



# CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, January 14, 2025 at 6:00 PM  
COUNCIL CHAMBERS | 1901 5th Street

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## COUNCIL MEMBERS

**Mayor:** Robert K Nelson

**Mayor Pro Tem:** Becca Sitz

**Council Members:** Benjamin Flores, Jim Folse, Bradley Westmoreland, Blayne Finlay

### Vision Statement

*We envision Bay City as a thriving, family-centered community where our citizens can live, work, worship, and play, while welcoming visitors to experience our beautiful environment and diverse culture.*

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## AGENDA

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**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."*

*Mayor Pro Tem Becca Sitz*

#### MISSION STATEMENT

*The City of Bay City promotes economic growth and invests in quality-of-life initiatives through collaboration. We respond promptly and professionally to residents' concerns and strive to deliver superior municipal services.*

*Mayor Pro Tem Becca Sitz*

#### APPROVAL OF AGENDA

#### PUBLIC COMMENTS

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

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

## **PUBLIC HEARINGS**

- 1. A public hearing before the City Council to hear any and all persons desiring to be heard on or in connection with any matter or question involving the proposed annexation into the City of Bay City, Texas, tracts of land totaling approximately 1.748 acres of land, being a portion of all that certain GCA Ventures, LLC called 28.24 acre tract as recorded in Clerk's File No. 2007-075954 and corrected in Clerk's File No. 2007-079080 of the Matagorda County Official Records in the Reuben P.T. Stone 1/4 League Abstract 92, Matagorda County, Texas.**

## **ACKNOWLEDGEMENT FROM CITY MANAGER**

### **AWARDS AND PROMOTIONS**

- 2. 1st Quarter staff promotions.** Rhonda Clegg, Human Resources Director
- 3. Recognition of Officer Charles Coombs and Sergeant Marion Chavez for life saving efforts.** Christella Rodriguez, Chief of Police

## **ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS**

### **CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

- 4. City Council Workshop Meeting minutes of November 12, 2024.**
- 5. City Council Regular Meeting minutes of November 12, 2024.**
- 6. City Council Workshop Meeting minutes of December 10, 2024.**
- 7. City Council Regular Meeting minutes of December 10, 2024.**

## **DEPARTMENT REPORTS**

- 8. Municipal Court quarterly update.** Katy Plunkett, Magistrate/Court Administrator

## **REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL**

- 9. Presentation ~ Introduction of fabrication company and general plans.** Chad Bludau, Bay City Steel LLC
- 10. Appointment ~ Discuss, consider, and/or approve the appointment of Kaci Waller to the Main Street Board.** Robert Nelson, Mayor
- 11. Ordinance ~ Discuss, consider, and/or approve an amended Ordinance of the City of Bay City, Texas providing for the annexation of a 5.827 acre tract, a 1.748 acre tract, and another 1.748 acre tract of land hereinafter more specifically described by metes and bounds to the City of Bay City, Texas for all municipal**

purposes; and located within the extraterritorial jurisdiction of the City of Bay City, Texas; providing for an Annexation Service Plan and the extension of the corporate limits of the City of Bay City, Texas to include the annexed tracts; granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all the acts, ordinances, resolutions, and regulations of the City of Bay City, Texas; and providing for an effective date. Krystal Mason, Assistant Public Director

- 12. Agreement ~ Discuss, consider, and/ or approve the first amendment to the Chapter 380 Economic Development Agreement between the City of Bay City and BC Development Group, LLC (to include additional tract of land). Scotty Jones, City Manager**
- 13. Resolution ~ Discuss, Consider, and/ or Approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with Fit for Life (Second Reading) - Jessica Russell, Executive Director, BCCDC**
- 14. Resolution ~ Discuss, Consider, and/ or Approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with El Zarape. (Second Reading) - Jessica Russell, Executive Director, BCCDC**
- 15. Policy – Discuss, consider, and/or approve the Library Policy Manual. Samantha Denbow, Communications & Cultural Arts Director**
- 16. Resolution ~ Discuss, consider, and/or approve a resolution awarding a contract for engineering services for the Disaster Recovery Reallocation Program (DRRP) administered by the Texas General Land Office (GLO). Gabriel Lopez, Engineering Technician**
- 17. Resolution ~ Discuss, consider, and/or approve a resolution awarding a contract for grant administrative and project delivery services for the Disaster Recovery Reallocation Program (DRRP) administered by the Texas General Land Office (GLO). Gabriel Lopez, Engineering Technician**
- 18. Stormwater Management Plan ~ Discuss, consider, and/or approve Task Authorization No. 1 with Freese and Nichols, Inc. for professional engineering services related to the Stormwater Management Plan funded through the FEMA Hazard Mitigation Grant Program (HMGP) administered by the Texas Division of Emergency Management (TDEM), and authorize the Mayor to execute the Task Authorization. Gabriel Lopez, Engineering Technician**
- 19. Bid ~ Discuss, consider, and/or approve awards for unit price-based contracts for a six-month term to multiple vendors for Public Works road materials, including aggregates, based on competitive sealed bids received in accordance with Texas Local Government Code Chapter 252, and authorize the Mayor or City Manager to execute all necessary documents. Gabriel Lopez, Engineering Technician**

**CLOSED / EXECUTIVE SESSION**

20. **Executive Session pursuant to Texas Government Code Section 551.087 (Deliberation regarding Economic Development).**
21. **Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**
22. **Executive Session pursuant to Section 551.071(2) of the Texas Government Code (Consultation with Counsel on Legal Matters)**

**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, January 10, 2025 before 6:00 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.

**PUBLIC HEARING  
CITY OF BAY CITY**

The City of Bay City will hold a public hearing at 6:00 p.m. on January 14, 2025, in the Bay City Council Chambers, 1901 Fifth St., Bay City, Texas, 77414, to receive public comments regarding the following:

Discuss and recommend action to annex to the city limits of the City of Bay City the following tract of land:

GFG SPV Holding II, LLC 1.748 acre tract located in the Reuben P.T. Stone ¼ League, Abstract 92, Matagorda County, Texas.

Persons interested in the annexation are encouraged to be heard. Written comments may also be submitted to the Mayor at the address above. Persons with disabilities or others requiring auxiliary aids or services to participate in this hearing should make arrangements with the City Secretary at 979-245-2137 at least two days before the hearing.



## Human Resources Department PROMOTIONS for 1<sup>st</sup> Quarter

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Below is the breakdown of recent promotions for the first quarter of FY25.

### **Quarter 1 - FY25**

- **Airport**
  - Renne Stone – Airport Operations Specialist
- **City Secretary**
  - Angela Hadash – Deputy City Secretary

# CITY OF BAY CITY

MINUTES • NOVEMBER 12, 2024

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<b>COUNCIL CHAMBERS   1901 5th Street</b>	City Council Workshop	4:30 PM
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1901 5TH STREET  
BAY CITY TX,77414



**Mayor**

Robert K. Nelson

**Mayor Pro Tem**

Becca Sitz

**Councilman**

Jim Folse

**Councilman**

Bradley Westmoreland

**Councilman**

Blayne Finlay

**Councilman**

Benjamin Flores

*We envision Bay City as a thriving, family-centered community where our citizens can live, work, worship, and play, while welcoming visitors to experience our beautiful environment and diverse culture.*

**CALL TO ORDER**

The meeting was called to order at 4:30 p.m.

**PRESENT**

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

**ABSENT**

Councilman Blayne Finlay

**CERTIFICATION OF QUORUM****PUBLIC COMMENTS**

There were no public comments.

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND / OR APPROVAL**

- 1. Discuss, consider, and/or approve an ordinance of the City of Bay City amending Chapter 22 of the Code of Ordinances, adopting updated editions of the International Building Codes, with certain additions, deletions, and amendments, as the building code of the City of Bay City; providing for a cumulative & conflicts clause; providing a severability clause; providing a savings clause; and providing an effective date. (Strategic Goal - Planning & Development)**

Public Works Assistant Director, Krystal Mason, presented and discussed approving an ordinance of the City of Bay City amending Chapter 22 of the Code of Ordinances, adopting updated editions of the International Building Codes, with certain additions, deletions, and amendments, as the building code of the City of Bay City; providing for a cumulative & conflicts clause; providing a severability clause; providing a savings clause; and providing an effective date. (Strategic Goal - Planning & Development).

Ms. Mason stated that the City is currently on 2015 codes across the board except for 2014 NEC. She provided a spreadsheet to show the differences in 2018 and 2021 code, and that not all codes were updated. There were some conflicts in 2015 when the ordinance was updated. Uniform Admin Code (UAC) Admin & Enforcement part of the code, conflict was UAC has all same as IBC or IRC chapter are exact same. So to clean the ordinance up and make it more straight forward, the UAC was repealed. Across all codes, all of fees were in the body of the ordinance, those were removed because they were addressed in appendix B. All regulations of signs in the sign ordinance were pulled completely out of the building code and made their own article.



Ms. Mason stated there were conversations with local builders and contractors and these changes will not affect them in any way. With building codes, the more current we stay, the better insurance rates the community has. Councilman Brad Westmoreland stated he doesn't want to do anything that is going to be more expensive for citizens. He only wants to see improvements, not go backwards. Mayor Robert K. Nelson requested there be a wording change on page 62 under section 22465 C3, the highlighted area says "inspector" and needs to be "Building Official" to match the rest of the code. Ms. Mason asked how Council feels about leaving bond in the ordinance pertaining to house moving as is, council agreed to leave it in place. Mayor Nelson thanked Ms. Mason and stated that she and her department are doing a great job.

Motion made by Councilman Flores to approve an ordinance of the City of Bay City amending Chapter 22 of the Code of Ordinances, adopting updated editions of the International Building Codes, with certain additions, deletions, and amendments, as the building code of the City of Bay City; providing for a cumulative & conflicts clause; providing a severability clause; providing a savings clause; and providing an effective date. (Strategic Goal - Planning & Development). , Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folse, Councilman Westmoreland. Poll taken, all in favor, no apposed. Motion carried.

## ADJOURNMENT

The meeting was adjourned at 5:35 p.m.

**PASSED AND APPROVED**, this 14th day of January 2025.

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

\_\_\_\_\_  
JEANNA THOMPSON  
CITY SECRETARY

# CITY OF BAY CITY

MINUTES • NOVEMBER 12, 2024

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COUNCIL  
CHAMBERS | 1901  
5th Street

City Council Regular Meeting

6:00 PM

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1901 5TH STREET  
BAY CITY TX,77414



**Mayor**

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Robert K. Nelson

**Mayor Pro Tem**

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Becca Sitz

**Councilman**

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Jim Folse

**Councilman**

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Bradley Westmoreland

**Councilman**

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Blayne Finlay

**Councilman**

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Benjamin Flores

*We envision Bay City as a thriving, family-centered community where our citizens can live, work, worship, and play, while welcoming visitors to experience our beautiful environment and diverse culture.*

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**CALL TO ORDER AND CERTIFICATION OF QUORUM**

The meeting was called to order at 6:00 p.m.

**PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Becca Sitz  
Councilman Benjamin Flores  
Councilman Jim Folsie  
Councilman Brad Westmoreland

**ABSENT**

Councilman Blayne Finlay

**INVOCATION & PLEDGE**

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

*Councilman Jim Folsie*

**MISSION STATEMENT**

*The City of Bay City promotes economic growth and invests in quality-of-life initiatives through collaboration. We respond promptly and professionally to residents' concerns and strive to deliver superior municipal services.*

*Councilman Jim Folsie*

**APPROVAL OF AGENDA**

Motion made by Councilman Folsie to approve the agenda, Seconded by Councilman Westmoreland.

Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folsie, Councilman Westmoreland. Motion carried.

**PUBLIC COMMENTS**

There were no public comments.

**PUBLIC HEARINGS**

There were no public hearings.

## **ACKNOWLEDGEMENT FROM CITY MANAGER**

City Manager, Scotty Jones, recognized and congratulated Public Works employees Michael Broussard and Patrick Cervantes, recently graduated from Public Works Institute of Texas and Leadership Training, a 2-year program. Shout-outs given to all the departments that participated in the Day of the Dead Festival, they had a good turnout. She then thanked Amanda Garcia for chairing the event. Ms. Jones also mentioned a few events coming up in the community and encouraged citizens to attend.

## **ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS**

Councilman Brad Westmoreland requested an update from City Manager, Scotty Jones and Chief Christella Rodrigues on the challenges with BCISD school pickup/ drop-off. Ms. Jones stated they met with the Superintendent and other school officials, Chief Rodriguez, and Public Works Director Herb Blomquist. They discussed some proposed solutions and signage, to start and enforcement to follow. Mr. Blomquist stated he is taking cases one at a time because he hears about them one at a time. He would like to order all signs at once, and the ordinance provides him with authority only to order and place signage. The sign will act as an educational tool for the public. Councilman Westmoreland asked for an update in the next meeting.

Councilman Benjamin Flores gave an update on Hamman Rd bridge and light post work on his property. Mr. Flores also stated he is stepping down from the Animal Impound committee due to other commitments. Last week he attended the HGAC annual meeting. He was nominated for their board and hopes to be on it next year. Mr. Flores was also thankful for the invitation to the Veteran's Day parade and provided the veterans crisis line (988) for help and resources for veterans in need. Councilman Flores then asked for a moment of silence for veterans.

Councilman Jim Folsie encourages using baycityx4u app to report and track any city issues. Mayor Pro Tem Sitz voiced the same school pickup/ drop-off concern as Councilman Westmoreland. Mayor Pro Tem Sitz thanked Bobby Head and Rick DeLeon for putting out flags on Highway 35 for the Veteran's Day parade. Mayor Nelson stated Relay for Life was moved from the fairgrounds to Memorial Stadium and there was a good turnout.

## **CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

1. **City Council Workshop minutes of October 22, 2024.**
2. **City Council Regular Meeting minutes of October 22, 2024.**
3. **Accounts Payable, Direct Payable and Utility Refunds for July, August, and September 2024.**

Motion made by Mayor Pro Tem Sitz to approve consent items, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folsie, Councilman Westmoreland. Motion carried.

## **DEPARTMENT REPORTS**

#### 4. **Public Works Reports and Updates.**

Krystal Mason, Assistant Public Works Director, provided copies to council and discussed the Public Works Quarterly Report. Councilman Westmoreland gave a shout-out to Ms. Mason and her departments for the great work making the improvements. Ms. Mason gave a shout-out to Public Works crew members, Wesley, Sammy, and Abby for assisting in the County Household Waste event in October. Ms. Mason recognized Michael Broussard and Patrick Cervantes again and congratulated them on their training accomplishments. Mayor Robert K. Nelson thanked Lt. Chris Hadash for his assistance with the Household Waste Collection event.

### REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

#### 5. **Appointment ~ Discuss, consider and appoint Angela Hadash as Deputy City Secretary.** Jeanna Thompson, City Secretary

Motion made by Councilman Flores to approve appointing Angela Hadash as Deputy City Secretary, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folse, Councilman Westmoreland. Motion carried. Angela was sworn in by Mayor Robert K. Nelson.

#### 6. **Appointment ~ Discuss, consider and/ or approve the appointment of Bruce Krauskopf to the Planning Commission Board.** Robert K. Nelson, Mayor

Motion made by Councilman Folse to appoint Bruce Krauskopf to the Planning Commission Board, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folse, Councilman Westmoreland. Motion carried. Bruce Krauskopf was sworn in by Mayor Robert K. Nelson.

#### 7. **Appointment ~ Discuss, consider and/ or approve the appointment of Melody Ann Yates to the Bay City Housing Authority Board.** Robert K. Nelson, Mayor

Motion made by Councilman Westmoreland to appoint Melody Ann Yates to the Bay City Housing Authority board, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folse, Councilman Westmoreland. Motion carried. Melody Ann Yates was sworn in by Mayor Robert K. Nelson.

#### 8. **Ordinance ~ Discuss, consider, and/ or approve an ordinance of the City of Bay City, Texas adopting a "Budget Amendment #3" to the "Annual Budget supplemental appropriation and/ or transfer of certain funds; providing for severability; and providing other matters related to the subject.**

Jennifer Leverett, Finance Manager, stated this is the third and final set of budget amendments set for the fiscal year 2024 and discussed the amendments and presentation provided to council.

