
APPOINTMENT OF FRAN BAKER, SAYRAH CRAFT,
ELIZABETH HEWITT, CAROL ANN HUITT, ALICE LOWERY,
ANN RYAN, TAMI SAVAGE, D'ANN SNEED, TAMMI TINNIN
AND JENNIFER VOWELL TO THE MAIN STREET BOARD.**

As we manage our boards and commissions, we are finding that many of our members have not been renewed by Mayor and Council for a number of years. This is an agenda item to correct this issue so we are following the organization's by-laws as they pertain to membership terms in office.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Agreement
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:

DOC ID: 2708

AGENDA ITEM (ID # 2708)

DISCUSS, CONSIDER, AND/OR AUTHORIZE THE MAYOR TO APPROVE A REQUEST FROM THE BAY CITY MAIN STREET PROGRAM AND HISTORIC DOWNTOWN BUSINESS ASSOCIATION FOR A VARIANCE TO ALLOW OPEN CONTAINERS CONTAINING ALCOHOL AT ROCK THE BLOCK AND CAMOFEST EVENTS (2017 - 2018) IN DOWNTOWN BAY CITY, AND DIRECT STAFF AS NECESSARY.

Main Street would like to serve beer and wine at special events (Rock the Block and Camofest) and request the Mayor and City Council to provide a variance to the open Container ordinance. Rock the Block is held throughout the year 2017 - 2018. The next scheduled Camofest event is January 27, 2018



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 2706)

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Budget
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2706

**DISCUSS, CONSIDER AND/OR APPROVE ACCOUNTS
PAYABLE FOR: APRIL 7, 2017, APRIL 13, 2017, MAY 4, 2017,
MAY 11, 2017, MAY 17, 2017, JUNE 1, 2017, JUNE 9, 2017,
JUNE 15, 2017, JUNE 22, 2017, JUNE 29, 2017.**

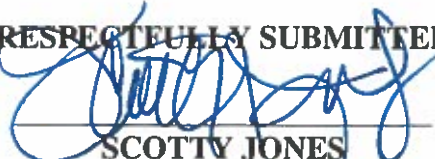
AGENDA ITEM REQUEST FOR CITY COUNCIL APPROVAL

THE FOLLOWING ACCOUNTS PAYABLE ITEMS HAVE BEEN APPROVED BY THE FINANCE COMMITTEE. PLEASE PLACE THESE ITEMS ON THE AGENDA OF THE NEXT SCHEDULED CITY COUNCIL MEETING AND REQUEST APPROVAL BY CITY COUNCIL.

ACCOUNTS PAYABLE	04/07/17
ACCOUNTS PAYABLE	04/13/17
ACCOUNTS PAYABLE	05/04/17
ACCOUNTS PAYABLE	05/11/17
ACCOUNTS PAYABLE	05/17/17
ACCOUNTS PAYABLE	06/01/17
ACCOUNTS PAYABLE	06/09/17
ACCOUNTS PAYABLE	06/15/17
ACCOUNTS PAYABLE	06/22/17
ACCOUNTS PAYABLE	06/29/17

UTILITY REFUND	05/04/17
UTILITY REFUNDS	06/02/17
UTILITY REFUNDS	06/09/17

RESPECTFULLY SUBMITTED


SCOTTY JONES
FINANCE DIRECTOR

July 12, 2017
DATE

Attachment: Accounts payable - utility refunds (2706 : Consider and/or Approve Accounts Payable)



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Budget
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2707

AGENDA ITEM (ID # 2707)

**DISCUSS, CONSIDER, AND/OR APPROVE UTILITY REFUNDS
FOR: MAY 4, 2017, JUNE 2, 2017, JUNE 9, 2017.**



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Report
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2693

DISCUSSION ITEM (ID # 2693)

DISCUSS THE CITY OF BAY CITY BECOMING A RAILROAD QUIET ZONE CITY.

Railroad Quiet Zone City discussion. This item was an agenda request from Bay Citian, Rick Lehmann.

COMMENTS - Current Meeting:

Rail Road Quiet Zone City was discussed. Mr. Rick Lehmann presented.

Mr. Lehman discussed his meetings with Assistant Public Works Director, Mala Jasek. He feels Phase 1 is a good plan.

Met with Marla - three meetings He requested seeing a typical engineering report from a city with a RR quiet zone.

Councilman Bill Cornman reported that there is currently no budgeted funds for this Phase. Councilwoman Becca Sitz asked for a general estimate for an engineering fee (budgetary number) for Phase 1.

Marla Jasek agreed to seek estimates from her contacts.

	Crossing#	State	Rr	Type	Position	Status	Milepost	County	City	Division	SubDivisi on	Branch	Street	LAT, LONG	trains day	trains night	speed	detection	signal w / gates	ADDITIONAL	Comment / Solution	Est Budget			
	023369Y	TX	BNSF	Public	At Grade	Open	65.97	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	FM 3156	29.0200488, -95.9647317	1	1	20	DC	yes						
	023370T	TX	BNSF	Public	At Grade	Open	67.6	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	GOLDEN AVE	28.9966650, -95.9657043	1	1	20	constant	yes			wayside horn + island + misc	\$ 125,000.00		
	023371A	TX	BNSF	Public	At Grade	Open	67.889	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	GRACE	28.9924415, -95.9655554	1	1	20	constant	yes			wayside horn + island + misc	\$ 125,000.00		
	023373N	TX	BNSF	Public	At Grade	Open	68.1	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	13TH ST	28.9893846, -95.9654421	1	1	20	constant	yes			wayside horn + island + misc	\$ 125,000.00		
	023374V	TX	BNSF	Public	At Grade	Open	68.16	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	12TH ST	28.9885149, -95.9654180	1	1	20	constant	yes			wayside horn + island + misc	\$ 125,000.00		
	023376J	TX	BNSF	Public	At Grade	Open	68.389	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	9TH ST	28.9851911, -95.9652931	1	1	20	constant	yes			wayside horn + island + misc	\$ 125,000.00		
	023377R	TX	BNSF	Public	At Grade	Open	68.46	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	8TH ST	28.9841660, -95.9652559	1	1	20	none	yes			wayside horn + island + misc+circuit upgr	\$ 175,000.00		
	023378X	TX	BNSF	Public	At Grade	Open	68.529	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	SH 0035	28.9831595, -95.9652198	1	1	20	constant	no gates	cantilever flash over 2 of 4 lanes	may require quad-gate due to commercial drwy in close proximity (TxDOT)	\$ 600,000.00			
	023379E	TX	BNSF	Public	At Grade	Open	68.61	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	6TH ST	28.9819948, -95.9651734	1	1	20	constant	yes			may require quad-gate due to comm drwys in close proximity	\$ 400,000.00		
	023380Y	TX	BNSF	Public	At Grade	Open	68.75	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	4TH ST	28.9799623, -95.9650956	1	1	20	constant	yes			wayside horn + island + misc	\$ 125,000.00		
	023381F	TX	BNSF	Public	At Grade	Open	68.829	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	3RD	28.9787967, -95.9650631	1	1	20	constant	yes			wayside horn + island + misc	\$ 125,000.00		
	023383U	TX	BNSF	Public	At Grade	Open	69.089	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	AVE K	28.9754606, -95.9637480	1	1	20	constant	yes			wayside horn + island + misc	\$ 125,000.00	TOTAL	TOTAL + 15% ENG + 10% CONT
	023385H	TX	BNSF	Public	At Grade	Open	69.32	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	COTTONW OOD AVE	28.9749530, -95.9600227	1	1	20	constant	yes			wayside horn + island + misc	\$ 125,000.00	\$ 2,300,000.00	\$ 2,875,000.00
	023386P	TX	BNSF	Private	At Grade	Open	69.35	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	PRIVATE ROAD	28.97489379, -95.95952549	1	1	20	none	stop only	single residence	?????	\$ 10,000.00			
	023387W	TX	BNSF	Private	At Grade	Open	69.389	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	PRIVATE	28.97483093, -95.95886768	1	1	20	none	stop only	Mahaffey (propose as public) School bus does cross.	elegible for federal funding with lights and gates if a public crossing. City add wayside horn + island +misc	\$ 125,000.00			
	023388D	TX	BNSF	Private	At Grade	Open	69.51	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	SYCAMORE	28.9746284, -95.9569142	1	1	20	none	stop only	Gola (proposed to close)	close--misc cost to close road	\$ 5,000.00	TOTAL	TOTAL + 15% ENG + 10% CONT	
	023389K	TX	BNSF	Public	At Grade	Open	69.75	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	FM 2668	28.9740310, -95.9530275	1	1	20	constant	no gates	adjacent drwy <50'	possible solution--relocate truck drwy to south side of house and new drwy for office/house across from exist conc	\$ 200,000.00	\$ 340,000.00	\$ 425,000.00	
	023392T	TX	BNSF	Private	At Grade	Open	72.8	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	PRIVATE ROAD	28.93201768, -95.94539075							way out of town				
	023394G	TX	BNSF	Private	At Grade	Open	74.593	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	PRIVATE ROAD	28.90601900 -095.94418800							way out of town				
	023395N	TX	BNSF	Public	At Grade	Open	75.989	MATAGOR DA	BAY CITY	GULF	BAY CITY	CANE J- WADSWRT H	SIMMS LN	28.8856686 -95.9432515							way out of town				
	023398J	TX	BNSF	Private	At Grade	Open	78.273	MATAGOR DA	BAY CITY	GULF	BAY CITY	TRK 1	PRIVATE	28.8716900 -095.972950							way out of town				
	023399R	TX	BNSF	Public	At Grade	Open	79.14	MATAGOR DA	BAY CITY	GULF	BAY CITY	IND SPUR	FM 2668	28.8717085 -95.9873136							way out of town				
	448737M	TX	UP	Private	At Grade	Open	280.22	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	PVT - MEYER								need info on this one				
	448739B	TX	UP	Private	At Grade	Open	282.03	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	THOMPSON ROAD	28.9618931 -95.9885330	5	5	50	other	stop only	private	Do we need to do anything here? Maybe				
	448741C	TX	UP	Public	At Grade	Open	283.41	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	AVE A	28.9765238 -95.9758159	5	5	30	other	yes	adjacent street <50'	wayside horn + island + misc	\$ 125,000.00			
	448742J	TX	UP	Public	At Grade	Open	283.49	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	AVE B	28.9765382 -95.9746227	5	5	30	other	yes	adjacent street <50'	wayside horn + island + misc	\$ 125,000.00			
	448743R	TX	UP	Public	At Grade	Open	283.56	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	AVE C	28.9765382 -95.9734318	8	8	30	other	yes	adjacent street <50'	wayside horn + island + misc	\$ 125,000.00			
	448744X	TX	UP	Public	At Grade	Open	283.77	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	SH 60/AVE F	28.9766345 -95.9698404	8	8	30	other	yes	adjacent street <50'	wayside horn + island + misc (TxDOT)	\$ 150,000.00			
	448745E	TX	UP	Public	At Grade	Open	283.91	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	AVE H	28.9766985 -95.9673694	8	8	10	other	yes		wayside horn + island + misc	\$ 125,000.00			
	448746L	TX	UP	Public	At Grade	Open	283.98	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	AVENUE I	28.9768441 -95.9661961	8	8	30	other	yes	NEW SIGNAL AND GATES installed	wayside horn + island + misc	\$ 125,000.00			
	448747T	TX	UP	Public	At Grade	Open	284.13	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	AVE K	28.9768762 -95.9638077	8	8	30	other	yes		wayside horn + island + misc	\$ 125,000.00			
	448748A	TX	UP	Public	At Grade	Open	284.38	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N/A	COTTONW OOD	28.9779019 -95.9602849	8	8	30	other	yes		wayside horn + island + misc	\$ 125,000.00			

