



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, May 28, 2024 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson

Mayor Pro Tem: Blayne Finlay

Council Members: Benjamin Flores, Bradley Westmoreland, Becca Sitz, Jim Folse

Vision Statement

Through a united and collaborative effort, we seek to grow the City of Bay City with a diverse culture that is proud to call Bay City home. We envision a thriving family-centered community where citizens are involved in the future development of our city. We desire our citizens to work, play, worship and shop in the community in which we live. Visitors are welcomed and encouraged to enjoy the friendly environment and amenities the citizens and business owners have created together.

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 AND CERTIFICATION OF QUORUM

INVOCATION & PLEDGE

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

Councilman Benjamin Flores

MISSION STATEMENT

The City of Bay City is committed to fostering future economic growth by collaborating with our citizens, employers, current and future businesses, as well as the Community and Economic Development Centers. We strive to deliver superior municipal services and to invest in quality-of-life initiatives such as housing, businesses, jobs and activities for all citizens. We make a concerted effort to respond to resident's concerns in a timely and professional manner in order to achieve customer satisfaction.

Councilman Benjamin Flores

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.

ACKNOWLEDGEMENT FROM CITY MANAGER**ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS****CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

- 1. Regular Council Meeting minutes of April 9, 2024**
- 2. City Council Special Called Meeting minutes of April 16, 2024**
- 3. Bay City Airport Zoning Board of Adjustments Meeting minutes of April 23, 2024**

DEPARTMENT REPORTS

- 4. Public Works report and presentation.** Krystal Mason, Assistant Public Works Director

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 5. Resolution ~ Discuss, consider, and/or approve the selection of an administrative and construction management service provider for the HOME Investment Partnerships Program (HOME) Homeowner Reconstruction Program, administered by the Texas Department of Housing and Community Affairs.**
Gabriel Lopez, Engineering Tech
- 6. Aquatics ~ Discuss Pool Management option(s) for Valiant Pool and take any action deemed necessary.** Scotty Jones, Interim City Manager
- 7. Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City of Bay City, Texas adopting a "Budget Amendment #1" to the "Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2024"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.** Scotty Jones, Interim City Manager
- 8. Agreement ~ Discuss, consider, and/or approve a partnership with CGI to install banners throughout the City.** Robert K. Nelson, Mayor
- 9. Policy ~ Discuss, consider, and/or approve amending the appointment of Council Members as Liaisons and the City Administrative Divisions.** Jeanna Thompson, City Secretary

10. **Appointment ~ Discuss, consider, and/or approve the election of Mayor Pro Tem. Robert K. Nelson**

CLOSED / EXECUTIVE SESSION

11. **Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**
12. **Executive Session pursuant to Section 551.071(1) of the Texas Government Code (Consultation with Counsel on Legal Matters)**
13. **Executive Session pursuant to Texas Government Code Section 551.089(3) (Deliberation regarding Critical Infrastructure).**

RECONVENE AND ACTION

ITEMS / COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER

ADJOURNMENT

AGENDA NOTICES:

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.

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, May, 24, 2024 before 6:00 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.

CITY OF BAY CITY

MINUTES • APRIL 09, 2024

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Regular Meeting

6:00 PM

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



Mayor

Robert K. Nelson

Mayor Pro Tem

Blayne Finlay

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilman

Benjamin Flores

Through a united and collaborative effort, we seek to grow the City of Bay City with a diverse culture that is proud to call Bay City home. We envision a thriving family-centered community where citizens are involved in the future development of our city. We desire our citizens to work, play, worship and shop in the community in which we live. Visitors are welcomed and encouraged to enjoy the friendly environment and amenities the citizens and business owners have created together.

CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order by Mayor Robert K. Nelson at 6:00 p.m.

PRESENT

Mayor Robert K. Nelson
Mayor Pro Tem Blayne Finlay
Councilman Benjamin Flores
Councilman Jim Folse
Councilman Brad Westmoreland
Councilwoman Becca Sitz

INVOCATION & PLEDGE

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

Councilman Bradley Westmoreland

MISSION STATEMENT

The City of Bay City is committed to fostering future economic growth by collaborating with our citizens, employers, current and future businesses, as well as the Community and Economic Development Centers. We strive to deliver superior municipal services and to invest in quality-of-life initiatives such as housing, businesses, jobs and activities for all citizens. We make a concerted effort to respond to resident's concerns in a timely and professional manner in order to achieve customer satisfaction.