Motion made by Mayor Pro Tem Sitz to approve Budget Amendment #3, Seconded by Councilman Folsie. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folsie, Councilman Westmoreland. A poll was taken, all approved. Motion carried.

**9. Report ~ Discuss, consider, and/or approve the City's Quarterly Financial and Investment Report for quarter ending September 30, 2024.**

Jennifer Leverett, Finance Manager, presented and discussed the report provided.

Motion made by Councilman Folsie to approve the City's Quarterly Financial and Investment Report for quarter ending September 30, 2024, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folsie, Councilman Westmoreland. Motion carried.

**10. Ordinance ~ An ordinance of the City of Bay City, Texas amending Appendix "B" to include a "Credit Card Processing Fee", to the Code of Ordinances of the City of Bay City, Texas; and providing for the effective date thereof.**

Jennifer Leverett, Finance Manager, presented and discussed the Ordinance and amendments being made and stated the changes will be effective in January to give time to notify the public.

Motion made by Councilman Westmoreland to approve the Ordinance, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folsie, Councilman Westmoreland. A poll was taken, all approved. Motion carried.

**11. Bid ~ Discuss, consider, and/or approve awarding DebrisTech for debris monitoring services and authorize the City Manager to execute a contract approved to form by the City Attorney.**

Gabriel Lopez, Engineering Tech, presented and discussed the proposal submissions and the selection for debris monitoring services.

Motion made by Councilman Folsie to approve a contract with DebrisTech for debris monitoring services, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folsie, Councilman Westmoreland. Motion carried.

**12. TIRZ ~ Discuss, review, and take any action deemed necessary on the proposed Tax Increment Reinvestment Zone Number Five (TIRZ #5) redevelopment boundaries (Strategic Goal - Planning & Development).**

Engineering Tech, Gabriel Lopez presented a PowerPoint and discussed the proposed TIRZ #5 redevelopment boundaries. Mayor Pro Tem Sitz asked that 6th street around Ave K get more attention and that this plan include railroad crossings.

**13. Interlocal Agreement ~ Discuss, consider, and/or approve an Interlocal Agreement between the City of Bay City and the City of Palacios for Code Enforcement services.**

Scotty Jones, Interim City Manager, stated that most of the work can be done remotely and the City of Palacios will reimburse for any costs that are associated with Bay City Code Enforcement staff's time.

Motion made by Councilman Flores to approve an Interlocal Agreement between the City of Bay City and the City of Palacios for Code Enforcement services, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folse, Councilman Westmoreland. Motion carried.

**14. Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting covered applications and prohibited technology policy.**

Jeanna Thompson, City Secretary, discussed the Senate Bill 1893, mandating all cities approve a resolution by November 20th.

Motion made by Mayor Pro Tem Sitz to approve a Resolution of the City of Bay City, Texas adopting covered applications and prohibited technology policy, Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folse, Councilman Westmoreland. Motion carried.

**15. Discussion ~ Norvell subdivision drainage: past, present, and future.**

Benjamin Flores, Councilman, provided a presentation of areas of concern and what could be done about the drainage issues. Three residences from the area voiced their concerns. Council discussed trying to come up with possible solutions. Public Works Director, Herb Blomquist mentioned that it is not being ignored, it's an ongoing problem but he would continue to do preventative maintenance.

**16. Appointment ~ Discuss, consider, and/or approve the appointment of a city representative and an alternate to Houston-Galveston Area Council's 2025 General Assembly.** Robert K. Nelson, Mayor

Motion made by Councilman Westmoreland to approve the appointment of Councilman Benjamin Flores as the city representative and Mayor Pro Tem Becca Sitz

as an alternate to Houston-Galveston Area Council's 2025 General Assembly, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folse, Councilman Westmoreland. Motion carried.

**17. Appointment ~ Discuss, consider and select a Councilmember for the appointment on the Variance Committee Board.** Robert K. Nelson, Mayor

Motion made by Councilman Folse to approve the appointment of Mayor Pro Tem Becca Sitz for the appointment on the Variance Committee Board, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Folse, Councilman Westmoreland. Motion carried.

**CLOSED / EXECUTIVE SESSION**

Council adjourned and went into an Executive Session at 7:58 P.M.

**18. Executive session pursuant to Texas Government Code §551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee: City Manager.**

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

**RECONVENE AND ACTION**

Council reconvened back into Regular Session at 8:57 P.M.

Motion made by Councilman Westmoreland to appoint Scotty Jones as City Manager moving forward, Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Folse, Councilman Westmoreland. Voting Nay: Councilman Flores. Motion carried.

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

City Manager, Scotty Jones thanked Council for allowing her to serve.

**ADJOURNMENT**

The meeting was adjourned at 9:05 P.M.

**PASSED AND APPROVED**, this 14th day of January 2025.



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

JEANNA THOMPSON  
CITY SECRETARY

# CITY OF BAY CITY

MINUTES • DECEMBER 10, 2024

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**COUNCIL  
CHAMBERS | 1901  
5th Street**

**City Council Workshop**

**5:30 PM**

---

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



**Mayor**

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Robert K. Nelson

**Mayor Pro Tem**

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Becca Sitz

**Councilman**

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Jim Folse

**Councilman**

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Bradley Westmoreland

**Councilman**

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Blayne Finlay

**Councilman**

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Benjamin Flores

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**CALL TO ORDER**

The meeting was called to order at 5:31 p.m.

**PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Becca Sitz  
Councilman Benjamin Flores  
Councilman Blayne Finlay

**ABSENT**

Councilman Jim Folse  
Councilman Brad Westmoreland

**CERTIFICATION OF QUORUM****PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Becca Sitz  
Councilman Benjamin Flores  
Councilman Blayne Finlay

**ABSENT**

Councilman Jim Folse  
Councilman Brad Westmoreland

**PUBLIC COMMENTS**

There were no public comments.

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND / OR APPROVAL****1. Update on East Water Treatment Plant Project.**

Herb Blomquist, Public Works Director, provided an update and presentation on the East Water Treatment Plant Project. The update revealed that the project is on schedule, on day 142 out of a 700-day timeline. The team bored a 36-inch tunnel under Texas Highway 35 to install a 36-inch casing and an 18-inch pipe for water redundancy. Four test wells were drilled at varying depths to locate groundwater layers, with the first sample taken from 1045 and 1085 feet. Additional sampling at two more levels is recommended, costing \$35,000 each, funded by a \$200,000 contingency. This could increase the well's capacity and potentially save costs in the future. The well should be operational by mid-August to early September of 2026.

**ADJOURNMENT**

The meeting was adjourned at 5:47 p.m.

**PASSED AND APPROVED**, this 14th day of January 2025.

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

\_\_\_\_\_  
JEANNA THOMPSON  
CITY SECRETARY

# CITY OF BAY CITY

MINUTES • DECEMBER 10, 2024

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COUNCIL  
CHAMBERS | 1901  
5th Street

City Council Regular Meeting

6:00 PM

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1901 5TH STREET  
BAY CITY TX,77414



**Mayor**

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Robert K. Nelson

**Mayor Pro Tem**

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Becca Sitz

**Councilman**

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Jim Folse

**Councilman**

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Bradley Westmoreland

**Councilman**

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Blayne Finlay

**Councilman**

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Benjamin Flores

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**CALL TO ORDER AND CERTIFICATION OF QUORUM**

The meeting was called to order at 6:00 p.m.

**PRESENT**

Mayor Robert K. Nelson  
Mayor Pro Tem Becca Sitz  
Councilman Benjamin Flores  
Councilman Blayne Finlay

**ABSENT**

Councilman Jim Folse  
Councilman Brad Westmoreland

**INVOCATION & PLEDGE**

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

*Councilman Brad Westmoreland*

**MISSION STATEMENT**

*The City of Bay City promotes economic growth and invests in quality-of-life initiatives through collaboration. We respond promptly and professionally to residents' concerns and strive to deliver superior municipal services.*

*Councilman Brad Westmoreland*

**APPROVAL OF AGENDA**

Mayor Robert K. Nelson suggested moving items 15, 16, and 17 to Consent Agenda Items.

Motion made by Councilman Flores to approve the agenda with the changes, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

**PUBLIC COMMENTS**

Angelica Hernandez, resident of 2306 Matthews Street spoke about her concerns with a police case.

There were no further comments.

**PUBLIC HEARINGS**

1. **A public hearing before the City Council to hear any and all persons desiring to be heard on or in connection with any matter or question involving the proposed annexation into the City of Bay City, Texas, tracts of land totaling approximately 1.748 acres of land, being a portion of all that certain GCA Ventures, LLC called 28.24 acre tract as recorded in Clerk's File No. 2007-075954 and corrected in Clerk's File No. 2007-079080 of the Matagorda County Official Records in the Reuben P.T. Stone 1/4 League Abstract 92, Matagorda County, Texas.**

Assistant Director of Public Works, Krystal Mason stated the BC Development Group, LLC is requesting the annexation of a 1.749 adjacent to their 5.827 acre tract on Nile Valley Road north of MLK Blvd. This is for construction of a multi-family apartment complex called The Reserve at Riverbend. The complex will be on city water and sewer.

2. **A public hearing before the City Council to hear any and all persons desiring to be heard on or in connection with any matter or question involving the proposed annexation into the City of Bay City, Texas, tracts of land totaling approximately 3.6816 acres tract of land, being out of and a part of Reserve "A" corrected Plat of Bay Way Estates recorded in Volume 8, Pg. 16, M.C.P.R., located in the J.F. Bowman Survey, A-9, Matagorda County, Texas.**

Assistant Director of Public Works, Krystal Mason stated the developer on this project, Bay City Highway Property, Inc. is requesting the annexation of a 3.6816 acre tract located on the northwest corner of State Highway 60 and FM 3156. They intend to construct a convenient store which will be on City water. They will be on a septic system but will be required to switch to the city sewer system when it's available in that location.

3. **A public hearing to consider the advisability of the creation of Reinvestment Zone Number Five (5), Bay city, Texas for Tax Increment Financing purposes pursuant to Chapter 311, Texas Tax Code.**

David Pettit, Consultant with DPED Professional Services, discussed and presented the advisability of the creation of Reinvestment Zone Number Five (5), Bay City, Texas for Tax Increment Financing purposes pursuant to Chapter 311, Texas Tax Code.

**ACKNOWLEDGEMENT FROM CITY MANAGER**

City Manager, Scotty Jones gave a shout-out to the Airport all that helped with the Santa Fly-In, and the also to the Library for Santa Storytime. She also thanked Angela Hadash and Christina Lopez for refurbishing the Christmas wreath in Council chambers. Ms. Jones then mentioned upcoming city events and encouraged the public to attend.

**ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS**

Councilman Finlay stated the Airport did a great job on the Santa Fly-In event. Then asked when the traffic lights were going to be in operation. Mayor Nelson said it may be a while. Councilman Finlay also asked the status on Nile Valley Road. Public Works Director, Herb Blomquist commented it was estimated 150 days but maybe sooner. Information has been sent out. Mayor Pro Tem Becca Sitz thanked the Street & Bridge department for filling the pothole at Avenue I & 3rd Street. Mayor Nelson commented that the Christmas in the Park event was awesome. He also thanked Airport Director, James Mason for the diligent work on the handrails at the Airport. Councilman Flores issued an apology to the Public Works department; his presentation last meeting wasn't to single anyone out but to voice citizen concerns. He then followed up on the PIO. City Manager, Scotty Jones stated they have been working on it. Councilman Flores did use the app to report an issue, the problem did get fixed. Mayor Nelson stated the toy drive is accepting toy donations until the 21st, and Shop with a Cop will be held on December 11th at Walmart at 4:15. He also mentioned he was on a podcast with Mitch Thames and talked about water and sewer bills. Mayor Nelson asked that if anyone has any questions about what is going on in Bay City, please ask.

**CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

Item numbers 4, 5, 15, 16, and 17.

Motion made by Councilman Finlay to approve consent agenda items numbers 4, 5, 15, 16, and 17, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

4. **A Resolution formalizing the selection of Engineering Geotechnical, and Architectural Service Providers previously approved by City Council on February 27, 2024 for project implementation using Local, State, and Federal funding.**
5. **An Interlocal Agreement between the City of Bay City and Matagorda County for library services for the 2025 year.**
15. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the re-appointment of Matagorda County Precinct 1 Commissioner (Edward "Bubba" Cook) and Matagorda County Precinct 2 Commissioner (Mike Estlinbaum), to Board of Directors to Reinvestment Zone Number One (1), City of Bay City, Texas (Downtown). Scotty Jones, City Manager**
16. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the re-appointment of Matagorda County Precinct 1 Commissioner (Edward "Bubba" Cook) and Matagorda County Precinct 2 Commissioner (Mike Estlinbaum), to Board of Directors to**



**Reinvestment Zone Number Two (2), City of Bay City, Texas.** Scotty Jones, City Manager

17. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the re-appointment of Samantha Denbow, Tina Israel, and Matagorda County Precinct 1 Commissioner (Edward "Bubba" Cook) to Board of Directors to Reinvestment Zone Number Four (4), City of Bay City, Texas.** Scotty Jones, City Manager

## DEPARTMENT REPORTS

### 6. Airport Report

Airport Director, James Mason discussed and presented the Airport Report.

## REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

7. **Ordinance ~ An Ordinance of the City Council of the City of Bay City, Texas, Pursuant to Chapter 311 of the Texas Tax Code, Creating Tax Increment Financing Reinvestment Zone Number Five, City of Bay City, Texas.** Scotty Jones, City Manager

Motion made by Councilman Flores to approve an Ordinance of the City Council of the City of Bay City, Texas, Pursuant to Chapter 311 of the Texas Tax Code, Creating Tax Increment Financing Reinvestment Zone Number Five, City of Bay City, Texas., Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. A poll was taken. Motion carried.

8. **Ordinance ~ Discuss, consider, and/or approve an ordinance of the City Council of the City of Bay City, Texas annexing to the City of Bay City, Texas a total of 7.575 acres of land located in the RPT Stone Abstract 0092, Matagorda County, Texas and extending the boundary limits of the City so as to include the hereinafter described property within the City of Bay City's city limits; adopting a Service Plan providing for the extension of municipal services to the area so annexed and granting all inhabitants and owners of property all of the rights and privileges of other citizens and binding all inhabitants by the acts, ordinances, and regulations of the city of Bay City; providing for a severability clause; and providing an effective date.**

Assistant Public Works Director, Krystal Mason discussed the ordinance.

Motion made by Councilman Flores to approve an ordinance of the City Council of the City of Bay City, Texas annexing to the City of Bay City, Texas a total of 7.575 acres of land located in the RPT Stone Abstract 0092, Matagorda County, Texas and extending the boundary limits of the City so as to include the hereinafter described property within the City of Bay City's city limits; adopting a Service Plan providing for the

extension of municipal services to the area so annexed and granting all inhabitants and owners of property all of the rights and privileges of other citizens and binding all inhabitants by the acts, ordinances, and regulations of the city of Bay City; providing for a severability clause; and providing an effective date, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. A poll was taken. Motion carried.

**9. Agreement ~ Discuss, consider, and/ or approve a Chapter 380 Economic Development Agreement between the City of Bay City and BC Development Group, LLC.**

City Manager, Scotty Jones discussed the Chapter 380 agreement. The agreement will help reimburse for utility infrastructure. The estimated investment for infrastructure will likely exceed \$400,000. This agreement provides that the City will reimburse the developer an amount up to \$100,000 over a period of 5 years, and under a separate agreement, the Bay City CDC will reimburse the developer of an amount up to \$250,000.

Motion made by Councilman Finlay to approve a Chapter 380 Economic Development Agreement between the City of Bay City and BC Development Group, LLC., Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

**10. Ordinance ~ Discuss, consider, and/or approve an ordinance of the City Council of the City of Bay City, Texas annexing to the City of Bay City, Texas a total of 3.6816 acres of land located in the Bay Way Estates, Reserve A, Matagorda county, Texas and extending the boundary limits of the City so as to include the hereinafter described property within the City of Bay City's city limits; adopting a Service Plan providing for the extension of municipal services to the area so annexed and granting all inhabitants and owners of property all of the rights and privileges of other citizens and binding all inhabitants by the acts, ordinances, and regulations of the city of Bay City; providing for a severability clause; and providing an effective date.**

Krystal Mason, Assistant Director of Public Works, discussed the ordinance. She explained that in Section 1E the property will be on city water and the City will allow them to develop of septic system.