☐	448751H	TX	UP	Public	At Grade	Open	284.87	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N\A	FM2668 - NICHOLS	28.9781232 -95.9531184	8	8	30	other	yes		wayside horn + island + misc (TxDOT)	\$ 150,000.00	7.1.a	
☐	448752P	TX	UP	Public	At Grade	Open	285.29	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N\A	NORVELL	28.9792149 -95.9458961	8	8	30	other	yes		wayside horn + island + misc	\$ 125,000.00	TOTAL	TOTAL + 15% ENG + 10% CONT
☐	448753W	TX	UP	Public	At Grade	Open	285.84	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N\A	FM 457	28.9820963 -95.9363081	8	8	50	other	yes		wayside horn + island + misc (TxDOT)	\$ 150,000.00	\$ 1,450,000.00	\$ 1,812,500.00
☐	448754D	TX	UP	Private	At Grade	Open	287.51	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N\A	PRIVATE								Cooperative Way			
☐	450565G	TX	UP	Public	At Grade	Open	278.98	MATAGOR DA	BAY CITY	HOUSTON	Angleton	#N\A	RIVERSIDE PARK RD								Riverside--way out of town			
																						\$ 4,090,000.00		



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Policy
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2701

AGENDA ITEM (ID # 2701)

**DISCUSS, CONSIDER, AND/OR APPROVE THE BAY CITY
HISTORIC COMMISSIONS' CERTIFICATE OF
APPROPRIATENESS UPDATE.**

The Certificate of Appropriateness is granted by the Historic Commission when a homeowner or building owner wants to make an exterior change/alteration to their property in the Historic Districts. The form has been updated to better serve the citizens and the City.

COMMENTS - Current Meeting:

Reviewed and discussed the Historic Commissions Certificate of Appropriateness changes. Motion to approve the newly changed document was made by Councilwoman Chyrstal Folse and seconded by Councilwoman Julie Estlinbaum. Motion was approved unanimously.



HISTORIC COMMISSION

CERTIFICATE OF APPROPRIATENESS

INTRODUCTION

The purpose of a Certificate of Appropriateness is to help maintain and return the lost or diminished architectural significance of Bay City's tangible past. A Certificate of Appropriateness (COA) is required for projects that would alter the exterior appearance of a designated historic property. This includes alterations, additions, demolition, or relocation of a landmark or structure within an historic district or new construction within an historic district. The City of Bay City follows the Secretary of Interior's National Historic Preservation Act criteria for preservation standards.

COA APPLICATION PROCESS

There is no fee for filing a COA application and the Bay City Historic Commission staff can guide you through the process. It is highly recommended that applicants contact a staff member in the beginning stages of a project before any designs are finalized, and well in advance of an application deadline. Staff can offer technical assistance to ensure proposed projects are sensitive to the historic character of the designated site or district. Once the application is received, the Historic Commission will then meet to review the COA. If approved, the application will be returned to the applicant, for the privilege of obtaining the proper City permits.

Please contact staff to make a COA plan review appointment. (979) 245-8081.

CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

DATE: _____

PROPERTY

Address: _____

- ☐ Downtown Historic District
☐ South Side District

Registered Texas Historical Landmark (RTHL) Structure: ☐ Yes ☐ No
 Local Historical Landmark Designation: ☐ Yes ☐ No

Current Condition of Property: _____

OWNER

Name: _____

Mailing Address: _____

Phone: _____

Email: _____

APPLICANT* (if other than owner)

Name: _____

Mailing Address: _____

Phone: _____

Email: _____

Signature: _____

Attachment: Certificate of Appropriateness - 2017 (2701 : Historic Commissions Certificate of Appropriateness Update)

***The presence of the applicant or his/her agent as designated herein is necessary at the Historic Commission meeting.**

Name of Designated Agent: _____

Email: _____

Phone: _____

PROPOSED ACTION

- | | | |
|---|---|-------------------------------------|
| ☐ Alteration or Addition | ☐ Restoration | ☐ Relocation |
| ☐ Demolition | ☐ New Construction | ☐ Signage |

Description of Work – (Applicable to any exterior alterations and/or repairs or signage)

Cost Estimation: \$_____

- Include elevation drawings of the proposed changes if available, and preferably in color
- If the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used and a plan showing the sign's measurements and location on the property are to be included.
- When changing paint colors, please include actual paint samples, indicating finish and placement on building exterior.

INTENDED START / COMPLETION DATES

Start Date: _____

Completion Date: _____

Completed applications and drawings must be in the Community Development Office no later than ten (10) days before the regularly scheduled Historic Commission meeting on the first Monday of each month.

Signature: _____

SUPPORT DOCUMENTS / PHOTOS REQUIRED

- ☐ Photo of Property (historical photos & current photos)
- ☐ Design Drawings (to scale)
- ☐ Architectural Drawings (new construction)
- ☐ Paint Color Samples

DEFINITIONS

Addition: any expansion to an existing building, structure or object.

Alteration: any change to the exterior of a building or structure, including adding, moving, removing or replacing an exterior feature.

Demolition: an act or process that destroys in whole, or a majority of, any building, structure, object or site.

Exterior Feature: an element of the architectural character and the general arrangement of the external portion of a building, structure or object, including building materials and parts of the exterior wall assembly such as windows, walls studs, interior shiplap and the foundation.

New Construction: the erection of a new building, structure, or object, on a lot, site, or other property.

Relocation: any change in the location of a building, structure, or object.

Restoration: accurately recovering the form and detail of a building, structure, object, or site and its setting as it appeared at a particular period by means of the removal of later work, or by the replacement of missing earlier work, or both.

Official Use Only

COA approved with the following conditions:

Historic Commission Agent Signature_____
Date**STAFF NOTIFICATION**

Once the COA has been approved, the Historic Commission chairman or agent shall affix their signature above. The applicant will then take this form to the Building Inspector for the proper acquisition of required City permits. The form will then be sent to the Public Works Director and the Mayor. The COA will then be returned to the City Secretary's office for record retention.

Historic Commission Chairman	NOTES: _____	Staff Initial _____
Building Inspector	NOTES: _____	Staff Initial _____
Public Works Director	NOTES: _____	Staff Initial _____
Mayor's Office	NOTES: _____	Staff Initial _____
City Secretary's Office	NOTES: _____	Staff Initial _____

Sec. 78-103. - Appeals.

(a)

Appeals of decisions made under [section 78-99](#) shall be made in writing to the city council by the owner of the property in question, within 30 days of the date notification of the decision by the historic commission.

(b)

The city council shall hear all such appeals at the next regularly scheduled council meeting occurring after receipt by the city secretary of the written notice of appeal.