Councilman Bradley Westmoreland

APPROVAL OF AGENDA

Motion made by Mayor Pro Tem Finlay to approve the agenda with the removal of item #19 Manure Report, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

PUBLIC COMMENTS

There were no public comments.

AWARDS AND PROCLAMATIONS

1. **Proclamation ~ Month of April 2024 as "Sexual Assault and Child Abuse Awareness Month.** Brittany Matthews, Crisis Center Deputy Director

Mayor Nelson read the proclamation and presented it to the Crisis Center staff.

2. Award ~ Recognizing Corporal Jose Soto, Bay City Police Department, for utilizing his first aid training and for saving a life.

Christella Rodriguez, Chief of Police, provided the events of the day when a 17-day old infant stopped breathing while the family headed to the hospital and City Officers intervened and immediately began CPR. The infant was then transported by Patrol car while Corporal Jose Soto continued CPR in the vehicle where the infant began to breathe. Corporal Soto was presented with an award for saving a life.

3. Recognition ~ Re-accreditation of the Bay City Police Department being a Recognized Law Enforcement Agency.

Jennifer Howe, Freeport Chief of Police and Texas Police Chiefs Association, presented the re-accreditation of the Bay City Police Department as being a Recognized Law Enforcement Agency. Christella Rodriguez, Chief of Police, recognized Lt. Irene Kjergaard for her efforts in managing the accreditation program.

4. Recognition ~ City of Bay City employee promotions

Staff from Public Works, Police Department, and Finance department were recognized for their promotion.

ACKNOWLEDGEMENT FROM CITY MANAGER

Girl Scout Troop 15609 was in attendance and were introduced.

Scotty Jones, Interim City Manager, recognized the Recycling Center for receiving the "Keep Texas Beautiful" certification and introduced the staff.

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

Councilwoman Sitz stated she's excited about the 6th street striping. Councilman Folse stated that citizens have asked for a traffic count of cars crossing the Hamman road bridge. Councilman Folse also stated that the traffic lights were out of sync on Hwy 35 and 60. Councilman Flores recognized Police Chief Christella Rodriguez as the recipient of the Mike Gentry Award in March. Mayor Pro Tem Finlay stated that the Riverside Bridge is great. Mayor Nelson gave dates of events for April.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

- 5. Accounts Payable, Direct Payable and Utility Refunds for October, November, and December 2024.**
- 6. Regular Council Meeting minutes of January 23, 2024**
- 7. Regular Council Meeting minutes of February 13, 2024**
- 8. Regular Council Meeting minutes of February 27, 2024**

9. **Special Called Meeting minutes of March 7, 2024**
10. **Council Workshop Meeting minutes of March 26, 2024**
11. **Ratifying the resolution approving the City's application for the Texas Community Development Block Grant (CDBG) Downtown Revitalization Program for the 2024-2025 funding cycle. Resolution R-2024-015**

Motion made by Councilman Flores with corrections to Regular Meeting Minutes of January 23, 2024 items #7 Mayor Nelson and Councilman Flores voted "nay" and #8 Mayor Nelson voted "nay", Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

DEPARTMENT REPORTS

12. **Information Technology Department report and presentation.** Mark Flash, IT Manager

Mark Flash, IT Manager, presented help desk ticket stats, security stats, and overview of projects. Christina Lopez, IT Specialist, demonstrated the web re-design and a citizen service app.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

13. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas authorizing the Bay City Community Development Corporation to enter into an Interlocal Cooperation Agreement with the City of Bay City for a project to provide Public Safety Facilities.** Jessica Russell, Executive Director BCCDC

Motion made by Councilman Westmoreland to approve a resolution of the City Council of the City of Bay City, Texas authorizing the Bay City Community Development Corporation to enter into an Interlocal Cooperation Agreement with the City of Bay City for a project to provide Public Safety Facilities, Seconded by Councilman Folsie. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