Motion made by Councilman Flores to approve an ordinance of the City Council of the City of Bay City, Texas annexing to the City of Bay City, Texas a total of 3.6816 acres of land located in the Bay Way Estates, Reserve A, Matagorda county, Texas and extending the boundary limits of the City so as to include the hereinafter described property within the City of Bay City's city limits; adopting a Service Plan providing for the extension of municipal services to the area so annexed and granting all inhabitants and owners of property all of the rights and privileges of other citizens and binding all

inhabitants by the acts, ordinances, and regulations of the city of Bay City; providing for a severability clause; and providing an effective date, Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. A poll was taken. Motion carried.

- 11. Resolution ~ Discuss, Consider, and/ or Approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with Fit for Life (First Reading) - Jessica Russell, Executive Director, BCCDC**

Motion made by Mayor Pro Tem Sitz to approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with Fit for Life (First Reading), Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

- 12. Resolution ~ Discuss, Consider, and/ or Approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with El Zarape. (First Reading) - Jessica Russell, Executive Director, BCCDC**

Motion made by Councilman Finlay to approve a Resolution of the City of Bay City, Texas, to authorize the Bay City Community Development Corporation to enter into a contract with El Zarape. (First Reading), Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

- 13. Bids ~ Discuss, consider, and/ or approve authorization for the City of Bay City to issue requests for proposals (RFPs) for administrative services and requests for qualification (RFQs) for engineering services related to the Texas General Land Office (GLO) Disaster Recovery Resilience Program (DRRP).**

Gabriel Lopez, Engineering Tech, stated the three projects that were identified and submitted for the preliminary application were a drainage project in the Del Norte subdivision, a drainage project at the Tennie Holmes Elementary, and waterline improvements in the Northwest quadrant.

Motion made by Mayor Pro Tem Sitz to approve authorization for the City of Bay City to issue requests for proposals (RFPs) for administrative services and requests for qualification (RFQs) for engineering services related to the Texas General Land Office (GLO) Disaster Recovery Resilience Program (DRRP), Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

- 14. Appointment ~ Discuss, consider and/ or approve the re-appointment of Robert Howard and Lyn McCalister to the Bay City Housing Authority Board.** Robert K. Nelson, Mayor

Motion made by Councilman Flores to approve the re-appointment of Robert Howard and Lyn McCalister to the Bay City Housing Authority Board, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

- 18. Legal ~ Discuss, consider, and/or approve participation in the Kroger Opioid Settlement.** Anne Marie Odefey, City Attorney

Ms. Odefey stated that for participation this must be approved by December 22nd. Deterrence and education are the goal.

Motion made by Councilman Finlay to approve participation in the Kroger Opioid Settlement, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Sitz, Councilman Flores, Councilman Finlay. Motion carried.

## **CLOSED / EXECUTIVE SESSION**

Council adjourned and went into an Executive Session at 7:38 p.m.

- 19. Executive Session pursuant to Section 551.071(2) of the Texas Government Code (Consultation with Counsel on Legal Matters)**
- 20. Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**

## **RECONVENE AND ACTION**

Council reconvened back into Regular Session at 8:33 p.m. No action was taken.

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

Jeanna Thompson, City Secretary mentioned that meeting agenda management software is changing in late January. The last meeting in January will be on the new system and will look different when you go to the webpage.

## **ADJOURNMENT**

The meeting adjourned at 8:35 p.m.

**PASSED AND APPROVED**, this 14th day of January, 2025.

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

\_\_\_\_\_  
JEANNA THOMPSON  
CITY SECRETARY



QUARTERLY UPDATE  
OCT.-DEC. 2024

# CASH COLLECTIONS

Cash	Check	Money Order	Credit Card	Total
30,294.52	1,719.00	3,640.10	63,687.89	99,341.51

↑ \$32,043.86 from last quarter and  
↑ \$51,464.83 from same quarter of 2023

# CLERK STATS

Clerk	Cash	Check	Money Order	Credit Card	Total
Debbi	\$12,896.00	\$580.00	\$2,402.30	\$14,775.50	\$30,653.80
Ginger	\$5,340.20	\$164.00	\$1,137.80	\$28,885.24	\$35,527.24
Katy	\$392.35	\$0	\$0	\$676.00	\$1,068.35
Lillie	\$11,665.97	\$975.00	\$100.00	\$19,351.15	\$32,092.12
Totals	\$30,294.52	\$1,719.00	\$3,640.10	\$63,687.89	\$99,341.51



# NON-CASH COLLECTIONS



Jail Time	Waived	Community Service	Indigent	Total
\$39,341.30	\$261.70	\$4,884.13	\$7,941.10	\$52,428.23

↓ \$2,740.17 from last quarter and  
↓ \$1,668.55 from same quarter of 2023

# FILED CASES



Violations Filed	Oct	Nov	Dec	Total
Felony	32	30	26	88
A/B	33	43	37	113
State Law	39	20	22	81
Traffic	294	157	190	641
City Ordinance	6	4	4	14
Parking	0	0	2	2
Total	404	254	281	939

# ISSUED WARRANTS

<b>Warrants Issued</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>Total</b>
Class C	55	53	5	113
Felony	10	9	5	24
A/B Misd.	6	10	3	19
<b>Total</b>	<b>71</b>	<b>72</b>	<b>13</b>	<b>156</b>

DISPOSED CASES

Method	Oct	Nov	Dec	Total
Comm Serve	7	7	6	20
Dismissed DSC	8	7	11	26
Dismissed after Def.	0	2	9	11
Compliance Dismissal	21	18	15	54
Dismissed by Prosecutor	8	6	23	37
Jail Credit	51	20	38	109
Total	95	60	102	257

# CLEARED WARRANTS

Warrant Type	Oct	Nov	Dec	Total
Class C	34	15	31	80
Felony	13	12	7	32
A/B Misd.	7	7	4	18
Total	54	34	42	130

MAGISTRATIONS

	Oct	Nov	Dec	Total
Class A/B	32	37	40	109
Felonies	35	33	30	98
Req. For Counsel A/B	1	0	1	2
Req. for Counsel Fel.	6	1	3	10
Search Warrants	3	8	2	13
EPO's Issued	9	6	3	18
Ignition Interlock	0	0	6	6
Totals	86	85	85	256

THANK YOU





**CITY OF BAY CITY**

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

**AGENDA ITEM REQUEST FORM**

**Complete Submissions Required:**

Any item, to be considered for action by the City Council, must be presented on this form, along with any unprivileged documentation and must be filed and complete to have an item placed on the City Council Agenda for consideration (This process is not required for members of the governing body, but it is encouraged). Before being considered filed for placement on the agenda, a summary of the item, all supporting documentation and review of the item from each City Department must be performed for the request to be complete. If the request is from a citizen, the City shall expedite review through internal means. Request forms must be complete and received by the City Secretary's office no later than 5:00 p.m. on the Wednesday of the week prior to the Regular Council meeting to be placed on that meeting's agenda. The item may be placed on workshop or special council meeting agenda if deemed appropriate by the City. Only completed request forms are considered for placement on the agenda.

Regular Council meetings are held on the second and fourth Thursday of the month at 7:00 p.m. in the Council Chambers at City Hall. Agenda items shall be set for consideration pursuant to City Code Section 2-47, as amended.

Requestor: Bay City Steel LLC, Chad Bludau Date Submitted: 1/8/25  
PRINTED NAME and/or CITY DEPARTMENT

Citizen  City Department  Council Member

Address: 3017 Nichols Ave  
Bay City, TX

Preferred contact:  Cell 3612178287  Work phone \_\_\_\_\_  
 E-mail chad@bludaufab.  Fax \_\_\_\_\_

I respectfully request the below item be placed on the 1/14/25 Agenda for City Council consideration.

1) Describe Item to be considered and area of City involved, if any: \_\_\_\_\_  
Introduction of company and general plans of the business starting up again.  
\_\_\_\_\_

2) Executive Summary of Item and action by council sought: No action tonight- just an introduction.  
\_\_\_\_\_ We are re-opening what used to be Henderson Fabrication. Once the future business plans are known- we may request to be  
\_\_\_\_\_ considered for any incentives that might be available to support our business expansion/enhancement project.  
\_\_\_\_\_  
\_\_\_\_\_

3) Do you need time to present this item  Yes  No If so, how much? 5 minutes





# CITY OF BAY CITY VOLUNTEER INTEREST FORM

**Dear Resident:**

**This form will let the City Council know of your interest and qualifications to serve on a City board or commission. You are encouraged to contact the Mayor concerning your nomination. You may also submit a resume or brief background information regarding your qualifications. This form will be kept on file for a period of two years in the City Secretary's office.**

PLEASE TYPE OR PRINT:

Date: 12/12/2024  
Name: Kaci R Waller Home Address: [REDACTED]  
City: Bay City State TX Zip: 4  
Home Phone: 979-[REDACTED] Business Phone: 979-[REDACTED]  
Employer: Three Chicks Soap Co Occupation: Owner  
E-mail: threechicksoaps@yahoo.com

Resident of the Bay City Corporate City Limits: (circle one)  Yes  No

Resident of City for 22 years

I am interested in serving on the following boards:

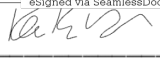
(Boards and Committees include: Bay City Community Development Corporation (BCCDC), Main Street, Planning Commission, Historic Commission, Convention and Visitor Bureau (CVB), and Housing Authority)

1.) <u>Main Street</u>	3.) <u>Select Third Choice:</u>
2.) <u>Select Second Choice:</u>	4.) <u>Select Fourth Choice:</u>

Please list any involvement in civic groups or clubs, current or past service on city boards, or other information qualifying you for service:

I have owned a brick and mortar business located on the square in downtown for 5 plus years so I am deeply invested in the growth of our Main Street and Downtown. I have previously served as a Commissioner for the Bay City Housing Authority, it was quite the learning experience.

Thank you for your consideration,  
Kaci

eSigned via SeamlessDocs.com  
  
Key: b706a7f3e8b9bca69b123267b71b76ee  
Signature

Return completed form to the City Secretary's Office: 1901 5th Street, Bay City, Texas 77414

**Annexation – An amended Ordinance of the City of Bay City, Texas providing for the annexation of a 5.827 acre tract, a 1.748 acre tract, and another 1.748 acre tract of land hereinafter more specifically described by metes and bounds to the City of Bay City, Texas for all municipal purposes; and located within the extraterritorial jurisdiction of the City of Bay City, Texas; providing for an Annexation Service Plan and the extension of the corporate limits of the City of Bay City, Texas to include the annexed tracts; granting to all the inhabitants of said property all the rights and privileges of other citizens and binding said inhabitants by all the acts, ordinances, resolutions, and regulations of the City of Bay City, Texas; and providing for an effective date.**



## **EXECUTIVE SUMMARY**

### **AMENDED ORDINANCE FOR ANNEXATION & ANNEXATION SERVICE PLAN – BC DEVELOPMENT**

#### **BACKGROUND:**

The Developer, BC Development, has petitioned to amend the annexation, adding an additional 1.748 acre tract of land to the previous petition for annexation of a 7.575 acre tract of land which includes 5.827 acre tract and a 1.748 acre tract of land, currently owned by the Developer.

**RECOMMENDATION:** Staff recommends City Council approve the amended Ordinance for Annexation and Annexation Service Plan

**ATTACHMENTS:** Ordinance for Annexation and Annexation Service Plan

**ORDINANCE NO. 1745**

**AMENDED ORDINANCE ANNEXING TERRITORY**

**AN AMENDED ORDINANCE OF THE CITY OF BAY CITY, TEXAS PROVIDING FOR THE ANNEXATION OF A 5.827 ACRE TRACT, A 1.748 ACRE TRACT AND ANOTHER 1.748 ACRE TRACT OF LAND HEREINAFTER MORE SPECIFICALLY DESCRIBED BY METES AND BOUNDS TO THE CITY OF BAY CITY, TEXAS FOR ALL MUNICIPAL PURPOSES; AND LOCATED WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF BAY CITY, TEXAS; PROVIDING FOR AN ANNEXATION SERVICE PLAN AND THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF BAY CITY, TEXAS TO INCLUDE THE ANNEXED TRACT; GRANTING TO ALL THE INHABITANTS OF SAID PROPERTY ALL THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID INHABITANTS BY ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY OF BAY CITY, TEXAS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bay City, Texas (“City”) adopted Ordinance No. 1745 on December 10, 2024 to annex a 5.827 acre tract and a 1.748 acre tract of land described more fully therein;

**WHEREAS**, it was later discovered that there were two (2) – 1.748 acre tracts of land that should have been part of the land to be annexed;

**WHEREAS**, it is the intent of the City Council of City to amend and replace Ordinance No.1745 with this Amended Ordinance;

**WHEREAS**, the City of Bay City, Texas (“City”) is a Home Rule City as defined by the Texas Local Government Code; and

**WHEREAS**, BC Development Group, LLC, GFG SPV Holdings, LLC, and/or GCA Ventures, LLC (“Owner”) the owner and/or developer of a 5.827 acre tract and two (2) -- 1.748 acre tracts of land described more fully in Exhibit “A” attached hereto and incorporated by reference herein for all purposes is located within the extraterritorial jurisdiction of and is lying and is adjacent to the present corporate limits of the City (“Area”), has requested that the City annex said property into the city limits of the City pursuant to Texas Local Government Code §43.0671; and

**WHEREAS**, under the Local Government Code, the Bay City City Charter, and other applicable provisions of Texas Law, City and the Bay City City Council as the governing body of the municipality is authorized to annex the Area; and

**WHEREAS**, City held a public hearing on April 23, 2024, December 10, 2024 and January 14, 2025 at 6 p.m. in the Bay City Council Chambers to receive public comments on the annexation after giving public notice in the newspaper of the public hearing date and complied with provisions

for annexation required under the Texas Local Government Code and as otherwise required by law; and

**WHEREAS**, the City of Bay City, Texas (“City”) prepared a service plan for the extension of municipal services into the Area to be annexed and the plan was proposed by the City Council of Bay City, Texas prior to the public hearing on the annexation and was thereafter available for public inspection; and

**WHEREAS**, all notices, publications, and hearings have been duly given or held as required by the Texas Local Government Code and no written protest to the annexation was filed with the City Secretary of Bay City, Texas; and

**WHEREAS**, institution of annexation proceedings and the presentation and introduction of this Amended Ordinance in such forms as it may be finally passed occurred within the periods of time and methods prescribed by law; and

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

**SECTION 1.** The above and foregoing preamble is true and correct and is incorporated herein and made a part hereof for all purposes.

**SECTION 2.** That the hereinafter described 5.827 acre tract of land and two (2) --1.748 acre tracts of land (“Area”) which lies within Matagorda County, Texas and is within the extraterritorial limits of, is adjacent to and is contiguous to the present corporate limits of the City of Bay City, Texas is hereby annexed to the City of Bay City, Texas for all municipal purposes and the corporate lines and limits of the City of Bay City, Texas are hereby extended to include the Area, which is more particularly described by metes and bounds in Exhibit “A”.

**SECTION 3.** That the Area annexed shall bear its pro-rata part of the taxes assessed by the City of Bay City, Texas.

**SECTION 4.** That the inhabitants of the Area hereby annexed to the City of Bay City, Texas shall be entitled to all the rights and privileges of the citizens of the City of Bay City, Texas and shall be bound by the acts, ordinances, codes, resolutions, and regulations of the City of Bay City, Texas.

**SECTION 5.** It is not the intention of the City of Bay City, Texas to annex any territory or area not legally subject to annexation by the City, and should any portion of the above-described Area not be subject to legal annexation by the City of Bay City, Texas, such fact shall not prevent the City from annexing such Area, above-described, which is subject to legal annexation by the City, and it is the intention of the City to annex only such territory or area that it may legally annex within the limits of the above-described Area.