(Code 2000, § 78-114; Ord. No. 1332, § 14, 3-23-2006; Ord. No. 1400, § 1, 3-24-2011)



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

ORDINANCE (ID # 2690)

Meeting: 07/27/17 07:00 PM
Department: Public Works
Category: Property
Prepared By: Marla Jasek
Initiator: Marla Jasek
Sponsors:
DOC ID: 2690

**DISCUSS, CONSIDER AND/OR APPROVE GRANTING AEP
NON-EXCLUSIVE RIGHT, PRIVILEGE AND AUTHORITY TO
CONSTRUCT, MAINTAIN AND OPERATE A SUBSTATION IN
THE UNIMPROVED RIGHT-OF-WAY, IDENTIFIED AS THE
WEST HALF OF THAT SEGMENT OF AVENUE G THAT RUNS
BETWEEN 11TH STREET AND 12TH STREET; AND
AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS,
APPROVED BY THE CITY ATTORNEY, TO EFFECTUATE THIS
GRANT.**

AEP is planning expansion of their existing substation site on the southwest corner of 12th Street and Avenue G. The expansion includes additional equipment and transmission line work within their existing property and extending into the Avenue G right-of-way. The existing development and Cottonwood Creek limit the options for expansion of the site.

In November 2007, the City granted a franchise agreement to AEP. Section 1 of the franchise agreement gives AEP the authority to "acquire, construct, maintain and operate in, above, under, across, over and along the streets, alleys, thoroughfares, bridges, and public places" for the purpose of transmitting and distributing electrical energy for the City and it's citizens.

Avenue G south of 12th Street to Cottonwood Creek is an unimproved roadway that serves as a driveway to the AEP substation and to the private property on the southeast corner of 12th Street and Avenue G. AEP is proposing to expand into the west half of the right-of-way and utilize the east half of the right-of-way to access the site. The expansion would not affect access for the other properties within the block since the east half of the 100' right-of way would still be available for use.

*Block 101 Lot 1 and 2--The Zamoras do not currently have access from the Ave G ROW due to Cottonwood Creek. They have access to their property from 11th Street.

*Block 101 Lot 3 west--Matagorda County Trustee property has access from the east side of Ave G. This property is in the floodway/creek bottom.

*Block 101 Lot 3 east--The Amezquitas do not currently have access from the Ave G ROW due to Cottonwood Creek. They have access through Lot 10 to Ave H.

*Block 101 Lot 4, 5 and 6--The Montoyas have access on 12th Street and would still have access from the east side Ave G.

The southernmost portion of the AEP property (Block 96 Lot 12) is located within the boundary of the North Downtown sub-district as identified in Bay city's Land Development Code (Chapter 99 of the City Code of Ordinances.) The property is located within the 100 year floodplain.

There are no water, sewer or gas lines within the west half of the Ave G right-of-way.

COMMENTS - Current Meeting:

The AEP Substation Ordinance was reviewed and discussed. The motion was made to approve the Exclusive agreement instead of a non-exclusive due to the request of AEP representatives. The motion was made by Councilman Jason Childers and seconded by Councilwoman Julie Estlinbaum. The motion was approved unanimously.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, GRANTING AEP EXCLUSIVE RIGHT, PRIVILEGE AND AUTHORITY TO CONSTRUCT, MAINTAIN AND OPERATE A SUBSTATION IN THE UNIMPROVED RIGHT-OF-WAY, IDENTIFIED AS THE WEST HALF OF THAT SEGMENT OF AVENUE G THAT RUNS BETWEEN 11TH STREET AND 12TH STREET; AUTHORIZING THE MAYOR TO EXECUTE DOCUMENTS TO EFFECTUATE THIS ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The CITY owns unimproved right-of-way consisting of Avenue G between 11th Street and 12th Street; and

WHEREAS, the CITY granted AEP a Franchise on October 25, 2007 to, among other things, construct, maintain, and operate electric substations within the City; and

WHEREAS, AEP operates and maintains an electric substation in Lots 7 -12 of Block 96 of the Bay City Original Townsite; and

WHEREAS, AEP desires to expand this electric substation unto a 0.344 acre portion of Avenue G between 11th Street and 12th Street; and

WHEREAS, AEP will incorporate masonry elements into the existing security fencing along 12th Street; and

WHEREAS, AEP also desires to utilize an access road, to access its electric substation from 12th Street, within the eastern portion of Avenue G between 11th Street and 12th Street; and

WHEREAS, AEP acknowledges and agrees that the access road within the eastern portion of Avenue G between 11th Street and 12th Street may be used by the owners of the properties adjacent to the east side of the access road; and

WHEREAS, this electric substation is the only substation serving Bay City, Texas and needs to be expanded to adequately provide electrical service to our growing city; and

WHEREAS, City Council has determined that there will be no detriment or hazard to the City of its citizens if AEP expands into the 0.344 acre portion of Avenue G and utilizes the access road within the eastern portion of Avenue G between 11th Street and 12th Street; and

WHEREAS, the City finds and declared that it is in the best interest of the City to allow AEP to expand its electric substation into Ave. G between 11th and 12th Streets and to allow AEP to utilize an access road within Ave. G between 11th and 12th Streets.

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

Section 1. The forgoing recitals are hereby found to be true and such recitals are hereby made a part of this Ordinance for all purposes and findings of the Council.

Section 2. That the City Council finds that the expansion of the substation and use of the access road, as requested by AEP, will cause no harm or injury to the City or its citizens.

Section 3. That AEP is granted exclusive right, privilege and authority to construct, maintain and operate in, above, under, across, and over the unimproved right-of-way depicted on Exhibit "A", as authorized by The Franchise Agreement, City Code of Ordinances, Ordinance 1350.

Section 4. That AEP shall submit drawings and details for the masonry elements to the City for approval by the Mayor.

Section 5. That City Council hereby authorizes the Mayor to execute all documents on behalf of the City to effectuate the purpose of this Ordinance.

Section 6. That should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance or any other ordinance of the city as a whole or any part thereof, other than the part so declared to be invalid.

Section 7. This Ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED on this 27th day of July 2017.

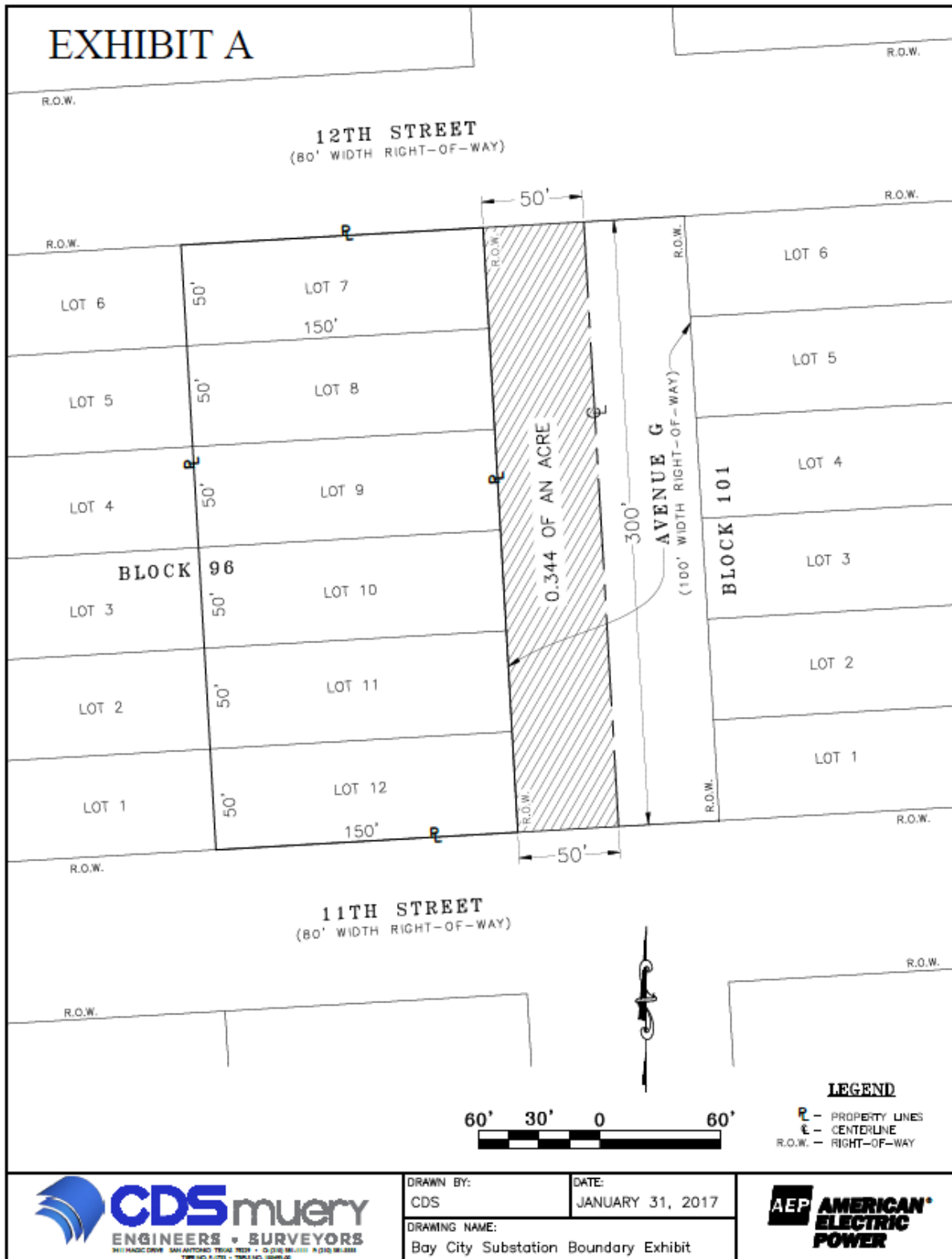
Mark A. Bricker, Mayor

(additional signatures on following page)

ATTEST:

David Holubec, City Secretary

Date approved: _____





City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

RESOLUTION (ID # 2702)

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Property
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2702

DISCUSS, CONSIDER, AND/OR APPROVE THE DIRECTOR OF PUBLIC WORKS PREPARING AN ANNEXATION SERVICE PLAN THAT PROVIDES THE EXTENSION OF FULL MUNICIPAL SERVICES TO THE AREAS TO BE ANNEXED BY THE CITY OF BAY CITY.