14. **Interlocal Agreement ~ Discuss, consider, and/or approve the first amended agreement between Matagorda County and the City of Bay City for pagers dispersed to all fire fighting departments in Matagorda County.** Dan Shook, Fire Marshall

Motion made by Councilman Flores to approve the first amended agreement between Matagorda County and the City of Bay City for pagers, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

- 15. Resolution ~ Discuss, consider, and/or approve a resolution regarding the City of Bay City's participation in the State of Texas HOME Investment Partnerships Program (HOME) Homeowner Reconstruction Program administered by the Texas Department of Housing and Community Affairs.** Gabriel Lopez, Engineering Tech

Motion made by Councilwoman Sitz to approve a resolution regarding the City of Bay City's participation in the State of Texas HOME Investment Partnerships Program (HOME) Homeowner Reconstruction Program, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilwoman Sitz. Voting Nay: Councilman Westmoreland. Motion carried.

- 16. Grant ~ Discuss, consider, and/or approve the City of Bay City authorization to issue RFPs (Request for Proposals) for administrative and construction management services related to the Home Investment Partnerships Program (HOME) Homeowner Reconstruction Program by the Texas Department of Housing and Community Affairs.** Gabriel Lopez, Engineering Tech

Motion made by Councilman Flores to approve the City of Bay City authorization to issue RFPs (Request for Proposals) for administrative and construction management services related to the Home Investment Partnerships Program (HOME), Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilwoman Sitz. Voting Nay: Councilman Westmoreland. Motion carried.

- 17. Aquatics ~ Discuss, consider, and/or approve keeping Valiant Pool open during the rehabilitation of Hilliard Pool.** Scotty Jones, Interim City Manager

Motion made by Mayor Pro Tem Finlay to keep Valiant Pool open during the rehabilitation of Hilliard Pool, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

- 18. Aquatics ~ Discuss and create a task force to explore Pool Management options for both short term and long term.** Mayor Robert K. Nelson

Mayor Nelson stated that YMCA has approached the City about the 16th Street Pool (Valiant) and the City would like to create a task force to investigate the possibilities. Councilman Folse and Councilman Flores agreed to be on the task force.

19. Presentation~ Right to Farm, the City of Bay City, and pigs, CRG Health Consultant Report Breakdown, TCEQ Animal Feedlot Operation Report, Texas Soil and Water Conservation Report, Texas A&M Labs Manure Report.

Mayor Nelson stated that the Texas A&M Labs Manure Report was removed from the presentation. Councilman Flores presented and reviewed the other reports and questioned if the reports had been reversed would the City have published them. Councilman Flores presented his perspective and opinions regarding his property and the keeping of pigs and stated that in his opinion, encouraging anyone to sue without providing his reports was reckless.

CLOSED / EXECUTIVE SESSION

Council adjourned and went into executive session at 7:33 p.m.

20. Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).

21. Executive Session pursuant to Section 551.071(1) of the Texas Government Code (Consultation with Counsel on Legal Matters)

RECONVENE AND ACTION

Council reconvened into regular session at 9:12 p.m.

Motion made by Councilwoman Westmoreland on Item #20a to authorize Scotty Jones to counter offer as discussed, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

Motion made by Mayor Pro Tem Finlay on Item #20b to authorize Scotty Jones to counter offer as discussed, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

ITEMS / COMMENTS FROM THE MAYOR, COUNCIL MEMBERS AND CITY MANAGER

Councilwoman Sitz stated she appreciates Public Works.

ADJOURNMENT

Motion made by Councilwoman Sitz to adjourn, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried and Council adjourned at 9:15 p.m.

PASSED AND APPROVED, this 14th day of May 2024.

ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

JEANNA THOMPSON

CITY SECRETARY

CITY OF BAY CITY

MINUTES • APRIL 16, 2024

COUNCIL
CHAMBERS | 1901
5th Street

City Council Special Called Meeting

5:00 PM

1901 5TH STREET
BAY CITY TX, 77414



Mayor

Robert K. Nelson

Mayor Pro Tem

Blayne Finlay

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilman

Benjamin Flores

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CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order by Mayor Robert K. Nelson at 5:01 p.m. and quorum present.