**SECTION 6.** The Annexation Service Plan which is attached to this Amended Ordinance as Exhibit “B” is hereby approved and incorporated by reference herein as part of this Amended Ordinance.

**SECTION 7.** It is hereby declared to be the intention of the City Council of the City of Bay City, Texas that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Amended Ordinance, since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

**SECTION 8.** All rights and remedies of the City of Bay City, Texas are expressly saved as to any and all violations of the provisions of any ordinances affecting annexations, which have accrued at the time of the effective date of this Amended Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Amended Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 9.** The City Secretary of the City of Bay City, Texas is hereby directed to engross and enroll this Amended Ordinance by copying the exact Caption and the Effective Date clause in the minutes of the City Council of the City of Bay City, Texas and by filing this Amended Ordinance in the Ordinance Records of the City. The City Secretary of the City of Bay City, Texas is hereby directed to file with the County Clerk of Matagorda County, Texas, a certified copy of this Amended Ordinance.

**SECTION 10.** This Amended Ordinance shall be in full force and effect ten (10) calendar days after the date upon final passage.

**UPON MOTION OF COUNCILMEMBER \_\_\_\_\_, SECONDED BY COUNCILMEMBER \_\_\_\_\_, THAT THE AMENDED ORDINANCE BE PASSED ON FIRST AND FINAL READING, THIS 14<sup>th</sup> DAY OF JANUARY, 2025.**

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

ATTEST:

Approved By:

\_\_\_\_\_  
Jeanna Thompson, City Secretary

\_\_\_\_\_  
Anne Marie Odefey, City Attorney

Council Member:	Voted Aye	Voted No	Absent
Blayne Finlay	_____	_____	_____
Ben Flores	_____	_____	_____
Jim Folse	_____	_____	_____
Bradley Westmoreland	_____	_____	_____
Becca Sitz, Mayor Pro Tem	_____	_____	_____
Robert K. Nelson, Mayor	_____	_____	_____



***Doyle & Wachtstetter, Inc***

Surveying and Mapping • GPS/GIS

**BC DEVELOPMENT GROUP, LLC 5.827 ACRE TRACT  
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
MATAGORDA COUNTY, TEXAS  
PAGE 1 OF 2**

**ALL THAT CERTAIN 5.827 ACRE TRACT** of land lying and situated in the Reuben P. T. Stone ¼ League, Abstract 92, Matagorda County, Texas, being a portion of all that certain called 28.24 acre tract of land conveyed by warranty deed on July 31, 2007 from J. N. McDonald, Jr. and Barbara Jean McDonald to GCA Ventures, LLC, as recorded in Clerk's File No. 2007-075954 and later corrected in Clerk's File No. 2007-079080 of the Matagorda County Official Records (M.C.O.R.), said 5.827 acre tract hereby conveyed being more particularly described by metes and bounds, using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD83), in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths (S.F.= 0.99988447511) as follows:

**BEGINNING** at the northwest corner of said GCA Ventures, LLC called 28.24 acre tract, being the southwest corner of all that certain called 3.0975 acre tract of land conveyed by special warranty deed on December 30, 2021 from CP 23 (TX), LLC to Mohammed Atiq Dada, as recorded in Clerk's File No. 2022-75 of the M.C.O.R. and being the same tract of land referred to as Reserve 'A' on the plat of CP Living 23 Addition, as recorded in Plat File No. 547A-547B of the Matagorda County Plat Records (M.C.P.R.), same being a point on the eastern right-of-way boundary line of the 100 foot wide Nile Valley Road and being all that certain called 8.629 acre tract of land conveyed by deed with an effective date of April 13, 2004 from J. N. and Barbara McDonald to the City of Bay City, as recorded in Clerk's File No. 2009-095199 of the M.C.O.R., for the northwest corner and **POINT OF BEGINNING** of the herein described 5.827 acre tract, being located at Texas State Plane coordinate position X=2929033.93 and Y=13551742.48;

**THENCE** South 83°34'29" East, coincident with the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the southern boundary line of said Mohammed Atiq Dada called 3.0975 acre tract and said Reserve 'A', at a distance of 450.00 feet pass the southeast corner of said Mohammed Atiq Dada called 3.0975 acre tract and said Reserve 'A', being the southwest corner of the remainder of all that certain called 52.74 acre tract of land conveyed by warranty deed on December 11, 2007 from Beadle Moore, Jr., et al. to James Vincent Maloney and James Grant Allison, as recorded in Clerk's File No. 2007-079960 of the M.C.O.R., and continuing for a total distance of 719.33 feet to a ⅝" iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, for the northeast corner of the herein described 5.827 acre tract, at position X=2929748.66 and Y=13551661.99;

**THENCE** South 4°34'37" West, crossing said GCA Ventures, LLC called 28.24 acre tract, a distance of 353.03 feet to a ⅝" iron rod with survey cap marked "TTW RPLS 6577" set marking the southeast corner of the herein described 5.827 acre tract, at position X=2929720.49 and Y=13551310.13;

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EXHIBIT "A"

**BC DEVELOPMENT GROUP, LLC 5.827 ACRE TRACT  
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
MATAGORDA COUNTY, TEXAS  
PAGE 2 OF 2**

**THENCE** North 83°34'29" West, continuing across said GCA Ventures, LLC called 28.24 acre tract, a distance of 719.33 feet to a 3/8" iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the western boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the eastern right-of-way boundary line of said Nile Valley Road and said City of Bay City called 8.629 acre tract, for the southwest corner of the herein described 5.827 acre tract, at position X=2929005.76 and Y=13551390.62;

**THENCE** North 4°34'37" East, coincident with the western boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the eastern right-of-way boundary line of said Nile Valley Road and said City of Bay City called 8.629 acre tract, a distance of 353.03 feet to the **POINT OF BEGINNING**, and containing 5.827 acres of land, more or less.

*Travis T. Wachtstetter*  
Travis T. Wachtstetter  
Registered Professional Land Surveyor  
Texas Registration Number 6577  
October 9, 2023



*This description is based on a survey, a plat of which, dated February 20, 2023, is on file in the office of Doyle & Wachtstetter, Inc.  
Legal\Travis\Matagorda County\Bay City\BC Development Group, LLC 5 827 Acre Tract.doc*





## ***Doyle & Wachtstetter, Inc***

Surveying and Mapping • GPS/GIS

**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
REUBEN P.T. STONE ¼ LEAGUE, ABSTRACT 92  
MATAGORDA COUNTY, TEXAS  
PAGE 1 OF 2**

**ALL THAT CERTAIN 1.748 ACRE TRACT** of land lying and situated in the Reuben P. T. Stone ¼ League, Abstract 92, Matagorda County, Texas, being a portion of the remainder of all that certain called 28.24 acre tract of land conveyed by warranty deed on July 31, 2007 from J. N. McDonald, Jr. and Barbara Jean McDonald to GCA Ventures, LLC, as recorded in Clerk's File No. 2007-075954 and later corrected in Clerk's File No. 2007-079080 of the Matagorda County Official Records (M.C.O.R.), said 1.748 acre tract hereby conveyed being more particularly described by metes and bounds using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD83), in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths (S.F.=0.99988447511) as follows:

**BEGINNING** at a 5/8" iron rod with survey cap marked "TTW RPLS 6577" found marking the most northerly northwest corner of the remainder of said GCA Ventures, LLC called 28.24 acre tract, being the northeast corner of all that certain called 1.748 acre tract of land conveyed by general warranty deed on February 26, 2024 from GCA Ventures, LLC to GFG SPV Holding II, LLC, as recorded in Clerk's File No. 2024-868 of the M.C.O.R, same being a point on the southern boundary line of the remainder of all that certain called 52.74 acre tract of land conveyed by warranty deed on December 11, 2007 from Beadle Moore, Jr., et al, to James Vincent Maloney and James Grant Allison, as recorded in Clerk's File No. 2007-079960 of the M.C.O.R., for the northwest corner and **POINT OF BEGINNING** of the herein described 1.748 acre tract, being located at Texas State Plane coordinate position X=2929963.04 and Y=13551637.85;

**THENCE** South 83°34'29" East, coincident with the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, a distance of 215.76 feet to a 5/8" iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, for the northeast corner of the herein described 1.748 acre tract, at position X=2930177.41 and Y=13551613.71;

**THENCE** South 4°34'37" West, crossing said GCA Ventures, LLC called 28.24 acre tract, a distance of 353.03 feet to a 5/8" iron rod with survey cap marked "TTW RPLS 6577" set marking the southeast corner of the herein described 1.748 acre tract, at position X=2930149.24 and Y=13551261.84;

**THENCE** North 83°34'29" West, continuing across said GCA Ventures, LLC called 28.24 acre tract, a distance of 215.76 feet to a 5/8" iron rod with survey cap marked "TTW RPLS 6577" found marking the southeast corner of said GFG SPV Holding II, LLC called 1.748 acre tract, for the southwest corner of the herein described 1.748 acre tract, at position X=2929934.87 and Y=13551285.99;

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**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
REUBEN P.T. STONE ¼ LEAGUE, ABSTRACT 92  
BRAZORIA COUNTY, TEXAS  
PAGE 2 OF 2**

**THENCE** North 4°34'37" East, coincident with the eastern boundary line of said GFG SPV Holding II, LLC called 1.748 acre tract, a distance of 353.03 feet to the **POINT OF BEGINNING**, and containing 1.748 acres of land, more or less.

*Travis T. Wachtstetter*  
Travis T. Wachtstetter  
Registered Professional Land Surveyor  
Texas Registration Number 6577  
November 1, 2024



*This description is based on a survey, a plat of which, dated October 17, 2024 is on file in the office of Doyle & Wachtstetter, Inc.  
Legal\Travis\Matagorda County\Bay City GFG SPV Holding II, LLC 1.748 Acre Tract (2<sup>nd</sup> Addition).doc*



***Doyle & Wachtstetter, Inc***

Surveying and Mapping • GPS/GIS

**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
MATAGORDA COUNTY, TEXAS  
PAGE 1 OF 2**

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**BEGINNING** at a ¾" iron rod with survey cap marked "TTW RPLS 6577" found marking the most northerly northwest corner of the remainder of said GCA Ventures, LLC called 28.24 acre tract, being the northeast corner of all that certain called 5.827 acre tract of land conveyed by correction general warranty deed with an effective date of March 9, 2023 from GCA Ventures, LLC to BC Development Group, LLC, as recorded in Clerks File No. 2023-6038 of the M.C.O.R, same being a point on the southern boundary line of the remainder of all that certain called 52.74 acre tract of land conveyed by warranty deed on December 11, 2007 from Beadle Moore, Jr., et al, to James Vincent Maloney and James Grant Allison, as recorded in Clerk's File No. 2007-079960 of the M.C.O.R., for the northwest corner and **POINT OF BEGINNING** of the herein described 1.748 acre tract, being located at Texas State Plane coordinate position X=2929748.66 and Y=13551661.99;

**THENCE** South 83°34'29" East, coincident with the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, a distance of 215.76 feet to a ¾" iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, for the northeast corner of the herein described 1.748 acre tract, at position X=2929963.04 and Y=13551637.85;

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**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
MATAGORDA COUNTY, TEXAS  
PAGE 2 OF 2**

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*Travis T. Wachtstetter*  
Travis T. Wachtstetter  
Registered Professional Land Surveyor  
Texas Registration Number 6577  
February 21, 2024



*This description is based on a survey, a plat of which, dated February 13, 2024, is on file in the office of Doyle & Wachtstetter, Inc.  
Legal\Travis\Matagorda County\Bay City\GFG SPV Holding II, LLC 1.748 Acre Tract.doc*

**ANNEXATION SERVICE PLAN  
FOR THE CITY OF BAY CITY, TEXAS**

WHEREAS, the City of Bay City, Texas (“City”) is a Home Rule City as defined by the Texas Local Government Code; and

WHEREAS, an area to be annexed more fully described in Exhibit “A” attached hereto and incorporated by reference herein for all purposes is located within the extraterritorial jurisdiction of and is lying and is adjacent to the present corporate limits of the City of Bay City, Texas (“Area”); and

WHEREAS, under the Local Government Code, the Bay City, Texas City Charter, and other applicable provisions of Texas Law, the City and the Bay City City Council as the governing body of the municipality is authorized to annex the Area on request of the owners of the land to be annexed, such request being acknowledged herein; and

WHEREAS, BC Development Group, LLC, GFG SPV Holding II, LLC and/or GCA Ventures, LLC (together referred to herein as “BC Development”), the owners of the property described in Exhibit “A” have requested to be annexed, as more fully described in Exhibit “B” hereto;

WHEREAS, Section 43.0672 of the Local Government Code of the State of Texas requires that a written agreement between the City and the land owners regarding services to be provided to the land; and

WHEREAS, the following Service Plan has been agreed upon between the owner of the land to be annexed and the City;

Pursuant to the provisions of Texas Local Government Code 43.0672, BC Development and the City, agree to the following Plan of Service:

**SECTION 1. PROVISION OF SERVICES.**

The City of Bay City, Texas shall provide or make available the following municipal facilities and services to the annexed area at the same level as provided in the remainder of the City on the effective date of annexation of the area to be annexed:

**A. Police Protection**

The Bay City Police Department will provide protection and law enforcement services to the newly annexed tract. These services shall include, but not be limited to: 911 service, normal patrols and responses; special units, such as traffic enforcement, criminal investigations, and narcotics, as well as any community program that may be implemented in the future by the City.

B. Fire Protection

The Bay City Fire Department shall provide fire protection and prevention services to the newly annexed tract. These services shall include, but not be limited to: fire suppression and rescue, assistance in providing emergency medical services; emergency prevention and public education services; pre-plan inspections; and emergency management planning.

Additionally, the Bay City Volunteer Fire Department shall provide fire protection and prevention services to the newly annexed tract at the same or similar level now being provided to other areas of the City of Bay City, Texas.

C. Emergency Medical Services

Emergency medical services shall be provided to the newly annexed tract at the same or similar level now being provided to other areas of the City of Bay City, Texas.

D. Solid Waste Collection

The City will provide residential solid waste collection to the newly annexed tract at the same or similar level now being provided to other areas of the City of Bay City, Texas.

E. Operation and Maintenance of Water and Wastewater Facilities

Any and all water or wastewater facilities owned or maintained by the City of Bay City, Texas, at the time of the proposed annexation shall continue to be owned and maintained by the City of Bay City, Texas. Any and all water or wastewater facilities which may be acquired subsequent to the annexation of the proposed area shall be maintained by the City of Bay City, Texas, to the extent of its ownership. The City acknowledges that contemporaneously with this Agreement, the Bay City Community Development Corporation (“BCCDC”) and BC Development and the City and BC Development have reached independent economic development reimbursement agreements (hereinafter, the “Agreement”) which will provide additional terms concerning water and wastewater facilities, among others.

F. Operation and Maintenance of Roads and Streets

The Street Department shall maintain public roads and streets, over which the City has jurisdiction. These services shall include: emergency pavement repair; regular repair and maintenance of public roads and streets.

G. Parks and Recreation Facilities

City parks and recreation facilities, including the municipal swimming pool, now incorporated in the City shall be accessible to all residents of the City.

The City is not aware of the existence of any parks, swimming pools, playgrounds, or other recreational facilities now located in the area proposed for annexation. In the event any such parks, swimming pools, playgrounds, or other recreational facilities do exist and are public facilities, the City of Bay City, Texas, will maintain such areas to the same extent and degree that it maintains parks, swimming pools, playgrounds, or other recreational facilities of the City now incorporated in the City.

H. Maintenance and Operation of Publicly Owned Facility, Building or Municipal Service

The City is not aware of the existence of any publicly owned facility, building or municipal service now located in the area proposed for annexation. In the event any such publicly owned facility, building or municipal service do exist and are public facilities, the City of Bay City, Texas, will maintain such areas to the same extent and degree that it maintains publicly owned facility, building or municipal services now incorporated in the City.

I. Code Enforcement

Regular code enforcement services shall be provided.

J. Animal Control

Regular animal control services shall be provided.