UPDATE FROM THE JULY 6, 2017 MEETING: A map is attached showing the proposed areas being considered for annexation. These areas are considered to have high potential for development within the next few years. In accordance with Local Government Code 46.065(a), the governing body (council) must direct its planning department (public works) to prepare a service plan that provides for the extension of full municipal services to the areas to be annexed prior to the publication of the notice of the first hearing.

A schedule showing the important dates for the proposed annexation is also attached.

COMMENTS - Current Meeting:

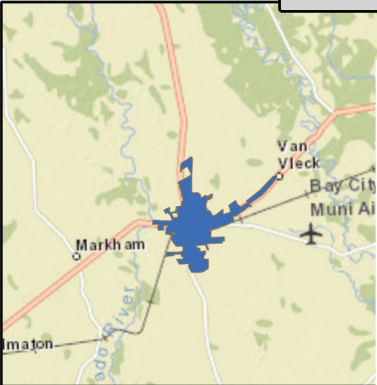
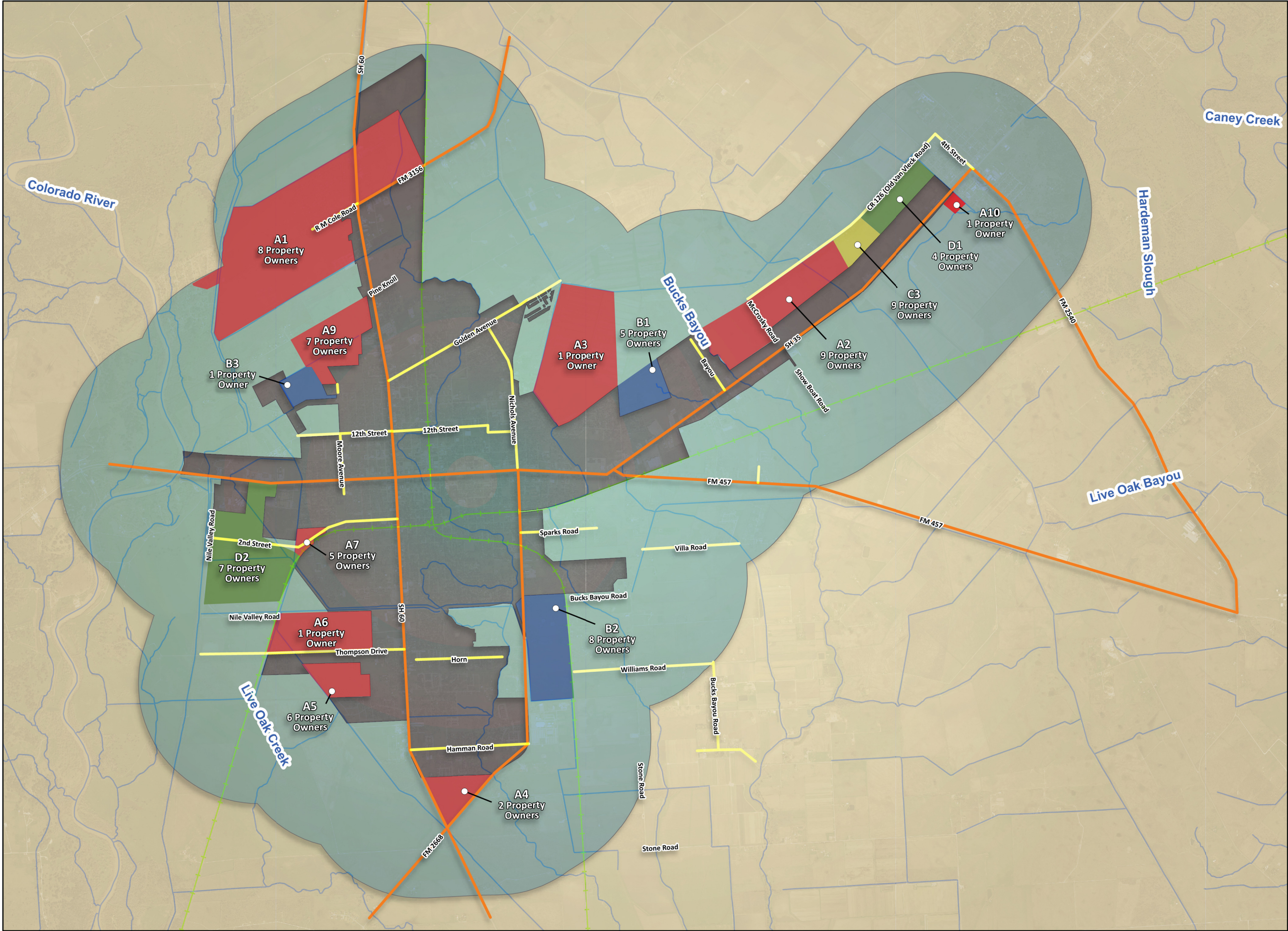
The Multi-Area Annexation Plan was presented by Assistant Public Works Director, Marla Jasek.

The pros and cons of this plan were discussed. It was noted that utility services were in close proximity of these sites.

It was noted that legal fees were still a concern and the cost of a service plan.

Councilman Bill Cornman requested that the City select the easy annexations, which would be areas 5, 6, 7, A1, A2 & 10 to determine standard fees for these annexations within a five year plan.

A motion was made to seek cost estimates on the top five priority properties was made by Councilwoman Julie Estlinbaum and Seconded by Councilman Bill Cornman. The motion was approved unanimously.



VICINITY MAP
Scale: 1 inch equals 10 miles

- Legend**
- City of Bay City Corporate Limits
 - City of Bay City ETJ
 - 2015 Thoroughfare Plan
 - Classification
 - Texas Department of Transportation (TxDOT)
 - Collector (Existing)
 - Rail Road (TxDOT Data)
 - Stream
 - Annex A
 - Annex B
 - Annex C
 - Annex D

*Aerial Imagery flown January 2012

CITY OF BAY CITY
MATAGORDA COUNTY, TEXAS



Annex Map



Disclaimers:
The City of Bay City Thoroughfare Plan map shows approximate roadway alignments. The map has been produced from various sources. While every effort has been made to ensure the accuracy of the map, the City assumes no liability or damages due to errors or omissions. Actual alignment for new and/or additional roadway right-of-way may vary. The roadway lines shown on the Thoroughfare Plan are not precise (site specific) locations of future thoroughfares and are considered conceptual in use.

This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. No express warranties are made by Jones & Carter, Inc. concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.

Coordinate System: NAD 83 TX S CENTRAL 4204 FEET
Vertical Datum: NAVD 1988

**PRELIMINARY COST ESTIMATE
FOR CONSTRUCTION OF
PRIORITY 1 ANNEXATION NO. 1
FOR
CITY OF BAY CITY
JULY 2017**

Item No.	Description	Unit	Quantity	Unit Price	Total ⁽¹⁾
1.	Move-in and Set-up, including Bonds and Insurance	L.S.	1	\$ 28,000	\$ 28,000
Sanitary Sewer Items					
2.	8-Inch Sanitary Sewer (Open Cut)	L.F.	4,150	\$ 60	\$ 249,000
3.	8-Inch Sanitary Sewer (Trenchless)	L.F.	100	\$ 120	\$ 12,000 ⁽²⁾
4.	8-Inch Sanitary Sewer (Trenchless with 20-inch Steel Casing)	L.F.	100	\$ 200	\$ 20,000 ⁽³⁾
5.	Sanitary Sewer Manhole	E.A.	13	\$ 5,000	\$ 65,000
6.	Trench Safety System	L.F.	4,150	\$ 1	\$ 4,000
Subtotal Sanitary Sewer Items					\$ 350,000
Waterline Items					
7.	8-Inch Waterline (Open Cut)	L.F.	2,400	\$ 50	\$ 120,000
8.	8-Inch Waterline (Trenchless Construction)	L.F.	100	\$ 100	\$ 10,000 ⁽²⁾
9.	8-Inch Gate Valve & Box	E.A.	5	\$ 2,000	\$ 10,000
10.	Flush Valve	E.A.	5	\$ 3,500	\$ 18,000
11.	Trench Safety System	L.F.	2,400	\$ 1	\$ 2,000
Subtotal Waterline Items					\$ 160,000
Misc.					
12.	Site Restoration (Grading, Replacement of Fences, etc.)	L.S.	1	10,000	\$ 10,000
13.	Traffic Control	L.S.	1	10,000	\$ 10,000
14.	Storm Water Pollution Prevention Plan	L.S.	1	5,000	\$ 5,000
Subtotal Misc Items					\$ 25,000
Subtotal All Items					\$ 563,000 ⁽⁴⁾
Contingencies (25%)					141,000
Engineering (15%)					84,000
TOTAL					\$ 788,000

NOTES :

⁽¹⁾ All Totals have been rounded to the nearest \$1,000.

⁽²⁾ Trenchless Construction includes the crossing of driveways.