PRESENT

Mayor Robert K. Nelson
Mayor Pro Tem Blayne Finlay
Councilman Benjamin Flores
Councilman Jim Folse
Councilman Brad Westmoreland
Councilwoman Becca Sitz

PLEDGE OF ALLEGIANCE**PUBLIC COMMENTS**

There were no public comments.

CLOSED / EXECUTIVE SESSION

Council adjourned and went into executive session at 5:03 p.m.

1. **Executive Session pursuant to Section 551.071(1) of the Texas Government Code (Consultation with Counsel on Legal Matters)**
2. **Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**
3. **Personnel ~ Closed meeting to discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (To discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee.**

RECONVENE OPEN SESSION

Council reconvened into a regular session at 7:01 p.m.

4. **Take action regarding matters discussed in executive session.**

Council took no action on items #1, 2, and 3.

5. **Airport Zoning Ordinance ~ Discussion with Kirk Shaffer, Bay City native, Airport Consultant and Former member of FAA Leadership.**

Scotty Jones, Interim City Manager, introduced David Sergie with David K. Sergi & associates, PC. David Sergi discussed the history of the airport zoning ordinance, including

its origins in 1966 and amendments in 1970 and 1978. Mr. Sergi then turned the presentation over to Chris Shaffer.

Chris Shaffer introduced himself to Council, disclosing personal connections to Councilman Finley and other local officials, and gave a history of his extensive experience in aviation law and policy, including stints as FAA administrator and private practice.

Mr. Shaffer emphasized aviation safety and the potential impact of turbine towers on Bay City Municipal Airport, adding, the turbines would increase the difficulty for small planes to take off from Bay City Municipal Airport and would make the pilots' jobs harder. He highlighted potential safety risks of wind turbines interfering with aircraft radar signals. Mr. Shaffer suggested that approving the turbine towers would restrict airport growth and emphasized the airports' economic impact and safety concerns.

Mr. Shaffer pointed out potential issues with installing five turbine towers at an airport, including impact on pilots and airport noise regulations. Mr. Shaffer argued that adding turbine towers near airports would increase pilot workload and decrease aircraft payload capacity, and airport restrictions could violate the Airport Noise and Capacity Act of 1990. Mr. Shaffer cautioned against narrowly focusing on FAA grant assurances and instead consider broader considerations.

Mr. Shaffer discussed FAA grants and potential legal consequences for violations, adding that the FAA can cut off funding for non-compliance with regulations, including discretionary and entitlement funding. Mr. Shaffer warned of FAA's ability to claw back grants for six years, even for minor violations.

Mr. Shaffer emphasized aviation safety as the top priority for the airport's growth and development, encouraging the audience to stay focused on safety.

Anne Marie Odefey, City Attorney, added that everything above 200' is FAA safety and everything below 200' is local airport safety.

Ms. Odefey stated that a tentative meeting date of April 29th at 7:00 p.m. and on April 23rd to approve rules.

Mayor Pro Tem Finlay thanked Airport Manager, James Mason.

ADJOURNMENT

Motion made by Councilman Flores to adjourn, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried and Council adjourned at 8:02 p.m.

CITY OF BAY CITY

MINUTES • APRIL 23, 2024

COUNCIL
CHAMBERS | 1901
5th Street

Bay City Airport Zoning Board of Adjustments

6:00 PM

1901 5TH STREET
BAY CITY TX, 77414



Mayor

Robert K. Nelson

Mayor Pro Tem

Blayne Finlay

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilwoman

Becca Sitz

Councilman

Benjamin Flores

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CALL TO ORDER AND CERTIFICATE OF QUORUM

The meeting was called to order by Mayor Robert K. Nelson at 8:40 p.m.

PRESENT

Mayor Robert K. Nelson
Mayor Pro Tem Blayne Finlay
Councilman Benjamin Flores
Councilman Jim Folse
Councilman Brad Westmoreland
Councilwoman Becca Sitz

PUBLIC COMMENTS

Mike Smith, 3075 County Road 457, stated that 20 land owners were not happy with the previous zoning regarding ponds and believed that the turbines will cause a potential hazard and asked Council to not grant a variance.