K. Drainage

The City finds and determines it to be unnecessary to construct drainage channels or other works of improvement in the newly annexed area for or in connection with the flowage or diversion of any waters in, over, upon or through said annexed area as the area currently has the same level of drainage as is provided in areas of similar topography, land use, and population density within the present corporate limits of the City.

L. Roads and Streets

The City finds and determines it to be unnecessary to construct or improve roads and streets in the area proposed to be annexed as the area currently has the same

degree of roads and streets as is provided in areas of similar topography, land use, and population density within the present corporate limits of the City.

The City finds and determines it to be unnecessary to construct or improve the degree of road and street lighting as the area currently has the same degree of road and street lighting as is provided in areas of similar topography, land use, and population density within the present corporate limits of the City.

SECTION 2. CONFLICTS

In the event that any provision of this service plan conflicts with any other plan, comprehensive plan, or program of the City of Bay City, the provision contained in this service plan shall control; provided however, the terms of the above described Agreements shall take precedence to the terms of this service plan.

SECTION 3. APPROVAL AND TERM OF SERVICE PLAN.

This service plan shall be attached to the ordinance annexing the area described above and approved as part of the ordinance and shall become effective upon the final approval of the ordinance annexing the territory described above.

Effective on the date the ordinance annexing the territory described in Exhibit "A" is approved.

BC Development Group, LLC

City of Bay City, Texas

By: \_\_\_\_\_

By: \_\_\_\_\_  
Robert K. Nelson, Mayor

GFG SPV Holding II, LLC

Attest:

By: \_\_\_\_\_

\_\_\_\_\_  
Jeanna Thompson, City Secretary

GCA Ventures, LLC

By: \_\_\_\_\_  
Signed by agreement





***Doyle & Wachtstetter, Inc***

Surveying and Mapping • GPS/GIS

**BC DEVELOPMENT GROUP, LLC 5.827 ACRE TRACT  
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
MATAGORDA COUNTY, TEXAS  
PAGE 1 OF 2**

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**BEGINNING** at the northwest corner of said GCA Ventures, LLC called 28.24 acre tract, being the southwest corner of all that certain called 3.0975 acre tract of land conveyed by special warranty deed on December 30, 2021 from CP 23 (TX), LLC to Mohammed Atiq Dada, as recorded in Clerk's File No. 2022-75 of the M.C.O.R. and being the same tract of land referred to as Reserve 'A' on the plat of CP Living 23 Addition, as recorded in Plat File No. 547A-547B of the Matagorda County Plat Records (M.C.P.R.), same being a point on the eastern right-of-way boundary line of the 100 foot wide Nile Valley Road and being all that certain called 8.629 acre tract of land conveyed by deed with an effective date of April 13, 2004 from J. N. and Barbara McDonald to the City of Bay City, as recorded in Clerk's File No. 2009-095199 of the M.C.O.R., for the northwest corner and **POINT OF BEGINNING** of the herein described 5.827 acre tract, being located at Texas State Plane coordinate position X=2929033.93 and Y=13551742.48;

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EXHIBIT "A"

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REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
MATAGORDA COUNTY, TEXAS  
PAGE 2 OF 2**

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*Travis T. Wachtstetter*  
Travis T. Wachtstetter  
Registered Professional Land Surveyor  
Texas Registration Number 6577  
October 9, 2023



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Legal\Travis\Matagorda County\Bay City\BC Development Group, LLC 5.827 Acre Tract.doc*



***Doyle & Wachtstetter, Inc***

Surveying and Mapping • GPS/GIS

**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
REUBEN P.T. STONE ¼ LEAGUE, ABSTRACT 92  
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PAGE 1 OF 2**

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**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
REUBEN P.T. STONE ¼ LEAGUE, ABSTRACT 92  
BRAZORIA COUNTY, TEXAS  
PAGE 2 OF 2**

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*Travis T. Wachtstetter*  
Travis T. Wachtstetter  
Registered Professional Land Surveyor  
Texas Registration Number 6577  
November 1, 2024



*This description is based on a survey, a plat of which, dated October 17, 2024 is on file in the office of Doyle & Wachtstetter, Inc.  
Legal\Travis\Matagorda County\Bay City GFG SPV Holding II, LLC 1.748 Acre Tract (2<sup>nd</sup> Addition).doc*



***Doyle & Wachtstetter, Inc***  
 Surveying and Mapping • GPS/GIS

**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
 REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
 MATAGORDA COUNTY, TEXAS  
 PAGE 1 OF 2**

**ALL THAT CERTAIN 1.748 ACRE TRACT** of land lying and situated in the Reuben P. T. Stone ¼ League, Abstract 92, Matagorda County, Texas, being a portion of the remainder of all that certain called 28.24 acre tract of land conveyed by warranty deed on July 31, 2007 from J. N. McDonald, Jr. and Barbara Jean McDonald to GCA Ventures, LLC, as recorded in Clerk's File No. 2007-075954 and later corrected in Clerk's File No. 2007-079080 of the Matagorda County Official Records (M.C.O.R.), said 1.748 acre tract hereby conveyed being more particularly described by metes and bounds using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD83), in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths (S.F.=0.99988447511) as follows:

**BEGINNING** at a ¾" iron rod with survey cap marked "TTW RPLS 6577" found marking the most northerly northwest corner of the remainder of said GCA Ventures, LLC called 28.24 acre tract, being the northeast corner of all that certain called 5.827 acre tract of land conveyed by correction general warranty deed with an effective date of March 9, 2023 from GCA Ventures, LLC to BC Development Group, LLC, as recorded in Clerks File No. 2023-6038 of the M.C.O.R, same being a point on the southern boundary line of the remainder of all that certain called 52.74 acre tract of land conveyed by warranty deed on December 11, 2007 from Beadle Moore, Jr., et al, to James Vincent Maloney and James Grant Allison, as recorded in Clerk's File No. 2007-079960 of the M.C.O.R., for the northwest corner and **POINT OF BEGINNING** of the herein described 1.748 acre tract, being located at Texas State Plane coordinate position X=2929748.66 and Y=13551661.99;

**THENCE** South 83°34'29" East, coincident with the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, a distance of 215.76 feet to a ¾" iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, for the northeast corner of the herein described 1.748 acre tract, at position X=2929963.04 and Y=13551637.85;

**THENCE** South 4°34'37" West, crossing said GCA Ventures, LLC called 28.24 acre tract, a distance of 353.03 feet to a ¾" iron rod with survey cap marked "TTW RPLS 6577" set marking the southeast corner of the herein described 1.748 acre tract, at position X=2929934.87 and Y=13551285.99;

**THENCE** North 83°34'29" West, continuing across said GCA Ventures, LLC called 28.24 acre tract, a distance of 215.76 feet to a ¾" iron rod with survey cap marked "TTW RPLS 6577" found marking the southeast corner of said BC Development Group, LLC called 5.827 acre tract, for the southwest corner of the herein described 1.748 acre tract, at position X=2929720.49 and Y=13551310.13;

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131 Commerce Street • Clute, Texas 77531-5601  
 Phone: 979-265-3622 • Fax: 979-265-9940 • Email: [DW-Surveyor.com](mailto:DW-Surveyor.com)

**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
MATAGORDA COUNTY, TEXAS  
PAGE 2 OF 2**

**THENCE** North 4°34'37" East, coincident with eastern boundary line of said BC Development Group, LLC called 5.827 acre tract, a distance of 353.03 feet to the **POINT OF BEGINNING**, and containing 1.748 acres of land, more or less.

*Travis T. Wachtstetter*  
Travis T. Wachtstetter  
Registered Professional Land Surveyor  
Texas Registration Number 6577  
February 21, 2024



*This description is based on a survey, a plat of which, dated February 13, 2024, is on file in the office of Doyle & Wachtstetter, Inc.  
Legal\Travis\Matagorda County\Bay City\GFG SPV Holding II, LLC 1.748 Acre Tract.doc*

**Discuss, consider, and/or approve the first amendment to the Chapter 380 Economic Development Agreement between the City of Bay City and BC Development Group, LLC.**



## **EXECUTIVE SUMMARY**

### **DEVELOPMENT AGREEMENT – BC DEVELOPMENT**

#### **BACKGROUND:**

The Developer intends to construct approximately an 86-unit multi-family apartment complex “The Reserve at Riverbend” and petitioned for annexation. The estimated investment in infrastructure will exceed \$400,000. Because this will be a positive economic development project for the citizens of Bay City, the proposed agreement provides that the City will reimburse the developer in an amount up to \$100,000 over a period of five years. In addition, under a separate agreement, the Bay City Community Development Corporation will reimburse the developer in an amount up to \$250,000. On December 10, 2024 the City entered into the 380 Economic Development Agreement. However, it was discovered that a second 1.748 acre tract was inadvertently not included in the 380 Agreement.

**RECOMMENDATION:** Staff recommends City Council approve the amended development agreement, adding the second 1.748 acre tract.

**ATTACHMENTS:** Chapter 380 Development Agreement for Reimbursement of Infrastructure

FIRST AMENDMENT TO INFRASTRUCTURE  
REIMBURSEMENT AGREEMENT PURSUANT TO  
TEXAS LOCAL GOVERNMENT CODE CHAPTER 380

STATE OF TEXAS           §  
  §           KNOW ALL MEN BY THESE PRESENTS:  
COUNTY OF MATAGORDA       §

This First Amendment to the Infrastructure Reimbursement Agreement Pursuant to Texas Local Government Code Chapter 380 (hereinafter “380 Agreement”), is made and entered into by and between City of Bay City (hereinafter “City”), a home rule City and BC Development Group, LLC (hereinafter “Developer”);

1.     EXISTING CONTRACT

The City and Chamber entered into a 380 Agreement on or about December 10, 2024. The 380 Agreement is hereby incorporated by reference and made a part hereof for any and all purposes.

2.     ADDITIONAL REAL PROPERTY

Inadvertently, real property that is part of the project was inadvertently not included in the 380 Agreement. It is the purpose of this First Amendment to add the real property described in Exhibit “A” hereto to the real property described as part of the Agreement.

3.     CONTINUATION OF ALL OTHER TERMS OF 380 AGREEMENT

Except as specifically amended or modified herein, all other terms, covenants and conditions contained in the 380 Agreement, are hereby incorporated by reference, and made a part hereof for any and all purposes, are republished, and shall continue in full force and effect.

5.     BINDING EFFECT

This First Amendment, together with the 380 Agreement, as amended herein, shall be binding upon all the parties hereto, their respective successors or assigns.



APPROVED on this 14<sup>th</sup> day of January, 2025.

CITY OF BAY CITY

BC DEVELOPMENT, LLC

\_\_\_\_\_  
By: Robert K. Nelson, Mayor

\_\_\_\_\_  
By: George Villarreal, Vice President  
Date: \_\_\_\_\_

\_\_\_\_\_  
By: Felix Gaulke, Secretary  
Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Jeanna Thompson, City Secretary



**Doyle & Wachtstetter, Inc**  
Surveying and Mapping • GPS/GIS

**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
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PAGE 1 OF 2**

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**THENCE** South 83°34'29" East, coincident with the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, a distance of 215.76 feet to a ¾" iron rod with survey cap marked "TTW RPLS 6577" set marking a point on the northern boundary line of said GCA Ventures, LLC called 28.24 acre tract, being a point on the southern boundary line of said James Vincent Maloney and James Grant Allison called 52.74 acre tract, for the northeast corner of the herein described 1.748 acre tract, at position X=2929963.04 and Y=13551637.85;

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EXHIBIT "A"

**GFG SPV HOLDING II, LLC 1.748 ACRE TRACT  
REUBEN P. T. STONE ¼ LEAGUE, ABSTRACT 92  
MATAGORDA COUNTY, TEXAS  
PAGE 2 OF 2**

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*Travis T. Wachtstetter*  
Travis T. Wachtstetter  
Registered Professional Land Surveyor  
Texas Registration Number 6577  
February 21, 2024



*This description is based on a survey, a plat of which, dated February 13, 2024, is on file in the office of Doyle & Wachtstetter, Inc.*  
Legal\Travis\Matagorda County\Bay City\GFG SPV Holding II, LLC 1.748 Acre Tract.doc



**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:** Jessica Russell **Date Submitted:** 12/5/2024  
*Last, First* *MM/DD/YYYY*

**Requestor Type:** BCCDC Staff **Meeting Date:** 12/10/2024  
*Citizen/City Staff/Council Member* *MM/DD/YYYY*

**Position Title** Executive Director, BCCDC  
*For City Staff Only*

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

### Agenda Content:

**DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS APPROVING A PROJECT OF THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION THAT PROVIDES FINANCIAL INCENTIVES NOT TO EXCEED \$80,000 OVER A FIVE YEAR TERM TO 3D EFFICIENCIES LLC, DBA FIT FOR LIFE, FOR A FAÇADE UPGRADE AND THE EXPANSION OF FIT FOR LIFE IN BAY CITY, TEXAS.**

**. ( 2nd Reading)**

### Executive Summary of Item:

#### Background:

Public Hearing

11/18/24 Discuss, consider, and/or approve a Business Resiliency Project for Fit for Life not to exceed \$80,000- Jessica Russell, BCCDC Executive Director.

12/10/24 1<sup>st</sup> Reading approved by Council

#### Financial Implications:

The BCCDC to approve a project in which BCCDC will participate in Business Resiliency Project for Fit for life not to exceed \$80,000

**Recommendation:** Approve second reading of resolution.

**Attachments:** Resolution



**RESOLUTION R-2024-038**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS APPROVING A PROJECT OF THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION THAT PROVIDES FINANCIAL INCENTIVES NOT TO EXCEED \$80,000 OVER A FIVE YEAR TERM TO 3D EFFICIENCIES LLC, DBA FIT FOR LIFE, FOR A FAÇADE UPGRADE AND THE EXPANSION OF FIT FOR LIFE IN BAY CITY, TEXAS.**

**WHEREAS**, the City of Bay City is a home-rule municipality governed by its City Charter, and has a population of less than 20,000 inhabitants; and

**WHEREAS**, the Bay City Community Development Corporation (BCCDC) is a Type B development corporation established pursuant to Chapter 505, subchapter B, of the Texas Local Government Code, and the City Council of the City of Bay City, Texas is the BCCDC's authorizing unit; and

**WHEREAS**, in accordance with Section 505.158(b) of the Texas Local Government Code, the BCCDC may not undertake a Project authorized under Section 505.158 that requires an expenditure of more than \$10,000.00 until the City Council of the City of Bay City, Texas adopts a resolution authorizing the Project after giving the resolution at least two separate readings; and

**WHEREAS**, the BCCDC has approved a project for **3D EFFICIENCIES LLC, DBA FIT FOR LIFE**, for an expansion project and façade upgrade, at its existing business, at 2200 Avenue F, Bay City, Texas; and

**WHEREAS**, the cost of the Project is approximately \$80,000.00; and

**WHEREAS**, at its Regular Board Meeting held, November 18, 2024, the BCCDC held a public hearing, and considered, and voted to approve an agreement that provides for the granting of incentives for the Project, over a term of two years that shall not exceed a total amount of \$80,000.00; and

**WHEREAS**, the Board of Directors of the BCCDC has authorized a performance agreement with 3D EFFICIENCIES LLC, DBA FIT FOR LIFE outlining the parties' obligations regarding the incentives; and

**WHEREAS**, the City Council of the City of Bay City, Texas finds the Project will promote new or expanded business enterprises in and near the City of Bay City, Texas; and

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

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Authorization.** In accordance with Section 505.158 (b) of the Texas Local Government Code, the City Council hereby authorizes the Project as described in the recitals above after all prerequisites have been satisfied.

PASSED AND APPROVED ON FIRST READING AT THE CITY OF BAY CITY, TEXAS THIS 10<sup>TH</sup> DAY OF DECEMBER, 2024, AND ON SECOND READING AT THE CITY OF BAY CITY, TEXAS 14<sup>TH</sup> DAY OF JANUARY, 2025.