⁽³⁾ Trenchless Construction with Steel Casing includes the crossing of the the proposed waterline with either proposed or existing sanitary sewer lines.

⁽⁴⁾ This estimate represents my best judgment as a design professional familiar with the construction industry. Jones & Carter, Inc. has no control over the cost of labor, materials, or equipment; over the Contractor's methods of determining bid prices; or over competitive bidding or market conditions. Accordingly, we cannot and do not guarantee that bids will not vary from this cost.

⁽⁵⁾ Phasing of the proposed development is not considered in this estimate. There may be additional costs associated with the proposed development.

This Document is Released for the Purpose of:

General Financial Planning

Under the Authority of:

Engineer: Matthew B. Breazeale, P.E.

License No.: 104910

It is Preliminary in Nature and not to be Used for Feasibility of Land Purchases, Loans or Grants

**PRELIMINARY COST ESTIMATE
FOR CONSTRUCTION OF
PRIORITY 1 ANNEXATION NO. 2
FOR
CITY OF BAY CITY
JULY 2017**

Item No.	Description	Unit	Quantity	Unit Price	Total ⁽¹⁾
1.	Move-in and Set-up, including Bonds and Insurance	L.S.	1	\$ 88,000	\$ 88,000
Sanitary Sewer Items					
2.	10-Inch Sanitary Sewer (Open Cut)	L.F.	9,700	\$ 75	\$ 728,000
3.	10-Inch Sanitary Sewer (Trenchless)	L.F.	200	\$ 150	\$ 30,000 ⁽²⁾
4.	10-Inch Sanitary Sewer (Trenchless with 20-inch Steel Casing)	L.F.	100	\$ 250	\$ 25,000 ⁽³⁾
4.	Sanitary Sewer Manhole	E.A.	29	\$ 5,000	\$ 145,000
5.	Trench Safety System	L.F.	9,700	\$ 1	\$ 10,000
Subtotal Sanitary Sewer Items					\$ 938,000
Waterline Items					
6.	12-Inch Waterline (Open Cut)	L.F.	7,700	\$ 75	\$ 578,000
7.	12-Inch Waterline (Trenchless Construction)	L.F.	120	\$ 150	\$ 18,000 ⁽²⁾
8.	12-Inch Gate Valve & Box	E.A.	16	\$ 3,000	\$ 47,000
9.	Flush Valve	E.A.	16	\$ 3,500	\$ 55,000
10.	Trench Safety System	L.F.	7,700	\$ 1	\$ 8,000
Subtotal Waterline Items					\$ 706,000
Misc.					
11.	Site Restoration (Grading, Replacement of Fences, etc.)	L.S.	1	15,000	\$ 15,000
12.	Traffic Control	L.S.	1	5,000	\$ 5,000
13.	Storm Water Pollution Prevention Plan	L.S.	1	5,000	\$ 5,000
Subtotal Misc Items					\$ 25,000
Subtotal All Items					\$ 1,757,000 ⁽⁴⁾
Contingencies (25%)					439,000
Engineering (15%)					264,000
TOTAL					\$ 2,460,000

NOTES :

⁽¹⁾ All Totals have been rounded to the nearest \$1,000.

⁽²⁾ Trenchless Construction includes the crossing of driveways.

⁽³⁾ Trenchless Construction with Steel Casing includes the crossing of the the proposed waterline with either proposed or existing sanitary sewer lines.

⁽⁴⁾ This estimate represents my best judgment as a design professional familiar with the construction industry. Jones & Carter, Inc. has no control over the cost of labor, materials, or equipment; over the Contractor's methods of determining bid prices; or over competitive bidding or market conditions. Accordingly, we cannot and do not guarantee that bids will not vary from this cost.

⁽⁵⁾ Phasing of the proposed development is not considered in this estimate. There may be additional costs associated with the proposed development.

This Document is Released for the Purpose of:

General Financial Planning

Under the Authority of:

Engineer: Matthew B. Breazeale, P.E.

License No.: 104910

It is Preliminary in Nature and not to be Used for Feasibility of Land Purchases, Loans or Grants

**PRELIMINARY COST ESTIMATE
FOR CONSTRUCTION OF
PRIORITY 1 ANNEXATION NO. 3
FOR
CITY OF BAY CITY
JULY 2017**

Item No.	Description	Unit	Quantity	Unit Price	Total ⁽¹⁾
1.	Move-in and Set-up, including Bonds and Insurance	L.S.	1	\$ 5,000	\$ 5,000
Sanitary Sewer Items					
2.	10-Inch Sanitary Sewer (Open Cut)	L.F.	200	\$ 80	\$ 16,000
3.	Sanitary Sewer Manhole	E.A.	2	\$ 5,000	\$ 10,000
4.	Trench Safety System	L.S.	1	\$ 1,000	\$ 1,000
Subtotal Sanitary Sewer Items					\$ 27,000
Misc.					
5.	Site Restoration (Grading, Replacement of Fences, etc.)	L.S.	1	5,000	\$ 5,000
6.	Traffic Control	L.S.	1	5,000	\$ 5,000
7.	Storm Water Pollution Prevention Plan	L.S.	1	5,000	\$ 5,000
Subtotal Misc Items					\$ 15,000
Subtotal All Items					\$ 47,000 ⁽⁴⁾
Contingencies (25%)					12,000
Engineering (15%)					7,000
TOTAL					\$ 66,000

NOTES :

⁽¹⁾ All Totals have been rounded to the nearest \$1,000.

⁽²⁾ Trenchless Construction includes the crossing of driveways.

⁽³⁾ Trenchless Construction with Steel Casing includes the crossing of the the proposed waterline with either proposed or existing sanitary sewer lines.

⁽⁴⁾ This estimate represents my best judgment as a design professional familiar with the construction industry. Jones & Carter, Inc. has no control over the cost of labor, materials, or equipment; over the Contractor's methods of determining bid prices; or over competitive bidding or market conditions. Accordingly, we cannot and do not guarantee that bids will not vary from this cost.

⁽⁵⁾ Phasing of the proposed development is not considered in this estimate. There may be additional costs associated with the proposed development.

This Document is Released for the Purpose of:

General Financial Planning

Under the Authority of:

Engineer: Matthew B. Breazeale, P.E.

License No.: 104910

It is Preliminary in Nature and not to be Used for Feasibility of Land Purchases, Loans or Grants

**PRELIMINARY COST ESTIMATE
FOR CONSTRUCTION OF
PRIORITY 1 ANNEXATION NO. 4
FOR
CITY OF BAY CITY
JULY 2017**

Item No.	Description	Unit	Quantity	Unit Price	Total ⁽¹⁾
1.	Move-in and Set-up, including Bonds and Insurance	L.S.	1	\$ 22,000	\$ 22,000
Sanitary Sewer Items					
2.	8-Inch Sanitary Sewer (Open Cut)	L.F.	2,100	\$ 60	\$ 126,000
3.	Sanitary Sewer Manhole	E.A.	6	\$ 5,000	\$ 30,000
4.	Trench Safety System	L.F.	2,100	\$ 1	\$ 2,000
Subtotal Sanitary Sewer Items					\$ 158,000
Waterline Items					
5.	12-Inch Waterline (Open Cut)	L.F.	2,400	\$ 75	\$ 180,000
6.	12-Inch Waterline (Trenchless Construction)	L.F.	100	\$ 150	\$ 15,000
7.	12-Inch Gate Valve & Box	E.A.	5	\$ 3,000	\$ 15,000
8.	Flush Valve	E.A.	5	\$ 3,500	\$ 18,000
9.	Trench Safety System	L.F.	2,400	\$ 1	\$ 2,000
Subtotal Waterline Items					\$ 230,000
Misc.					
10.	Site Restoration (Grading, Replacement of Fences, etc.)	L.S.	1	10,000	\$ 10,000
11.	Traffic Control	L.S.	1	10,000	\$ 10,000
12.	Storm Water Pollution Prevention Plan	L.S.	1	5,000	\$ 5,000
Subtotal Misc Items					\$ 25,000
Subtotal All Items					\$ 435,000 ⁽⁴⁾
Contingencies (25%)					109,000
Engineering (15%)					65,000
TOTAL					\$ 609,000

NOTES :

⁽¹⁾ All Totals have been rounded to the nearest \$1,000.

⁽²⁾ Trenchless Construction includes the crossing of driveways.

⁽³⁾ Trenchless Construction with Steel Casing includes the crossing of the the proposed waterline with either proposed or existing sanitary sewer lines.

⁽⁴⁾ This estimate represents my best judgment as a design professional familiar with the construction industry. Jones & Carter, Inc. has no control over the cost of labor, materials, or equipment; over the Contractor's methods of determining bid prices; or over competitive bidding or market conditions. Accordingly, we cannot and do not guarantee that bids will not vary from this cost.

⁽⁵⁾ Phasing of the proposed development is not considered in this estimate. There may be additional costs associated with the proposed development.