Jason Brown, 4628 County Road 457, a recreational and professional pilot, agreed with the safety concerns and discussed the issues he would have flying in and out to the Bay City airport due to fog and turbines and would go to an airport that's easier to get in and out of.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL:

1. **Discuss, consider, and/or approve the rules and procedures of the Airport Zoning Board of Adjustments for the Hazard Area and Compatible Land Use Zoning Regulations for Bay City Regional Airport and to appoint a chairman of the Board of Adjustment. Pursuant to Local Government Code 241 Sec 241.032, Sec 241.033, and Sec 241.034**

Motion made by Councilman Westmoreland to approve the rules and procedures of the Airport Zoning Board of Adjustments, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, and Councilwoman Sitz. Motion carried.

2. **Discuss and appoint a Chairman to the Airport Zoning Board of Adjustments**

Motion made by Councilman Westmoreland to appoint Mayor Robert K. Nelson as chairman to the Airport Zoning Board of Adjustments, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, and Councilwoman Sitz. Motion carried.

ADJOURNMENT

Motion made by Councilman Flores to adjourn, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, and Councilwoman Sitz. Motion carried and council adjourned at 8:58 p.m.

PASSED AND APPROVED, this 28th day of May 2024.

ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

JEANNA THOMPSON

CITY SECRETARY



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

AGENDA ITEM SUBMISSION FORM

Any item(s) to be considered 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.

Requestor Name: Lopez, Gabriel **Date Submitted:** 05/21/2024
Last, First *MM/DD/YYYY*

Requestor Type: City Staff **Meeting Date:** 05/28/2024
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Engineering Technician
For City Staff Only

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

Agenda Content:

Discuss, consider, and/or approve the selection of an administrative and construction management service provider for the HOME Investment Partnerships Program (HOME) Homeowner Reconstruction Program, administered by the Texas Department of Housing and Community Affairs.

Executive Summary of Item:

BACKGROUND: The HOME Investment Partnerships Program, administered by the Texas Department of Housing and Community Affairs (TDHCA) and funded by the U.S. Department of Housing and Urban Development (HUD), provides an opportunity for the City of Bay City to assist homeowners in need of reconstruction assistance. A Request for Proposals (RFP) was issued to identify qualified administrative service providers to support the successful implementation of the Homeowner Reconstruction Program. The RFP process has been completed, and City Council is now asked to consider the selection of an administration service provider to ensure compliance with state and federal guidelines and manage the program's administrative tasks.

FINANCIAL IMPLICATIONS: The selected administrative service provider will manage the program's administrative tasks and focus on maximizing benefits for homeowners in need of housing reconstruction assistance. The costs associated with these services will be covered by the program's funding, with no additional financial burden on the City of Bay City.

The program provides up to \$135,000 for reconstruction, with an additional \$15,000 available for households of five or more requiring a four-bedroom unit, totaling a maximum award of \$150,000 per home. The city is required to provide a 15% match based on its population and must also commit

\$40,000 in cash reserves. These funds will facilitate program administration and cover costs prior to reimbursement or costs determined ineligible for reimbursement.

In addition to financial contributions, the program recognizes in-kind services such as donated labor, materials, equipment, professional services, and office space as a form of match. This provision allows the city to leverage non-monetary assets and services that contribute directly to the project's goals, offering flexibility in meeting the matching fund requirements.

The match requirement is waived for reconstruction projects assisting Persons with Disabilities and in situations of Disaster Relief.

IMPACT ON COMMUNITY SUSTAINABILITY: Selecting a qualified administrative service provider will enhance the City's ability to provide safe, affordable, and quality housing, thereby improving the community's sustainability and resilience. The program will improve living conditions for homeowners in need, promoting social equity and economic stability in Bay City.

RECOMMENDATION: Staff recommends that City Council approve the award to GrantWorks, the sole service provider who submitted a proposal in response to our RFP. The submission from GrantWorks was thoroughly reviewed and found to be fully responsive to the RFP specifications, meeting all requirements and expectations outlined for administrative services for the HOME Investment Partnerships Program. GrantWorks has demonstrated the necessary expertise and capacity to efficiently manage the program's administrative tasks and ensure successful implementation.