**APPROVED AND ADOPTED** after second reading on this the \_\_\_\_\_ day of JANUARY, 2025.

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

*ATTEST*

\_\_\_\_\_  
JEANNA THOMPSON, CITY SECRETARY  
CITY OF BAY CITY, TEXAS

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



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

### AGENDA ITEM SUBMISSION FORM

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**Requestor Name:** Jessica Russell **Date Submitted:** 12/5/2024  
*Last, First* *MM/DD/YYYY*

**Requestor Type:** BCCDC Staff **Meeting Date:** 12/10/2024  
*Citizen/City Staff/Council Member* *MM/DD/YYYY*

**Position Title** Executive Director, BCCDC  
*For City Staff Only*

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

**Agenda Content:**

**DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS APPROVING A PROJECT OF THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION THAT PROVIDES FINANCIAL INCENTIVES NOT TO EXCEED \$20,000 TO EL ZARAPE CAFE FOR IMPROVEMENTS AND SIGNAGE AT ITS BUSINESS IN BAY CITY, TEXAS. ( 2nd Reading)**

**Executive Summary of Item:**

**Background:**

Public Hearing  
11/18/24 Discuss, consider, and/or approve a Business Resiliency Project for El Zarape Cafe not to exceed \$20,000- Jessica Russell, BCCDC Executive Director.  
12/10/24 1<sup>st</sup> Reading approved by Council

**Financial Implications:**

The BCCDC to approve a project in which BCCDC will participate in Business Resiliency Project for El Zarape not to exceed \$20,000

**Recommendation:** Approve second reading of resolution.

**Attachments:** Resolution



**RESOLUTION R-2024-039**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS APPROVING A PROJECT OF THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION THAT PROVIDES FINANCIAL INCENTIVES NOT TO EXCEED \$20,000 TO EL ZARAPE CAFE FOR IMPROVEMENTS AND SIGNAGE AT ITS BUSINESS IN BAY CITY, TEXAS.**

**WHEREAS**, the City of Bay City is a home-rule municipality governed by its City Charter, and has a population of less than 20,000 inhabitants; and

**WHEREAS**, the Bay City Community Development Corporation (BCCDC) is a Type B development corporation established pursuant to Chapter 505, subchapter B, of the Texas Local Government Code, and the City Council of the City of Bay City, Texas is the BCCDC's authorizing unit; and

**WHEREAS**, in accordance with Section 505.158(b) of the Texas Local Government Code, the BCCDC may not undertake a Project authorized under Section 505.158 that requires an expenditure of more than \$10,000.00 until the City Council of the City of Bay City, Texas adopts a resolution authorizing the Project after giving the resolution at least two separate readings; and

**WHEREAS**, the BCCDC has approved a project for **EL ZARAPE CAFE** for signage and improvements at its existing business, at 1917 13<sup>th</sup> Street, Bay City, Texas; and

**WHEREAS**, the cost of the Project is approximately \$20,000.00; and

**WHEREAS**, at its Regular Board Meeting held, November 18, 2024, the BCCDC held a public hearing, and considered, and voted to approve an agreement that provides for the granting of incentives for the Project, over a term of two years that shall not exceed a total amount of \$20,000.00; and

**WHEREAS**, the Board of Directors of the BCCDC has authorized a performance agreement with EL ZARAPE CAFE outlining the parties' obligations regarding the incentives; and

**WHEREAS**, the City Council of the City of Bay City, Texas finds the Project will promote new or expanded business enterprises in and near the City of Bay City, Texas; and

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

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Authorization.** In accordance with Section 505.158 (b) of the Texas Local Government Code, the City Council hereby authorizes the Project as described in the recitals above after all prerequisites have been satisfied.

PASSED AND APPROVED ON FIRST READING AT THE CITY OF BAY CITY, TEXAS THIS 10<sup>TH</sup> DAY OF DECEMBER, 2024, AND ON SECOND READING AT THE CITY OF BAY CITY, TEXAS 14<sup>TH</sup> DAY OF JANUARY, 2025.

**APPROVED AND ADOPTED** after second reading on this the \_\_\_\_\_ day of JANUARY, 2025.

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

*ATTEST*

\_\_\_\_\_  
JEANNA THOMPSON, CITY SECRETARY  
CITY OF BAY CITY, TEXAS

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY



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**Requestor Name:** Denbow, Samantha **Date Submitted:** 1/9/2025  
*Last, First* *MM/DD/YYYY*

**Requestor Type :** City Staff **Meeting Date:** 1/14/2025  
*Citizen/City Staff/Council Member* *MM/DD/YYYY*

**Position Title** Communications and Cultural Arts Director  
*For City Staff Only*

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

**Agenda Content:**

**Policy – Discuss, consider, and/or approve the Library Policy Manual.**

**Executive Summary of Item:**

The Bay City Public Library was established in 2018 as the first time library policies were approved by the City Council since the transition in management in 2013.

The policies have been reviewed, amended as needed for clarification and applicability to current practice, and reformatted for readability.

Staff recommends to approval of the revised Library Policy Manual as presented.



# Bay City Public Library Policy Manual

Established September 2018

Revised January 2025

*a department of the City of Bay City*



## Contents

Mission & Vision

Accreditation & Standards

Policies

    General

    Building Use

    Collections

    Programs and Services

## Mission Statement

The Bay City Public Library connects residents of Matagorda County with information, technology, ideas and experiences to provide enjoyment, enrich lives and strengthen our community.

## Vision

The people of Matagorda County will:

- Have the information they need to succeed at school, work, and in their personal lives.
- Have reading, viewing and listening materials and programs that stimulate their thinking, enhance their knowledge of the world and improve the quality of their leisure time.
- Discover the joy of reading and develop a love of learning.
- Enjoy a high level of access to electronic information resources and develop the technological, information seeking and information evaluation skills needed in an increasingly complex world.
- Think of the Bay City Public Library as a focal point of community life that connects and unites the people of the entire region.
- Use the Bay City Public Library resources and services and encourage others to do so as well

## City Core Values

**Integrity:** We are dedicated to delivering results with honesty, integrity, and fairness, putting the community's best interests first.

**Excellence:** We are committed to excellence in customer service, working to make Bay City an enjoyable place to live with quality infrastructure and superior municipal services.

**Transparency:** We will keep our community informed by sharing our plans and progress.

## Organizational Structure

The Bay City Public Library is a division of the Communications and Cultural Arts Department under the management of the City of Bay City.

## Accreditation & Standards

In Texas, a library must be accredited to be eligible for certain services of the Texas State Library and Archives Commission (TSLAC). These benefits, which provide significant cost savings for a community, include:

- Participation in the TexShare databases consortium, electronic resources utilized by some 700 public, school and medical libraries. Registered cardholders have access to more than 50 databases, 24 hours a day.
- Participation in the TexShare card program, whereby cardholders have the privilege of visiting and borrowing physical materials from over 500 libraries throughout the state.
- Eligibility for participation in the statewide interlibrary loan (ILL) borrowing program, with reimbursements made to lending libraries.
- E-rate discounts for agencies eligible under the Library Services and Technology Act (LSTA).
- Consideration for TSLAC competitive grants and additional programs or project opportunities which vary from year to year.

Additionally, accreditation represents a quality-of-life marker, a way to be connected with other libraries in the state, and a means to market the community. In efforts to standardize the quality of library services throughout the state of Texas, the Texas Library Association (TLA) has set forth Public Library Standards designed to offer a measurable guide for the level of service experienced by library visitors. Bay City Public Library staff regularly assess these standards in striving to provide high-quality service to the community that exceeds the minimum qualifications of accreditation.

## **Policies**

### **1. General**

- 1.1. Confidentiality
- 1.2. Customer Service
- 1.3. Lending and Use
- 1.4. Fines and Fees
- 1.5. Borrowing from Other Libraries
- 1.6. Photo Permissions
- 1.7. Grants
- 1.8. Volunteers

### **2. Building Use**

- 2.1. Hours
- 2.2. Room Reservations
- 2.3. Patron Code of Conduct
- 2.4. Safe Child Policy
- 2.5. Exhibits & Art Displays
- 2.6. ADA

### **3. Collections**

- 3.1. Selection Criteria
- 3.2. Patron Requests
- 3.3. Donations
- 3.4. Collection Maintenance
- 3.5. Requests for Reconsideration

### **4. Programs and Services**

- 4.1. Programming
- 4.2. Information Services
- 4.3. Computers and Wifi
- 4.4. Outreach
- 4.5. Other



1.1 General – Confidentiality of Records

Records of this library which identify or serve to identify a person who requests, obtains, or uses library materials or services are confidential and are exempt from required disclosure under the Texas Open Records Act Section 552.124

Exceptions

Such records generally may be disclosed only if:

- The library determines that disclosure is reasonably necessary to the operation of the library and the records are not confidential under other state or federal law.
- The records are released to the person to whom the information relates; or the person to whom the information relates has given permission, in writing, for the information to be released.
- The records are required under a valid court order or subpoena, as provided under the provisions of the Texas Open Records Act. Only the Library Director will release records in this circumstance.

This policy will be implemented by procedures set out in the Bay City Public Library Procedures Manual.

Each Employee and Volunteer (hereafter called Employee) who provides services for the Bay City Public Library shall be bound by this confidentiality agreement.

An Employee shall not disclose Patron information, including address, telephone number, reading preferences, circulation statistics, or overdue/fine status, to any outside agency or individual. Nor shall he or she make personal comments on a Patron's choice of reading material.

An Employee shall ensure that all staff, volunteers, and board members receive a copy of the confidentiality policy.

Violations of the policy may result in reprimand, loss of certain job/volunteer responsibilities, or disciplinary action up to termination of employment or appointment.

1.2 General – Customer Service

Bay City Public Library (BCPL) staff members serve as the link between customers and the library’s resources and services. BCPL’s goal is to provide superior library service which includes helpful and knowledgeable staff, access to relevant informational resources, and quality facilities.

The library upholds the following best practices for providing outstanding customer service.

The staff of BCPL will:

- Ensure that library users consistently receive a high level of service.
- Select, acquire, and organize sources of information and materials to meet the needs of library customers.
- Be knowledgeable about library resources, policies and procedures, and be able to explain the resources, policies, and procedures to customers.
- Identify and promote the services that meet the needs of customers and potential users in the community.
- Refrain from value judgments or opinions regarding the importance of a request or question.
- Provide customer assistance without discrimination.
- Maintain the confidentiality of our customers’ transactions and records.
- Cooperate with community agencies and organizations to serve the community.
- Adhere to the principles of the American Library Association’s Code of Ethics.

Customer service is a top priority of the library. All library customers will be treated promptly and respectfully without regard to age, gender, sexual orientation, race, ethnicity, disability, language proficiency, social or economic status.

Staff Support to Patrons

Library staff do not have medical, legal, tax, or other professional services training and are prohibited from offering advice in those or other areas best served by trained professionals.

Library staff may only assist patrons in locating information about those services and providers and may not recommend specific service providers.

Patrons should not share personal, private, or financial information with Library staff, and Library staff should maintain patron privacy by avoiding situations in which such information is viewable. Staff should not share personal, private, or financial information with patrons.

Library staff should not make personal comments on a patron’s choice of materials and services.

Library staff may assist patrons with accessing computer programs, offer instruction on using computer programs, and answer questions about program functions. Staff may not prepare finished materials for patrons such as filling out forms and applications, typing documents, or formatting graphical materials such as flyers, invitations, or business materials.

Library staff may assist patrons in scanning or copying materials at the printer/copier. If patrons have large amounts of copying, they should receive instruction in how to use the machine so that Library staff are free to assist other patrons. Exceptions to this policy may be made to assist patrons with temporary or permanent disabilities.

1.3 General – Lending and Use

**Cards**

All persons who are residents or property owners in Matagorda County are able to obtain a library card for free as long as they complete the application and provide proof of identification and proof of residence/property ownership. The Library Director or designee has the authority to determine acceptable items to meet the requirements for a card.

**Under 18:**

Completed application signed by a parent or legal guardian. Applications for an account will follow the same guidelines for adult accounts.

Once a minor becomes 18 or emancipated, the Youth account will be blocked and he or she will need to apply for an Adult card. All fines on the Youth account are the responsibility of the parent or legal guardian.

**Card Renewal.** General Library cards are issued for a two-year period for permanent residents and one year for all other card types. The Library Director, or designee, will determine procedures for account renewal.

**Replacement Cards.** Library cardholders are encouraged to keep their library card secure. Should a library card become lost or stolen, it is the responsibility of the cardholder to notify the library immediately. Cardholders are responsible for any fines or fees accrued until the library is notified of the lost or stolen card. The charge for replacement cards is set according to the City of Bay City Fee Schedule.

**Other Account Types:** The Library Director, or designee, has the authority to create account types and their limits other than the General Account for users who may require circulation parameters not covered by the General Account. This may include but is not limited to Student Accounts, Homebound Accounts, and Non-resident Accounts.

**Patron Responsibilities:**

All Bay City Public Library cardholders agree to comply with library rules and regulations, to pay all fines, to make good any loss or damage to books incurred while checked out by the cardholder, and to give immediate notice of any change of residence. Guardians of minors who signed for a child’s card assume responsibility for the child’s card. Cardholders may not avoid responsibility for overdue fines and other incurred fees or costs by using another family members’ card. Habitual or severe abuse of library policies, non-payment of fines, fees and other abuses may result in denial of library services, as determined by the Library Director. Patrons will only be allowed to have one active account in their name unless part of a special card program and allowed to use their own card.

**Circulation Periods**

**Card Use:**

Library cards are required for checkout of materials. Staff may use alternative methods to verify an account in good standing when applicable.

#### Loan periods & Checkout Limits:

For General accounts without special periods, all BCPL library materials, are checked out for a two-week basis.

New Accounts will be limited to 4 items on the first checkout.

Materials may be renewed twice, providing there is not a waiting list, before the item must be renewed in person. Items with a waiting list will only be allowed one two-day extension.

Interlibrary loan materials are due by the date indicated on checkout slip.

The Library Director, or designee, determines all other or special loan periods and check-out limits.

All circulation limits are reviewed and set annually, and at the creation of new account types by the Library Director.

#### **Reserves**

Materials may be reserved in person, by phone, e-mail, and/or digitally through the online catalog or library app. Persons will be notified when the item becomes available and held for a period of three working days only. If the item is not picked up within three working days, it will be checked out to the next patron on the reserve list or returned to the shelf if no other holds have been placed. The Library Director, or designee, may set a limit on the number of materials that may be reserved at one time.

1.4 General – Fines and Fees	
<p>The Fines and Fees schedule is set yearly and adopted by the City Council during regular budget proceedings.</p> <p>Charges may be assessed for overdue items, damages, other library services, lost materials, and processing fees. Patrons with accounts amounting to \$5.00 or more may not be able to check out materials until records are cleared or a payment plan has been put in place.</p>	

1.5 General – Borrowing from Other Libraries

**Interlibrary Loan**

Interlibrary loan is the process of lending and borrowing materials between libraries via a mailing system. Because of limited budget, space, and other factors, the Library cannot provide all materials that are requested. Therefore, interlibrary loan is used to obtain from other libraries those materials that are beyond the scope of the Bay City Public Library’s collections. Costs associated with this service is one-way postage, and any applicable late fees or damages charged by the lending library.

**TexShare Cards**

TexShare Cards allow patrons to visit and borrow other libraries’ materials for free that participate in the Texas State Library and Archives Commission’s TexShare Program. Note that each library has their own set of rules for TexShare cardholders. Visit <https://www.tsl.texas.gov/texshare/card> for current information and to see which libraries participate in the program.

Current Bay City Public Library cardholders, 18 years of age or older, in good standing with no pending fines or lost or damaged items may apply for a TexShare card. Active Bay City Public Library patrons are eligible for a TexShare Card after holding a card for six months. TexShare Card applications and renewals must be made in person. TexShare Cards are good for one year from the date of issue and must be renewed in person when expired.

BCPL staff will develop relevant policies and documents as required by the TexShare Card program.

1.6 General – Photo Permissions

Library-sponsored programs, classes and events, may be photographed or videotaped for library promotional purposes. Patrons may notify library staff if they wish not to be photographed.

Group Photos

Release of photograph and/or name is not required. When a photographer attends a program, in lieu of photo release forms, programmers or library staff will announce at the beginning that “the library may photograph or videotape you for library promotional purposes. Notify library staff if you do not wish to be photographed.” Signage will also be posted in the program area.