This Document is Released for the Purpose of:
General Financial Planning
Under the Authority of:
Engineer: Matthew B. Breazeale, P.E.
License No.: 104910
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**PRELIMINARY COST ESTIMATE
FOR CONSTRUCTION OF
PRIORITY 1 ANNEXATION NO. 8
FOR
CITY OF BAY CITY
JULY 2017**

Item No.	Description	Unit	Quantity	Unit Price	Total ⁽¹⁾
1.	Move-in and Set-up, including Bonds and Insurance	L.S.	1	\$ 10,000	\$ 10,000
Sanitary Sewer Items					
2.	8-Inch Sanitary Sewer (Open Cut)	L.F.	620	\$ 80	\$ 50,000
3.	8-Inch Sanitary Sewer (Trenchless Construction)	L.F.	180	\$ 160	\$ 29,000 ⁽²⁾
4.	Sanitary Sewer Manhole	E.A.	2	\$ 5,000	\$ 10,000
5.	Trench Safety System	L.F.	620	\$ 1	\$ 1,000
Subtotal Sanitary Sewer Items					\$ 90,000
Waterline Items					
6.	8-Inch Waterline (Open Cut)	L.F.	700	\$ 75	\$ 53,000
7.	8-Inch Gate Valve & Box	E.A.	1	\$ 2,500	\$ 3,000
8.	Flush Valve	E.A.	1	\$ 4,000	\$ 4,000
9.	Trench Safety System	L.F.	700	\$ 1	\$ 1,000
Subtotal Waterline Items					\$ 61,000
Misc.					
10.	Site Restoration (Grading, Replacement of Fences, etc.)	L.S.	1	5,000	\$ 5,000
11.	Traffic Control	L.S.	1	5,000	\$ 5,000
12.	Storm Water Pollution Prevention Plan	L.S.	1	5,000	\$ 5,000
Subtotal Misc Items					\$ 15,000
Subtotal All Items					\$ 176,000 ⁽⁴⁾
Contingencies (25%)					44,000
Engineering (15%)					26,000
TOTAL					\$ 246,000

NOTES :

⁽¹⁾ All Totals have been rounded to the nearest \$1,000.

⁽²⁾ Trenchless Construction includes the crossing of driveways.

⁽³⁾ Trenchless Construction with Steel Casing includes the crossing of the the proposed waterline with either proposed or existing sanitary sewer lines.

⁽⁴⁾ This estimate represents my best judgment as a design professional familiar with the construction industry. Jones & Carter, Inc. has no control over the cost of labor, materials, or equipment; over the Contractor's methods of determining bid prices; or over competitive bidding or market conditions. Accordingly, we cannot and do not guarantee that bids will not vary from this cost.

⁽⁵⁾ Phasing of the proposed development is not considered in this estimate. There may be additional costs associated with the proposed development.

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**PRELIMINARY COST ESTIMATE
FOR CONSTRUCTION OF
PRIORITY 2 ANNEXATION NO. 1
FOR
CITY OF BAY CITY
JULY 2017**

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
Sanitary Sewer Items					
2.	8-Inch Sanitary Sewer (Open Cut)	L.F.	2,000	\$ 60	\$ 120,000
3.	8-Inch Sanitary Sewer (Trenchless Construction)	L.F.	100	\$ 120	\$ 12,000
4.	Sanitary Sewer Manhole	E.A.	6	\$ 5,000	\$ 30,000
5.	Trench Safety System	L.F.	2,000	\$ 1	\$ 2,000
Subtotal Sanitary Sewer Items					\$ 164,000
Waterline Items					
6.	12-Inch Waterline (Open Cut)	L.F.	2,200	\$ 75	\$ 165,000
7.	12-Inch Waterline (Trenchless Construction)	L.F.	50	\$ 150	\$ 8,000 ⁽²⁾
8.	12-Inch Gate Valve & Box	E.A.	5	\$ 3,000	\$ 14,000
9.	Flush Valve	E.A.	5	\$ 3,500	\$ 16,000
10.	Trench Safety System	L.F.	2,200	\$ 1	\$ 2,000
Subtotal Waterline Items					\$ 205,000
Misc.					
11.	Site Restoration (Grading, Replacement of Fences, etc.)	L.S.	1	5,000	\$ 5,000
12.	Traffic Control	L.S.	1	5,000	\$ 5,000
13.	Storm Water Pollution Prevention Plan	L.S.	1	5,000	\$ 5,000
Subtotal Misc Items					\$ 15,000
Subtotal All Items					\$ 404,000 ⁽⁴⁾
Contingencies (25%)					101,000
Engineering (15%)					61,000
TOTAL					\$ 566,000

NOTES :

⁽¹⁾ All Totals have been rounded to the nearest \$1,000.

⁽²⁾ Trenchless Construction includes the crossing of driveways.

⁽³⁾ Trenchless Construction with Steel Casing includes the crossing of the the proposed waterline with either proposed or existing sanitary sewer lines.

⁽⁴⁾ This estimate represents my best judgment as a design professional familiar with the construction industry. Jones & Carter, Inc. has no control over the cost of labor, materials, or equipment; over the Contractor's methods of determining bid prices; or over competitive bidding or market conditions. Accordingly, we cannot and do not guarantee that bids will not vary from this cost.

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General Financial Planning

Under the Authority of:

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**PRELIMINARY COST ESTIMATE
FOR CONSTRUCTION OF
PRIORITY 2 ANNEXATION NO. 2
FOR
CITY OF BAY CITY
JULY 2017**

Item No.	Description	Unit	Quantity	Unit Price	Total ⁽¹⁾
1.	Move-in and Set-up, including Bonds and Insurance	L.S.	1	\$ 22,000	\$ 22,000
Sanitary Sewer Items					
2.	8-Inch Sanitary Sewer (Open Cut)	L.F.	1,350	\$ 60	\$ 81,000
3.	8-Inch Sanitary Sewer (Trenchless Construction)	L.F.	350	\$ 120	\$ 42,000
3.	Sanitary Sewer Manhole	E.A.	5	\$ 5,000	\$ 25,000
4.	Trench Safety System	L.F.	1,350	\$ 1	\$ 1,000
Subtotal Sanitary Sewer Items					\$ 149,000
Waterline Items					
5.	8-Inch Waterline (Open Cut)	L.F.	2,900	\$ 50	\$ 145,000
6.	8-Inch Waterline (Trenchless Construction)	L.F.	400	\$ 100	\$ 40,000 ⁽²⁾
7.	8-Inch Gate Valve & Box	E.A.	7	\$ 2,000	\$ 13,000
8.	Flush Valve	E.A.	7	\$ 3,500	\$ 23,000
9.	Trench Safety System	L.F.	2,900	\$ 1	\$ 3,000
Subtotal Waterline Items					\$ 224,000
Misc.					
10.	Site Restoration (Grading, Replacement of Fences, etc.)	L.S.	1	5,000	\$ 5,000
11.	Traffic Control	L.S.	1	10,000	\$ 10,000
12.	Storm Water Pollution Prevention Plan	L.S.	1	5,000	\$ 5,000
Subtotal Misc Items					\$ 20,000
Subtotal All Items					\$ 415,000 ⁽⁴⁾
Contingencies (25%)					104,000
Engineering (15%)					62,000
TOTAL					\$ 581,000

NOTES :

⁽¹⁾ All Totals have been rounded to the nearest \$1,000.

⁽²⁾ Trenchless Construction includes the crossing driveways.

⁽³⁾ Trenchless Construction with Steel Casing includes the crossing of the the proposed waterline with either proposed or existing sanitary sewer lines.

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⁽⁵⁾ Phasing of the proposed development is not considered in this estimate. There may be additional costs associated with the proposed development.

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General Financial Planning

Under the Authority of:

Engineer: Matthew B. Breazeale, P.E.

License No.: 104910

It is Preliminary in Nature and not to be Used for Feasibility of Land Purchases, Loans or Grants

**PRELIMINARY COST ESTIMATE
FOR CONSTRUCTION OF
TIMING CONCERNS ANNEXATION NO. 1
FOR
CITY OF BAY CITY
JULY 2017**

Item No.	Description	Unit	Quantity	Unit Price	Total ⁽¹⁾
1.	Move-in and Set-up, including Bonds and Insurance	L.S.	1	\$ 16,000	\$ 16,000

Sanitary Sewer Items

2.	10-Inch Sanitary Sewer (Open Cut)	L.F.	1,400	\$ 75	\$ 105,000
3.	10-Inch Sanitary Sewer (Trenchless Construction)	L.F.	200	\$ 150	\$ 30,000
3.	Sanitary Sewer Manhole	E.A.	5	\$ 5,000	\$ 23,000
4.	Trench Safety System	L.F.	1,400	\$ 1	\$ 1,000
Subtotal Sanitary Sewer Items					\$ 159,000

Waterline Items

5.	8-Inch Waterline (Open Cut)	L.F.	1,600	\$ 50	\$ 80,000
6.	8-Inch Gate Valve & Box	E.A.	3	\$ 2,000	\$ 6,000
7.	Flush Valve	E.A.	3	\$ 3,500	\$ 11,000
8.	Trench Safety System	L.F.	1,600	\$ 1	\$ 2,000
Subtotal Waterline Items					\$ 99,000

Misc.

9.	Site Restoration (Grading, Replacement of Fences, etc.)	L.S.	1	5,000	\$ 5,000
10.	Traffic Control	L.S.	1	5,000	\$ 5,000
11.	Storm Water Pollution Prevention Plan	L.S.	1	5,000	\$ 5,000
Subtotal Misc Items					\$ 15,000

Subtotal All Items \$ 289,000 ⁽⁴⁾

Contingencies (25%) 72,000

Engineering (15%) 43,000

TOTAL \$ 404,000

NOTES :

⁽¹⁾ All Totals have been rounded to the nearest \$1,000.