ATTACHMENTS:

1. Resolution

RESOLUTION R-2024-_____

A RESOLUTION OF BAY CITY TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACTS FOR THE HOMEOWNER RECONSTRUCTION ASSISTANCE PROGRAM THROUGH THE HOME INVESTMENT PARTNERSHIPS PROGRAM FUND FROM THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA).

WHEREAS, the Texas Department of Housing and Community Affairs (TDHCA) for Homeowner Reconstruction Assistance through the HOME Investment Partnerships Program. HOME contract requires implementation by professionals experienced in completion of federally-funded HOME services;

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

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for the professional service;

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

Section 1. That _____ be selected to provide application and project-related administration/project delivery services/construction management for TDHCA HRA grant program(s).

Section 2. That any and all project-related services contracts or commitments made with the above-named service provider are dependent on the successful negotiation of a contract with the service provider.

PASSED AND APPROVED on the 28th day of May 2024.

CITY OF BAY CITY, TEXAS

Robert K. Nelson, Mayor

ATTEST:

APPROVED as to FORM:

Jeanna Thompson, City Secretary

Anne Marie Odefey, City Attorney
ROBERTS, ODEFEY, WITTE & WALL, LLP

Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City of Bay City, Texas adopting a "Budget Amendment #1" to the "Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2024"; providing for supplemental appropriation and/or transfer of certain funds; providing for severability; and providing other matters related to the subject.



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

BUDGET AMENDMENT

FUND: General FundDate: 5/28/2024

Reason for Budget Amendment: (Please indicate)

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

Brief Description of Request: **FY2024: General Fund- Various**

			Expenditure Increase or Revenue Decrease	Exp. Decrease or Rev. Increase	
Account Description	Fund #	Account #	Debit	Credit	Notes
Code					
Building Demolition	11	135-4417	\$ 30,000		To demo more substandard structures
Interest Income	11	3605		\$ 15,000	
Liens	11	3613		\$ 15,000	
Recycling Center					
R & M- Furniture & Equipmen	11	170-4505	\$ 15,000		Baler Repair
Interest Income	11	3605		\$ 15,000	
Parks					
R & M - Infrastructure	11	180-4520	\$ 18,000		Setting Poles at Hardeman Park- Backfield
CE- Building & IOTB	11	180-4615	\$ 229,000		USO Window Project (PY FY 23)
Prior Year Fund Balance	11	3999		\$ 247,000	
Streets					
Contracted Services	11	175-4425	\$ 78,500		RR Quiet Zone Study
Other Income- BCCDC	11	3698		\$ 28,500	RR Quiet Zone Contribution
Prior Year Fund Balance	11	3999		\$ 50,000	
Pools					
CE- Infrastructure	11	183-4620	\$ 263,000		Hilliard Pool Rehab
Prior Year Fund Balance	11	3999		\$ 263,000	
Streets					
R & M- Infrastructure	11	175-4520	\$ 125,000		12th Street Interlocal w/ County
Prior Year Fund Balance	11	3999		\$ 125,000	
The amendments above relate to the following:					
TOTAL			\$ 758,500.00	\$ 758,500.00	

Dept. Head Signature: _____

Date _____

Finance Director Signature: _____

Date 5-15-24

Interim City Manager: _____

Date _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, ADOPTING A "BUDGET AMENDMENT #1 TO THE "ANNUAL BUDGET OF THE CITY OF BAY CITY, TEXAS, FOR THE FISCAL YEAR 2024"; 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. 1715, the City of Bay City, Texas, adopted its "Annual Budget" for Fiscal Year 2024;

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 2024; 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 2024, is hereby amended as shown on "Budget Amendment #1" to the Original Budget of the City of Bay City, Texas, for the Fiscal Year 2024, 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 28th day of May 2024.

CITY OF BAY CITY, TEXAS

Robert K. Nelson, Mayor

ATTEST:

APPROVED as to FORM:

Jeanna Thompson, City Secretary

Anne Marie Odefey, City Attorney

POLL

<u>Council Member:</u>	<u>Voted Aye</u>	<u>Voted No</u>	<u>Absent</u>
Robert K. Nelson, Mayor (Mayor)	_____	_____	_____
Benjamin Flores	_____	_____	_____
Jim Folse	_____	_____	_____
Brad Westmoreland	_____	_____	_____
Becca Sitz	_____	_____	_____
Blayne Finlay, Mayor Pro Tem	_____	_____	_____

Robert K. Nelson, Mayor

ATTEST:

APPROVED as to FORM:

Jeanna Thompson, City Secretary

Anne Marie Odefey, City Attorney

5/16/2024

Dear Valued Business Owners:

As you know the city of Bay City, TX is dedicated to making our community a great place to live, work, shop, and conduct business. Because of that, we have agreed to participate in a promotional street-scape banner campaign conducted by Community Showcase Banners.