Individual Photos

A signed Release of Photograph and/or Name Form is required for the following:

- Staff or programmers zoom in for a close-up on one particular person in a large group and when a close-up picture of a library customer is taken.
- When taking a posed photo of a library customer; they are acting as a model or being interviewed.

We request that library customers be considerate, respectful, and responsible when taking photos on library premises. Only take photos of other people if you have their permission. Formal photo sessions or videotaping must be approved by the Library Director in advance.



1.7 General – Grants	
<p>All grant proposals are subject to the City of Bay City Finance Department's Policies and Procedures. The purpose of a grant is to assist the library with starting new or expanding current programs and services that reflect the Bay City Public Library's Mission and Vision Statements. Grants should not be expected to diminish, curtail, substitute or cut in any way the local funding of the Library</p>	

1.8 General – Volunteers

The Library welcomes and encourages members of the community to volunteer their time and talents to enrich and expand library services. Volunteers are expected to conform to all policies of the City of Bay City and the rules outlined in this manual, and volunteer guidelines. Volunteers will be selected and retained for as long as the library needs their services. Volunteers may be used for special events, projects, and activities or on a regular basis to assist staff.

Volunteers must be at least 14 years of age and complete a volunteer form. Minor volunteers must have a parent/guardian release. Minors under the age of 14 years of age are allowed as part of a project from a community organization and/or alongside their parent/guardian. Volunteers who work with the public may be subject to a background check, reference check, a formal interview, required to attend an orientation, and submit to a probationary period.

The library does serve as a location for court-ordered community service. Library staff are tasked with putting guidelines and a process in place for this program and may modify it at any time.

Services provided by volunteers will not be used in place of hiring full- or part-time staff.

2.1 Building Use - Hours	
<p>Hours are determined for library services using the requirements provided in the accreditation and library standards guidelines. The library follows the holiday schedule of the City of Bay City. In addition to these holidays, the Library will close the Saturday following a Friday holiday. Additional closings will be announced at least two weeks in advance, if possible. All closings will be posted on the Library's entrances and to the Library's Facebook page as reasonably possible.</p>	

## 2.2 Building Use – Room Reservations

### **General Guidelines:**

- Library meeting rooms are available free to all non-profit groups engaged in education or cultural activities.
- Rooms may be available for small group study when not in use by the library.
- All activities held in these rooms must be free and open to the public.
- No admission fee or donation may be required or solicited from those attending meetings in the Library. The sale of an author's book during a book signing event is allowed. Library-sponsored events for the purpose of raising funds for the Library are allowed.
- Library-sponsored programs and training receive first priority, and city or Library needs may preempt any scheduled event. If changes or cancellations are necessary, the Library will provide as much notice as possible.
- Meetings will not be scheduled before or after Library hours. No member of the organization may enter the Library before it officially opens, and all participants must leave by the time the Library closes. Groups needing setup time for their meeting should allow for it in their reservation.
- Meeting rooms are not available for private parties such as birthday parties, showers, or family reunions.
- Use of the meeting rooms does not constitute endorsement, by the Library or City of Bay City, of the points of view expressed by the group.

### **Room Regulations:**

- The organization reserving the room is responsible for setting up for their meeting and returning the room to its original arrangement.
- The individual or group that makes the reservation will be responsible for any damage to the room, carpet, equipment, or furniture.
- Organizations or groups wanting to use Library equipment in the meeting rooms must request permission for its use when applying for the room. A list of available equipment is included with the meeting room reservation form. Library staff may not be available for assistance with equipment the day of the meeting.
- Refreshments may be served but must be provided by the group along with all supplies and service pieces.
- Meetings of individuals under the age of 18 years must have an adult sponsor present.

### **Reservations:**

Requests for use of meeting rooms can be made in person or by email by completing a Room Reservation Form. This form can be submitted to the Library Service Desk preferably one week in advance of the date requested and must receive approval from a designated Library staff member.

Advanced reservations may be made, but not earlier than 12 months prior to the event and only in the current calendar year.

Library staff are tasked with the creation of the form and further guidelines for using library meeting rooms.

### 2.3 Building Use – Patron Code of Conduct

To make the library a safe and pleasant place for all, the following rules have been adopted. Patrons who do not comply with these policies will be asked to leave the library and its property.

#### **Expected behavior**

To build a reasonable and welcoming library environment for all customers, library patrons are expected to:

1. Attend to their personal belongings. The library is not responsible for personal belongings left in or on library property.
2. Allow staff to look in bags in case of security concerns.
3. Enjoy food and drinks responsibly while in the library.
  - a. Keep food and drinks away from computers.
  - b. Use re-closable, spill-resistant containers for drinks.
  - c. Restrict snack foods to small, packaged items. Meals, messy foods, and foods with a strong smell are not allowed.
4. Wear shoes and appropriate clothing for public health reasons.
5. Use public restrooms for intended purposes only.
6. Maintain acceptable bodily hygiene. If body odor or perfume is strong enough to constitute a nuisance to others, the customer may be asked to leave the building.
7. Stay out of non-public areas, such as offices, workrooms and storage areas, unless authorized by staff to enter.
8. Maintain a noise level that does not disrupt other patrons from use of services or staff from conducting duties. This applies to both voice level and cell phone use.

#### Inappropriate behavior

The following actions and behaviors are considered inappropriate on library property and thus prohibited:

1. Disruptive, uncontrolled, or unsafe behavior.
2. Displays a firearm or other weapon in a public place in a manner calculated to alarm, (Texas Penal Code § 42.01)
3. Possession of alcohol or any illegal substance. Intoxication, whether by alcohol or other mind-altering drugs, to the point of impairment of one's mental or physical abilities. (Texas Penal Code § 49.02)
4. Intentional physical damage to library property or to the personal property of any other patron.
5. Use of library computers or network for illegal or library prohibited activity.
6. Engaging in acts of sexual misconduct, including, but not limited to, indecent exposure, sexual contact and sexual intercourse. (Texas Penal Code § 21.07 and 21.08)
7. Sleeping in the library and on library property.
8. Smoking in library facilities, near library entrances, or in any other prohibited areas on library property. Vapes are also not allowed.

9. Bringing animals other than service animals into the library. All pets on library grounds must be attended to and be on a leash.
10. Solicitation of business, except in compliance with City of Bay City policy
11. Bringing large items that present a safety hazard or security concern into the library.
12. Refusal to leave the library or library areas at closing time or when instructed to leave by Library staff.

**Library response to policy violations**

Any person who violates the Patron Code of Conduct may be expelled from the library premises. The length of expulsion is at the discretion of the Library Director, or designee, and will be appropriate to the infraction.

- A. The person expelled shall be provided with a copy of the Patron Conduct Policy, if possible.
- B. The person expelled may appeal the expulsion to the Library Director in writing. In an appeal, the person expelled shall have an opportunity to present evidence that may support the retraction of the expulsion.
- C. If the person expelled returns to the library before the defined time period has expired, or if they refuse to leave the library when asked to do so, library staff may call the police to have the person removed and prosecuted for criminal trespass.
- D. An expulsion from any one library location will apply to all Bay City Public Library locations.

2.4 Building Use – Safe Child Policy

Children under age 10 may not be left alone or unattended in the library at any time.

Children 10 years old and older may use the library without being accompanied by an adult. Parents, however, are still responsible for the actions and safety of their children under the age of 18. Parents who wish to limit or restrict the reading, viewing, or listening of their own children must personally oversee their children’s selections.

Parents who leave a child unattended in the Bay City Public Library are exposing their child to potential harm and may themselves be committing an offense under Texas Penal Code § 22.041b, Abandoning and Leaving Unsupervised Children which states, A person commits an offense if, having custody, care, or control of a child, he intentionally abandons the child in any place under circumstances that expose a child to an unreasonable risk of harm.

Children, supervised or not, are required to follow all library policies not limited to no running, becoming loud and disruptive, using vulgar and inappropriate language, damaging library property, becoming insulting to library staff or interfering with the use of the library by other customers. Should this happen, parents will be called. If staff are unable to reach the parent, appropriate law enforcement or child protective authorities will be notified.

No minor is allowed to remain unsupervised at closing. If a minor younger than 15 years is not picked up within 15 minutes of closing, Bay City Police Department will be called. Library staff are not allowed to provide transportation to patrons. Library staff members are not responsible for the care or supervision of children at any time.

This policy will also apply to an elderly or disabled individual as applicable in Texas Penal Code § 22.041b.

2.5 Building Use – Exhibits & Art Display

Exhibits and displays in the Library are arranged to improve the quality of life in the community through access to education and cultural arts. The cooperation of non-profit organizations in the loan of materials for display is welcomed. Non-profits must be registered with the Internal Revenue Service. To encourage a sense of community and connectivity, personal collections may be allowed at the availability of exhibit space and at the discretion of the Library Director.

The library encourages area residents to display their artwork in designated areas. Artwork on display will be available for public viewing at all times the library is open. The library will provide a hanging system for these pieces and further holes in the wall are not allowed. Easels may also be provided if space allows.

All artists wishing to display their work in the library must complete and sign an Art Exhibit Application form. The library is not responsible for damage to the art displayed. Artists are responsible for ensuring materials displayed.

The Library Director or designee is responsible for setting parameters related to the public distribution of posters, leaflets, and other promotional literature from outside organizations. All items must be submitted to the library for approval.



2.6 Building Use – ADA

This library fully intends to comply with the spirit and letter of the law with regard to its services and treatment of all patrons with disabilities.

To that end, this library will make any reasonable effort to inform its staff and volunteers of the law and make them aware of the problems of the disabled as well as the special services that are mandated by ADA. These may include assistance with the electronic catalog, telecommunications devices for the deaf, large print materials and a willing attitude to retrieve materials from shelves or relocate activities to accessible areas.

The library will survey its physical facility for architectural barriers and make any reasonable effort to modify any existing problems, to the extent budget considerations allow. All major defects will be addressed in any remodeling or alteration of the facility. The library will fully investigate any complaints alleging non-compliance with ADA.

### 3.1 Collections – Selection Criteria

#### **Principles and Objectives**

1. Purpose. The purpose of the Bay City Public Library is to provide all library users with carefully selected materials and to assist individuals in the pursuit of educational and recreational information. The library collection as a whole will be an unbiased and diverse source of information, representing multiple viewpoints on a wide range of topics. Materials are selected to best meet these objectives.
2. Viewpoints. The library neither encourages nor discourages any particular viewpoint. No material will be excluded because of the race, nationality, religion, gender, sexual orientation, and political or social views of the author. Selection of materials by the library does not mean endorsement of the contents or the views expressed in those materials.
3. Rights. The freedom to read, along with the freedom to hear and to view, is protected by the First Amendment to the Constitution of the United States. To this end, the Bay City Public Library upholds the principles of the American Library Association's Library Bill of Rights, Freedom to Read, and the Texas Library Association's Intellectual Freedom Statement. These documents are at the end of this policy.
4. Parental Responsibility. It is the responsibility of the parent or legal guardian to supervise and monitor the library activities of their child. The library staff cannot be held responsible for the materials checked out by minors. Staff will not limit the access of materials to minors due to content. Library staff do not act in loco parentis, or in the place of a parent.

#### **Responsibility for Selection**

The Library Director is responsible for the selection of library materials following the guidelines and criteria outlined in this policy. He or she may delegate the development of specific collections to library staff.

#### Selection Criteria

1. The main points used when selecting materials in no specific order are:
  - a. Individual merit of the item
  - b. Popular demand and/or patron request
  - c. Library need for material
  - d. Budget
  - e. Authority of author and/or publisher
2. Review sources are used to assist in selecting materials. Review sources used include, but are not limited to, the following:
  - a. Library Journal
  - b. School Library Journal

- c. Booklist
- d. Other professional review publications
- e. Area newspapers with book reviews
- f. Bestseller lists

3. Materials may be selected without a review. Consideration is given to materials that may be relevant to the library's collections (i.e. Texas collection, local interest, local authors.)

Formats of materials collected by the Bay City Public Library include print (books and periodicals), multimedia (audios and videos), and electronic resources (online databases, eBooks, and eAudiobooks. New and emerging formats will be considered when appropriate.

5. The Genealogy Collection contains materials pertinent to Bay City/Matagorda history and includes other paper formats such as documents, photographs, vertical files, and such materials appropriate for this special collection.

3.2 Collections –Patron Requests	
<p>The library welcomes patron interest in the collection and will consider all requests for specific materials depending on the availability and suitability of the item for the collection. The library is under no obligation to fill any particular request.</p> <p>The library is tasked with setting the guidelines and process for patrons to request materials.</p>	

### 3.3 Collections – Donations

#### **Gifts and Donations**

1. **General Gifts.** The Bay City Public Library accepts gifts of books and other materials with the understanding that the items will be added to the collection only if appropriate to the collection and need. The library reserves the right to decide the disposition of all gifts received. If items given to the library are not needed because of duplication, condition, age, etc., the Library Director will dispose of them as he/she sees fit. Such items may be offered to the Friends of the Library for their book sales. City policy restricts the types of personal gifts given to staff.
2. **Other Gifts.** Gifts of a more specific nature, such as works of art, furniture or equipment, shall be referred to the Library Director for acceptance.
3. **Memorials & Honorariums.** Citizens may wish to honor or memorialize an individual with the purchase of library material to be added to the collection. The Bay City Library Association accepts donations of funds for memorials or honorariums on behalf of the library. The Library Director, or designee, makes selection of items purchased as memorials or honorariums, with consideration given to the donor's preferences. The same criteria for selection of purchased library materials will also be applied to gifts and donations. Once added to the library collection, gifts, memorials, and such donations fall under the collection development policy and will be maintained and handled as the rest of the library's holdings.
4. **Special Collections** The Library will not create separate collections of donated materials. Donations of this type may receive a book plate to note the donation and will be shelved with the appropriate collection.

### 3.4 Collections - Collection Maintenance

1. Criteria. For an up-to-date, attractive and useful collection, a continuous schedule of withdrawal and replacement is required. The CREW Method will be followed as a guideline for appropriate age of materials. Other criterion for evaluation and maintenance of the collection includes, but is not limited to, the following:
  - a. Condition of the material
  - b. Usage based on observation and computer generated reports
  - c. Superseded editions or revisions
  - d. Popularity and appeal
  - e. Outdated information
  - f. Space and budgetary considerations
  - g. Professional appraisal & evaluation
2. Disposition. The Library Director will determine the final disposition of any materials withdrawn from the Library collection. Materials in poor physical condition or having little anticipated resale value will be discarded. The Friends of the Library will be allowed to sell discarded or withdrawn materials, and proceeds of such sales will be used to support the library's mission, programs, or to enhance the library's collections.

3.5 Collections - Requests for Reconsideration

The Bay City Public Library strives to meet a wide variety of tastes and interests with high-quality and popular materials. Bay City and surrounding areas are comprised of many diverse groups, with different beliefs, standards and theologies. Every patron has the right to his or her opinions and beliefs. Differences of opinion regarding the suitability of library materials may arise. Patrons requesting that material be withdrawn from the collection or with concerns about an item's placement in the library may complete a "Request for Reconsideration of Library Material" form. It is the responsibility of the Library Director to form a committee to make a final determination on all such requests.

4.1 Programs & Services - Programming

The purpose of library programs are to provide patrons with opportunities for educational enrichment, social interaction, informational needs, enjoyment of the arts, and entertainment. The staff is skilled at and experienced in selecting programs that will appeal to a broad range of interests and ages. Given the diverse nature of interests, beliefs, and backgrounds, not all programs will be of interest to all patrons, but we believe it is important that all citizens feel welcomed and supported in the library.

Given the wide range of viewpoints in the community, some programs may be controversial or offensive to some residents. The presentation of these programs will not be restricted by the possibility that it may offend some.

This policy includes on-site, virtual, co-sponsored, and off-site programs.

Parents and legal guardians are responsible for selecting which programs their child attends.

Programming and events at the library may be sponsored by the Library, the Friends of the Library, the Bay City Library Association, or public and private groups or organizations in partnership with the Library.

All programs, regardless of who is sponsoring the event, must be open to all citizens free of charge.

All programs, regardless of the sponsor, must not present misinformation or disinformation as fact.