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General Financial Planning

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Attachment: Bay City 2017 Annexation Plan71917 (2702 : Multi Area Annexation Plan)

City of Bay City Annexation Plan 2017

Ordinance Passage Date: 9/28/2017

1. City Charter Requirements 1.04

(basically follows State law)

2. Fewer than 100 tracts--**YES**
3. Is the property in the City's ETJ? **YES**
4. Is the property contiguous to City limits ? **YES**
5. Offer Non-annexation Development Agreements to properties that qualify. (43.035).
YES
6. Provision of Services to Annexed area. Before publication of the notice of the first hearing required under Sec. 43.063, Council shall direct planning or CM to prepare a service plan that provides for the extension of full municipal services. (43.065(a)).

City Council Resolution to order preparation of Service Plan at Meeting on 7/6 /2017.

7. Provide written notice to property owners, public entities (and private entities providing public services, ISD, and railroad companies (certified mail)) before the 30th day before the 1st hearing. (43.062, 43.905). (include required information!!!!) **last date 7/25/17**

Notices to property owns, public entities, private entities providing public services, ISD, and railroad companies will be mailed on 7/21/2017. Notices to railroad companies must be certified.

8. Notice of 1st public hearing (publish in newspaper on or after 20th day but before the 10th day before the date of hearing). Get affidavit of proof of publishing from newspaper. Date range is **8/4/17** to **8/14/17** for **8/24/17** hearing date. (43.063(c)).

Publish in Newspaper on 8/13/2017 (both hearing dates)

Must get to paper by ??? (David)

9. Notice of 2nd public hearing (publish in newspaper on or after 20th day but before the 10th day before the date of hearing). Get affidavit of proof of publishing from newspaper. Date range is 8/18/17 to 8/28/17 for 9/7/17 hearing date. (43.063(c)).

Publish in Newspaper on 8/20/17 (both hearing dates)

Must get to paper by ??? (David)

10. Post Notice on Website. Post notice of each hearing on or after the 20th day but before the 10th day before the date of the hearing. (43.063(c)).

Post notice of both hearings on website from 8/4/2017 (just keep posted until Council votes on annexation ordinance)

11. 1st public hearing – on or after 40th day but before the 20th day before institution of proceedings. Date range is 8/19/17 to 9/8/17. (43.063(a)).

First Public Hearing is on 8/24/17 (regular meeting) (35 days before institution of proceedings on 8/31).

12. 2nd public hearing – on or after 40th day but before the 20th day before institution of proceedings. Date range is 8/19/17 to 9/8/17. (43.063(a)).

Second Public Hearing is on 9/7/17 (special called meeting) (21 days before institution of proceedings on 8/31).

13. Institution of Proceedings.

Passage of Ordinance is on 9/28/17 (regular meeting).

14. File certified copy with County Clerk within 30 days of adoption of ordinance. (41.0015).

File with County Clerk no later the 10/28/2017.

15. Annexation must be completed within 90 days after the date the city institutes annexation proceedings. (43.064(a)).

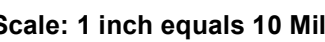
Finalize Annexation proceedings by 12/27/2017.

July 2017						
◀ Jun 2017						Aug 2017 ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6 City Council Meeting Present plan to council and get direction for service plan	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25 30 th day prior to 8/24 latest date to mail all notices	26	27 City Council Meeting	28	29
30	31					

August 2017						
◀ Jul 2017						Sep 2017 ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4 20 th day prior to 8/24	5
6	7	8	9	10 City Council Meeting	11	12
13 Advertise 1 st Public Hearing	14 10 th day prior to 8/24	15	16	17	18 20 th day prior to 9/7	19 40 th Day prior to 9/28
20 Advertise 2 nd Public Hearing	21	22	23	24 City Council Meeting 1 st Public Hearing	25	26
27	28 10 th day prior to 9/7	29	30	31		

September 2017						
◀ Aug 2017						Oct 2017 ▶
Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7 Special Called City Council Meeting— 2nd Public Hearing	8 20 th day prior to 9/28	9
10	11	12	13	14 City Council Meeting	15	16
17	18	19	20	21	22	23
24	25	26	27	28 City Council Meeting Meeting—annexation Ordinance considered by council	29	30

After annexation, do not forget to notify the following within 30 days: county offices, state comptroller, AEP, JEC, WCA, NewWave, AT&T, Bay City Gas (franchise agreements).



-
- A horizontal scale bar with tick marks at 0, 1,000, 2,000, and 4,000. The word "Feet" is written at the right end of the bar.

ANNEXATION & UTILITIES MAP



This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones & Carter, Inc. concerning the accuracy, completeness, reliability, or usability of the data for any purpose.

Coordinate System: NAD83 TX S CENTRAL 4204 FEET
Vertical Datum: NAVD 1988



David Holubec

From: Shannon Kackley <Shannon.Kackley@rampage-aus.com>
Sent: Monday, July 24, 2017 5:06 PM
To: David Holubec
Cc: Mayor's Office; Stephanie Garcia Saunders
Subject: RE: Attorney's Fees Estimate

Hi David,

The answer is, and the Mayor will hate this, it depends.

Our rates are \$185-195/hr. The fees related to document preparation documents like timelines, notices, and ordinances should be minimal as we will only have to update prior documents.

There may be time involved dealing with surveyors or property owners to obtain legal descriptions of properties to be annexed. I cannot give an estimate as to the amount of time this will involve.

Some properties will require Development Agreements. These documents are already prepared and just need to be updated. City staff will negotiate the terms and we will just update the document based on the outcome of negotiations. Again, I cannot give an estimate as to the amount of time this will involve.

After the annexations are complete, the City may incur legal fees related to the acquisition of easements and right-of-way for City facilities and roads. These documents are already prepared and just need to be updated. Like with the Development Agreements, City staff will negotiate the terms and we will just update the document based on the outcome of negotiations.

Also, there may be fees to defend the annexation process. Even if the annexation process complies with Texas law, someone can challenge it. If so, it will cause the City to incur legal fees to defend the lawsuit (TML may pay for this though).

I just reviewed SB 6, the annexation bill filed on 7/18 for the Special Session. The provisions related to obtaining property owner consent or a favorable election prior to annexation only affect cities in the twelve largest counties of Texas (counties with populations greater than 500,000). These proposed provisions will not affect Bay City.

If SB 6 passes, it will go into effect on 12/1/2017.

Please let me know if you need my response in a different format for this week's meeting.

Thanks,

Shannon

Attachment: RE Attorney's Fees Estimate (2702 : Multi Area Annexation Plan)

From: David Holubec [mailto:dholubec@cityofbaycity.org]
Sent: Monday, July 24, 2017 9:52 AM
To: Shannon Kackley <Shannon.Kackley@rampage-aus.com>
Subject: Attorney's Fees Estimate

Shannon,

Good Morning!

At the last regular Council meeting, Barry presented an annexation plan. The Council members wanted to know a cost estimate for attorney's fees that would affect this plan over a period of years. Can you give us an hourly rate or an estimate? We need something in writing an a estimation for Thursday's meeting. I have attached Barry's Annexation Plan map.

Thank you! David

David Holubec

City Secretary – City of Bay City
1901 5th Street
Bay City, Texas 77414
Office: 979-245-5311
Cellular: 832-244-6021



Attachment: RE Attorney's Fees Estimate (2702 : Multi Area Annexation Plan)



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2694

DISCUSSION ITEM (ID # 2694)

**DISCUSS THE COLLECTION AND DISPOSAL OF SCRAP
TIRES WITHIN THE CITY LIMITS AND THE POSSIBLE
CREATION OF A SCRAP TIRE ORDINANCE.**

This item was placed on the agenda by Councilwoman, Becca Sitz. An agenda attachment includes a "Scrap Tire" fact sheet from the City of Amarillo as a resource item.

COMMENTS - Current Meeting:

Scrap Tire Collection and disposal discussion was led by Councilwoman Becca Sitz. WCA representative, Matt Cartier was in attendance to answer questions. Councilwoman Sitz indicated that she had met with four (4) local tire companies regarding the tire disposal issues faced by the City. She indicated that all four companies voiced a desire to assist the City if possible.

The legal aspect of an ordinance will need to be reviewed before an actual ordinance can be designed. The goal is to have this done before the October "Clean-Up" date if possible.



Scrap Tire Program

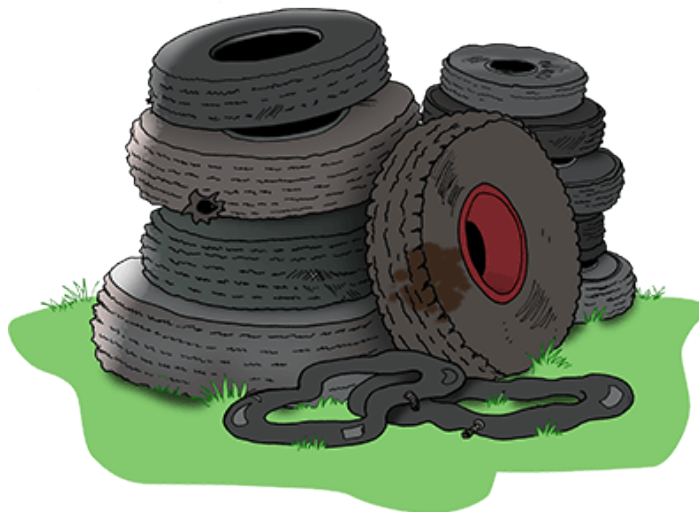
FACT SHEET -- December 2016

Why?