This program will reinforce our Bay City, TX brand, brighten and invigorate our downtown. These banners, designed exclusively for the city of Bay City, TX will showcase our community's economic vitality and the support of our local businesses.

A representative from Community Showcase Banners will be contacting you to discuss the street-scape banner campaign. We encourage you to consider participating in this program as it provides an exciting new opportunity to showcase community pride and gives business owners the opportunity to market themselves unlike ever before.

To learn more about sponsorship opportunities, head to the [City Banner Sign Up Page](#) linked below, or reach out to the project manager directly.

WEBSITE AND CONTACT INFORMATION FOR SPONSORSHIP REP WILL BE ADDED HERE!

Best Regards,

(SIGNATURE)

Signatory
Title

25 Free banners, no matter what!

ITEM #8.

5 businesses sign
up
+
20 banners from
CGI
=
25 Banners!

15 businesses
sign up
+
10 banners from
CGI
=
25 Banners!

50 businesses
sign up
+
0 banners from
CGI
=
50 Banners!



Name: Robert Nelson
Title: Mayor
Address: 1901 fifth street
City, State, Zip: Bay City, TX 77414
Phone: 979-245-2137
Email: rnelson@cityofbaycity.org
Website: www.cityofbaycity.org

This agreement is between Community Showcase Banners, LLC an affiliate company of CGI Communications, Inc. D/B/A CGI Digital and the city of Bay City, TX, and shall remain in effect from the date it is signed by both parties until the completion of the three (3) years of banner display, as described herein.

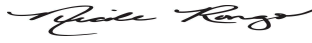
Community Showcase Banners shall provide the following:

- A minimum of 25 full-color, custom graphic vinyl banners for all permissible poles
- Business sponsors featured on the bottom 30% of the banner
- Artwork, design and size customized to meet your community's specifications (standard size 30" x 72")
- All brackets, hardware, installation and maintenance
- Quantity of banners determined by number of sponsor participants
- Duration of sponsor participation will be one (1) year with the option to renew each following year of the agreement
- Sponsorship fulfillment including all related aspects of marketing, production, and printing
- The city of Bay City, TX will assume no cost or liability for the sales and production of the banners for this project

The city of Bay City, TX shall provide the following:

- Letter of introduction supporting the program on your organization's letterhead
- The right for Community Showcase Banners to use organization's name in connection with the preparation, production and marketing of the program set forth herein only
- Identification of, access to, and permission to utilize the preferred pole sites for proper banner placement
- Identification of and access to a minimum of 25 poles for banner placement

We, the undersigned, understand the above information and have full authority to sign this agreement.

Bay City, TX	Community Showcase Banners / CGI Communications, Inc.
Signature:	
Name (printed):	Name (printed): Nicole Rongo
Title:	Title: Vice President, Government Relations & Strategic Partnerships, CGI Communications, Inc.
Date:	Date: 5/16/2024



130 East Main Street, 5th Floor
Rochester, NY 14604

Phone: 800.398.3029
communityshowcasebanners.com

COUNCIL MEMBER LIAISON RESPONSIBILITY 2024-2025

PROPOSED	
DEPARTMENTS	COUNCIL MEMBERS
Administration, City Secretary, Finance, HR, UT Billing, IT	Mayor Robert Nelson
<i>Parks & Recreation, Library, Tourism</i>	Councilwoman Becca Sitz Mayor
<i>Police, Fire, Municipal Court, Animal Control</i>	Pro Tem Blayne Finlay
<i>Building Dept., Planning, Code Enforcement</i>	Councilman Benjamin Flores
<i>Public Works/Utilities, Streets & Bridges, Maintenance</i>	Councilman Jim Folse
Airport	Councilman Brad Westmoreland