- ✓ Illegal dumping of used and scrap tires is an issue of major concern to the City of Amarillo and its citizens because the problem impacts every sector of the City; and
- ✓ Safe and environmentally responsible removal, reuse and disposal of tires, promotes public health and safety; and,
- ✓ There is a need to establish visual aesthetic standards for certain businesses that utilize outdoor storage; and
- ✓ The abatement of these abandoned and/or unregulated stockpiles of used and scrap tires places a financial burden on the City; and
- ✓ To accomplish the aforementioned goals there is a need to regulate and license tire businesses; and
- ✓ It is necessary to develop provisions reasonable means to promote and protect the public health, safety, and welfare;

Benefit to Amarillo Citizens: Decrease illegal dumping practices, reduce the number of breeding grounds for mosquitoes and rodents which carry disease, deter questionable tire transporters, and require more accountability from scrap tire facilities.

“Scrap Tire” – Whole tire or any portion of a tire that can no longer be used for its original intended purpose or is being held, transported, or processed for disposal or recycling



Other Definitions:

“Tire Business” means any business or establishment where tires are collected, repaired, processed, recycled, scrapped, sold, bought, or stored, including but not limited to a mobile tire repair business or scrap tire transportation business.

“Scrap Tire Facility” means any business or establishment where 100 or more scrap tires per year are collected, repaired, processed, recycled, scrapped, sold, bought or stored.

“Scrap tire transportation unit” means any vehicle used to transport scrap tires.



Frequently Asked Questions

CITY OF AMARILLO

Scrap Tire Program



7.5.a

1. **What is the purpose of the Scrap Tire Program?** The purpose of the Scrap Tire Program is to register scrap tire businesses operating in Amarillo to ensure the appropriate storage, accurate record keeping, safe transportation, and proper disposal of used and scrap tires.
2. **How will the Scrap Tire Program benefit citizens of Amarillo?** The program will help to decrease illegal dumping practices, reduce the number of breeding grounds for mosquitoes and rodents which carry disease, deter questionable tire transporters, and require more accountability from scrap tire facility owners to properly maintain and transport used or scrap tires.
3. **What is the difference between used and scrap tires?** Used tire means a tire, including a recapped or retreaded tire, suitable for continued use for its original intended purpose. Scrap tire means a whole tire or any portion of a tire that can no longer be used for its original intended purpose or is being held, transported, or processed for disposal or recycling.
4. **Why are City regulations needed?** Abandoned and/or unregulated stockpiles of used and scrap tires pose a serious fire hazard and threat to public health and safety. Tires create a breeding ground for mosquitoes and can release hydrocarbons and other contaminants to the ground water. Additionally, the illegal dumping of scrap tires has a negative effect on community appearance.
5. **What type of businesses (scrap tire facilities) are affected by this program?** Any business or establishment where scrap tires are generated, collected, repaired, processed, recycled, scrapped, sold, bought or stored are regulated.
6. **What businesses are exempt from registering?** The regulations would not apply to any department, branch or agency, of federal, state, or municipal government. Land filled scrap tires are not subject to the storage requirement.
7. **How were businesses informed of the proposed regulations?** Direct contact with owners of the major independent tire retailers and scrap tire haulers. Meetings with these groups to include a community engagement program which will allow members of our community the ability to provide input and feedback. The City conducted several public presentations and two public hearings developing the regulations.
8. **What is the penalty for violation of the ordinance?** Violation of the ordinance is a Class C misdemeanor that is punishable by a fine not less than \$250.00, but not more than \$2,000.
9. **Where can I get more information about scrap tire regulations in Texas?** The Texas Department of Environmental Quality regulates scrap tires and the TCEQ website provides information and links: <https://www.tceq.texas.gov/tires>
10. **Where can I find additional information and registration forms for the City of Amarillo Scrap Tire Program?** http://amarillo.gov/scrap_tires

Attachment: Scrap-Tire-Program-Fact-Sheet-12-7-16 (2694 : Scrap Tire Collection and Disposal)



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2703

DISCUSSION ITEM (ID # 2703)

**DISCUSS THE STATUS UPDATE RELATIVE TO THE
PLANNED CITY-WIDE "CLEAN-UP DAY," TO BE HELD ON
SATURDAY, OCTOBER 28, 2017.**

This agenda item was requested by Councilman Bill Cornman.

COMMENTS - Current Meeting:

Councilman, Bill Cornman reported on the planned "Clean Up Day" scheduled to coincide with Matagorda County's Clean-Up Day on October 28, 2017. Councilwoman, Becca Sitz is working on advertisement for the event. WCA is assisting with the clean up.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

Meeting: 07/27/17 07:00 PM
Department: City Secretary
Category: Presentation
Prepared By: David Holubec
Initiator: David Holubec
Sponsors:
DOC ID: 2705

DISCUSSION ITEM (ID # 2705)

DISCUSS THE STATUS UPDATE RELATIVE TO THE TEXAS THEATER PROGRESS, PLANS, AND PROBLEMS.

This agenda item was requested by Councilman, Bill Cornman.

COMMENTS - Current Meeting:

An update regarding the Texas Theater renovation was given by Councilman, Bill Cornman. Much work has been completed to make the building safe and a new roof over the theater has been completed. The CAST board and the Art League are working with Cornman to develop a 501c3 organization. Mayor Bricker praised the two organizations working together to form this new partnership.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 2711)

Meeting: 07/27/17 07:00 PM
Department: Finance
Category: Report
Prepared By: Scotty Jones
Initiator: Scotty Jones
Sponsors:
DOC ID: 2711

DISCUSS, CONSIDER, AND/OR APPROVE THE CITY'S QUARTERLY FINANCIAL AND INVESTMENT REPORT FOR THE QUARTER ENDING JUNE 30, 2017.

BACKGROUND:

Quarterly financial reports provide the most accurate reflection of the quarter activity for each major fund. Reports are provided to City Council via email with a formal presentation at the next available Council meeting. In addition, the Finance Committee meets quarterly to review the Investment Report in detail. This time also serves as an opportunity to discuss the City's finances. In the event that financial decisions or budgetary amendments need attention prior to this date-the Finance Director shall request a Special Called Meeting. All reports are posted to the City's website along with other financial information.

FINANCIAL IMPLICATIONS:

Timely financial data provides City Council time to make informed decisions to prevent any negative financial implications.

IMPACT ON COMMUNITY SUSTAINABILITY:

The report provides financial information to the public, i.e., costs of services, revenue sources, and capital project information.

RECOMMENDATION: Staff recommends City Council approve the Quarterly Financial & Investment Report.

ATTACHMENTS: Presentation at Meeting (Quarter Ending June 30, 2017); Report will be emailed out.

COMMENTS - Current Meeting:

Finance Director, Scotty Jones reviewed the City's quarterly financial and investment report with Council members.

A motion was made to approve the report. Motion was made by Councilman Jason Childers and seconded by Councilwoman Julie Estlinbaum. Motion passed unanimously.



City Council
1901 5Th Street
Bay City, TX 77414

SCHEDULED

AGENDA ITEM (ID # 2710)

Meeting: 07/27/17 07:00 PM
Department: Finance
Category: Budget
Prepared By: Scotty Jones
Initiator: Scotty Jones
Sponsors:
DOC ID: 2710 A

DISCUSS, CONSIDER, AND/OR APPROVE AN ORDINANCE ADOPTING BUDGET AMENDMENTS FOR THE QUARTER ENDING JUNE 30, 2017.

BACKGROUND:

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

FINANCIAL IMPLICATIONS:

Amending the budget provides a revised parameter for the budget.

RECOMMENDATION:

Recommend City Council approve the budget amendments as presented.

ATTACHMENTS:

Ordinance and Budget Amendments

COMMENTS - Current Meeting:

Budget amendments were reviewed with Council members by Finance Director, Scotty Jones. The budget amendments were approved by motion. The motion was made by Councilman Bill Cornman and seconded by Councilwoman Julie Estlinbaum. Motion passed unanimously.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, ADOPTING A "BUDGET AMENDMENT #2 TO THE "ANNUAL BUDGET OF THE CITY OF BAY CITY, TEXAS, FOR THE FISCAL YEAR 2016-2017"; 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. 1552, the City of Bay City, Texas, adopted its "Annual Budget" for Fiscal Year 2016-2017;

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 2016-2017; 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 2016-2017, is hereby amended as shown on "Budget Amendment #2" to the Original Budget of the City of Bay City, Texas, for the Fiscal Year 2016-2017, 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 and 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 27th day of July 2017.

CITY OF BAY CITY, TEXAS

Mark Bricker, Mayor

ATTEST:

David Holubec, City Secretary

APPROVED as to FORM:

M. Shannon Kackley, City Attorney
City of Bay City
DENTON, NAVARRO, ROCHA,
BERNAL, HYDE & ZECH, P.C.

Attachment: Budget Amendment #2 [Revision 1] (2710 : Budget Amendments)

<u>Council Member:</u>	<u>Voted Aye</u>	<u>Voted No</u>	<u>Absent</u>
Chrystal Folse Mayor Pro Tem	_____	_____	_____
Bill Cornman	_____	_____	_____
Julie L. Estlinbaum	_____	_____	_____
Becca Sitz	_____	_____	_____
Jason Childers	_____	_____	_____

Mark Bricker, Mayor

ATTEST:

David Holubec, City Secretary

APPROVED AS TO FORM AND SUBSTANCE:

M. Shannon Kackley, City Attorney

Attachment: Budget Amendment #2 [Revision 1] (2710 : Budget Amendments)