Patrons are welcome to suggest topics or presenters but the library is under no obligation to offer these programs.

The fact that the library, the Friends of the Library, an individual, or organization is granted permission to present a program in the Library in no way constitutes an endorsement of the policies or beliefs of that individual or organization by the Library or the City of Bay City.

Any requests for reconsideration of a program will follow the same policy and procedures as for collection materials.

When reviewing a request to have the library sponsor a program, the library does not discriminate on the basis of race, age, values, gender, sexual orientation, gender identity, cultural or ethnic background, physical, sensory, cognitive or learning disability, economic status, religious beliefs, or views.



4.2 Programs & Services – Information Services

Service Standards

The library recognizes and respects that each question is important to the customer who asks it. Library staff will use authoritative and appropriate sources to respond to all customer questions. If materials are needed that are not owned by Bay City Public Library, every effort will be made to obtain the materials from other libraries when possible. In some cases, staff may refer a customer to other agencies that can more completely answer a question.

Assistance in locating appropriate material and information, and help in using library resources, may be restricted by the time and staff available. The number of customers waiting for help may restrict the time available to help any one customer; however, staff will strive to provide effective service to all customers.

Service Limitations

A. Legal and Tax Information

Staff provides legal definitions and specific citations from the codes, but does not interpret passages. Staff does not recommend specific attorneys, but may suggest the customer contact the local bar association for further assistance and may provide a list of attorney names from online search engines. Staff assists customers in locating specific tax forms and publications. Staff does not interpret tax regulations or provide tax advice. Staff provides requested legal forms, but does not make recommendations on the types of forms needed.

B. Medical Information

Staff will assist customers in finding information about diseases, medical conditions, tests, and treatments in print and electronic resources. Staff does not interpret the information found in these medical resources. Staff does not make diagnoses, give advice, or recommend specific healthcare professionals.

C. Consumer Products and Services Evaluation

Staff cannot make recommendations but will direct customers to authoritative resources that provide consumer reviews. Commercial and financial transactions may be conducted on library computers, but customers do so at their own discretion and risk. Staff assistance will be limited to basic web navigation and website suggestions, but not endorsements.

D. Research Requests

Staff does not conduct in-depth research for customers. Customers will be given search assistance including help in locating relevant resources and assistance with search strategies.

When a research request is phoned in, staff encourages the customer to come to the library to use material that is only accessible in the library. Staff may recommend electronic resources and material to borrow from other libraries

and may make referrals to other libraries and organizations when those collections would better meet the customer's needs.

E. Computer Assistance and Instruction

Staff is available to assist customers in using library computers, navigating the Internet, using library-provided software, and scanning, printing and faxing documents. Staff will not complete forms, work with personal or financial information including credit cards and passwords, type or proofread documents for customers. Staff is not able to provide in-depth training without an appointment. Staff may assist customers in registering for technology instruction options at the library.

F. Customers' Devices

Staff is not able to troubleshoot customers' devices, such as laptops, digital cameras, cell phones, etc.

Local History Reference

The Genealogy Collection is a repository of primary and secondary source material that furthers the knowledge of Matagorda County and other Texas counties.

This collection is a non-circulating and non-browsing collection. Cataloged materials, such as the can be retrieved by reference staff for in-library use during all regular library hours. Other local history materials including photos, maps, microfilm, and other paper documents area available for access but may require an appointment for assistance.

4.3 Programs & Services – Computers and WiFi

This policy applies to all users of Bay City Public Library computers or networks. In agreement with CIPA Regulations, all Library public access workstations use filtering software to access the Internet. Adults 18 or older who need unfiltered access for any lawful purpose may request it from a staff member. Unfiltered access will be granted on a per-search basis.

**Internet & Public Access Computer**

The Internet enables access to a wealth of material that is personally, professionally, and culturally enriching to individuals of all ages, but it also enables access to material that some may find offensive, disturbing, inaccurate or incomplete.

The Library cannot control the content of resources available to the Internet and cannot be held responsible for their content.

The availability of information does not constitute endorsement of the content by the Library.

The Library is not responsible for damage, theft or loss of personal property or software used in the library.

The Library is a public place and patrons should not have an expectation of privacy.

The Library reserves the right to change its Internet and Public Access Policy at any time.

Use of Library computers or the Library’s wireless network constitutes acceptance and agreement of the “Internet and Public Access Computer Policy”

**Children’s Internet Access**

Restriction of a child’s access to the internet is the responsibility of the parent or guardian. If a parent or guardian does not want their child to access a computer, then they must be present with their child. Staff will not notate accounts with specific limit requests.

The public library, unlike schools, does not serve in place of the parent. Librarians cannot act in place of parents in providing constant care and supervision of children as they explore the internet. The responsibility for what minors read or view on the internet rests with parents or guardians.

**Acceptable Use**

Library computers and wireless network may not be used for any activity prohibited by law including but not limited to accessing child pornography or materials which by local community standards would be obscene as defined in U.S. Code Title 18 and Texas State Penal Code Chapters 42 and 43.

In addition, the following activities are prohibited in the Library:

- Attempting to alter or damage computer equipment, software configurations, or files belonging to the
- Bay City Public Library or City of Bay City, other users, or external networks;
- Attempting unauthorized entry to the Library's and/or City of Bay City's computer network;
- Intentional propagation of computer viruses;
- Violation of copyright or communication laws. U.S. copyright law (Title 17, U.S. Code) prohibits the unauthorized reproduction or distribution of copyrighted materials, except as permitted by the principle of fair use. Responsibility for any consequences of copyright infringement lies with the user.

The Library expressly disclaims any liability or responsibility resulting from such use.

- Hacking and violation of computer system security;
- Use of computer communications facilities in ways that interfere with, or impede computer use of others;
- Obtrusively displaying information with the intent of being disruptive or offensive to others.

The Library reserves the right to terminate network connections for users who violate these guidelines and to prohibit violators from future access to or use of the library's computer services, and to revoke all privileges.

### **Wireless Internet Access**

The Internet and Public Access Computer Policy prohibits disruptive or illegal activity while using the Libraries wireless internet service. It is the responsibility of the user to understand these policies and his/her obligation to refrain from inappropriate or illegal activities.

The Library assumes no responsibility for the safety of equipment or for wireless device configurations, security, or data files resulting from connection to the Libraries wireless network.

The Library can make no guarantees as to the compatibility of a library users device with the Library's wireless network.

Printers are not connected to the Libraries wireless network. However, the library may provide a third-party option for patron's to print from their own devices.

Refrain from using sounds that might be disruptive to others patrons or to staff.

Library Staff are able to provide limited technical assistance for wireless users. The library and City of Bay City are not liable for any damages that arise from this assistance.

4.4 Programs & Services - Outreach

The Library provides outreach services to the community through various methods. All outreach must be approved by the Director.

Mobile Library collections. These collections can be delivered to approved locations that target underserved populations in the community. Items circulated via the Mobile Library are not subject to fines or fees unless deemed appropriate by the Library Director. The Library has the right to refuse to serve patrons or organizations who display a pattern of failing to return, damaging materials, or not adhering to program guidelines. Library staff are tasked with creating the guidelines for this program and modifying them as needed.



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

## AGENDA ITEM SUBMISSION FORM

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**Requestor Name:** Lopez, Gabriel **Date Submitted:** 01/9/2025  
*Last, First* *MM/DD/YYYY*

**Requestor Type:** City Staff **Meeting Date:** 01/14/2025  
*Citizen/City Staff/Council Member* *MM/DD/YYYY*

**Position Title** Engineering Technician  
*For City Staff Only*

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

### Agenda Content:

**DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION AWARDDING A CONTRACT FOR ENGINEERING SERVICES FOR THE DISASTER RECOVERY REALLOCATION PROGRAM (DRRP) ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE (GLO).**

### Executive Summary of Item:

**BACKGROUND:** The City of Bay City is securing engineering services to support project design and implementation for the Texas General Land Office (GLO) Disaster Recovery Reallocation Program. This program provides federal funding for disaster recovery projects that address infrastructure needs in disaster-impacted areas.

The city submitted three preliminary applications. These include two drainage projects aimed at improving stormwater management in flood-prone areas and a waterline replacement project in the northwest quadrant to enhance water service reliability. The GLO will review these preliminary applications. Eligible projects will advance to full application submission by February 3, 2025, with a final deadline of April 3, 2025.

To ensure timely project delivery, the city requires engineering services. These services will include project design, preparation of construction plans, and technical oversight during implementation to ensure compliance with all program requirements.

**FINANCIAL IMPLICATIONS:** The Disaster Recovery Reallocation Program (DRRP) is reallocating \$84,500,000 in Hurricane Harvey funding, with minimum and maximum project award amounts set at \$500,000 and \$20,000,000, respectively. The program requires a cost-share of 90% federal funding and 10% local funding. The City of Bay City submitted three preliminary applications with estimated

project costs of \$870,000, \$1.8 million, and \$2.6 million, which include engineering services in their budgets.

**IMPACT ON COMMUNITY SUSTAINABILITY:**

Obtaining funding through this program will enhance the City's ability to address disaster related infrastructure needs. These projects will strengthen the City's stormwater systems, reduce flood risks, and improve water service reliability, contributing to sustainability and resilience against future disasters.

**RECOMMENDATION:**

City Staff recommends Council approve the resolution to award engineering services for the GLO Disaster Recovery Reallocation Program. This approval will allow the City to efficiently manage project design and delivery while ensuring compliance with all program requirements.

**Attachments:**

- Resolution Awarding Engineering Services

# RESOLUTION R-2025-040

**A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING THE AWARD OF ENGINEERING/ARCHITECTURAL SERVICE PROVIDER CONTRACT(S) FOR THE DISASTER RECOVERY REALLOCATION PROGRAM WITH FUNDS BEING ALLOCATED THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

**WHEREAS**, participation in DRRP program(s) requires implementation by professionals experienced with federally-funded projects;

**WHEREAS**, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering/architectural services has been completed in accordance with GLO requirements;

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

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

Section 1. That \_\_ be selected to provide application and project-related **professional engineering/architectural services** for the DRRP 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 award of DRRP funds and successful negotiation of a contract with the service provider.

PASSED AND APPROVED on the 14<sup>th</sup> day of January 2025.

**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**





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**Position Title** Engineering Technician  
*For City Staff Only*

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

### Agenda Content:

**DISCUSS, CONSIDER, AND/OR APPROVE A RESOLUTION AWARDDING A CONTRACT FOR GRANT ADMINISTRATIVE AND PROJECT DELIVERY SERVICES FOR THE DISASTER RECOVERY REALLOCATION PROGRAM (DRRP) ADMINISTERED BY THE TEXAS GENERAL LAND OFFICE (GLO).**

### Executive Summary of Item:

**BACKGROUND:** The City of Bay City is securing grant administrative services to support applications and project management for the Texas General Land Office (GLO) Disaster Recovery Reallocation Program. This program provides federal funding for disaster recovery projects that address infrastructure needs in disaster-impacted areas.

The city submitted three preliminary applications. These include two drainage projects aimed at improving stormwater management in flood-prone areas and a waterline replacement project in the northwest quadrant to enhance water service reliability. The GLO will review these preliminary applications. Eligible projects will advance to full application submission by February 3, 2025, with a final deadline of April 3, 2025.

To ensure competitive applications, the City requires grant administration services. These services will include application preparation, conducting Low-and Moderate-Income (LMI) surveys and supporting post-award activities such as grant management, environmental reviews, and project implementation.

**FINANCIAL IMPLICATIONS:** The Disaster Recovery Reallocation Program (DRRP) is reallocating \$84,500,000 in Hurricane Harvey funding, with minimum and maximum project award amounts set at \$500,000 and \$20,000,000, respectively. The program requires a cost-share of 90% federal funding and 10% local funding. The City of Bay City submitted three preliminary applications with estimated

project costs of \$870,000, \$1.8 million, and \$2.6 million, which include grant administrative services in their budgets.

**IMPACT ON COMMUNITY SUSTAINABILITY:**

Obtaining funding through this program will enhance the City's ability to address disaster related infrastructure needs. These projects will strengthen the City's stormwater systems, reduce flood risks, and improve water service reliability, contributing to sustainability and resilience against future disasters.

**RECOMMENDATION:**

City Staff recommends Council approve the resolution to award grant administrative services for the GLO Disaster Recovery Reallocation Program. This approval will allow the City to efficiently manage program requirements and prepare strong, competitive applications.

**Attachments:**

- Resolution Awarding Administrative Services

# RESOLUTION R-2025-041

**A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING THE AWARD OF ADMINISTRATIVE/PROJECT DELIVERY SERVICE PROVIDER CONTRACT(S) FOR THE DISASTER RECOVERY REALLOCATION PROGRAM, WITH FUNDS BEING ALLOCATED THROUGH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

**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 administration/project delivery services has been completed in accordance with GLO 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 GLO application and project-related administration/project delivery services for the Disaster Recovery Reallocation Program project.

Section 2. That any and all 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 14<sup>th</sup> day of January 2025.

**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**



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**Position Title** Engineering Technician  
*For City Staff Only*

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

### Agenda Content:

**DISCUSS, CONSIDER, AND/OR APPROVE TASK AUTHORIZATION NO. 1 WITH FREESE AND NICHOLS, INC. FOR PROFESSIONAL ENGINEERING SERVICES RELATED TO THE STORMWATER MANAGEMENT PLAN FUNDED THROUGH THE FEMA HAZARD MITIGATION GRANT PROGRAM (HMGP) ADMINISTERED BY THE TEXAS DIVISION OF EMERGENCY MANAGEMENT (TDEM), AND AUTHORIZE THE MAYOR TO EXECUTE THE TASK AUTHORIZATION.**

### Executive Summary of Item:

**BACKGROUND:** Task Authorization 1 outlines the scope of professional engineering services for the City of Bay City's Stormwater Management Plan, funded through the Hazard Mitigation Grant Program (HMGP DR-4485-TX). This project aims to identify city-wide drainage risks, conduct hydrologic and hydraulic (H&H) analyses, and develop flood mitigation solutions. The project will also align with FEMA and TDEM requirements, ensuring compliance with federal hazard mitigation planning guidelines. The work includes data collection, drainage system inventory, flood hazard assessment, and conceptual mitigation planning.

The Stormwater Management Plan will cover approximately 8.5 square miles, focusing on flood-prone areas affected by recurring storm events and localized flooding caused by inadequate stormwater infrastructure.

**FINANCIAL IMPLICATIONS:** The total budget for the Stormwater Management Plan is \$650,000, funded 90% by federal funds (\$585,000) and 10% by the City of Bay City (\$65,000). The grant also includes \$32,500 for grant management services, fully funded by FEMA. This Task Authorization approves the engineering scope of services under the established budget.

### IMPACT ON COMMUNITY SUSTAINABILITY:

The Stormwater Management Plan will strengthen Bay City's ability to mitigate flood risks, reduce

property damage, and enhance the safety and resilience of the community. This project is critical to improving stormwater management and reducing the impacts of severe weather events.

**RECOMMENDATION:**

City Staff recommends Council approve Task Authorization 1 with Freese and Nichols, Inc., for professional engineering services for the Stormwater Management Plan. This approval will allow the project to proceed in accordance with the approved scope and budget.

**Attachments:**

- Task Authorization No. 1

January 7, 2025

Gabriel Lopez  
City of Bay City  
Department of Public Works  
1217 Ave J  
Bay City, TX 77414

Re: Task Authorization No. 1 City of Bay City Stormwater Management Plan

Dear Mr. Lopez,

We are pleased to submit this proposal for providing Stormwater Management Planning services to the City of Bay City, Texas. Freese and Nichols, Inc. (FNI) is uniquely positioned to assist the city in completing this project.

Our team comprises experienced stormwater professionals from FNI who are familiar with the flooding issues experienced across the City. We are committed to delivering high-quality services and achieving the best possible outcomes for Bay City.

The proposed scope of services to be provided are attached as Exhibit A. Basic services include data collection, a drainage system inventory, an initial flood hazard assessment, flood mitigation planning and future flood mitigation planning. A task order attached as Exhibit B, includes the proposed budgets for the scope of services to be provided. The proposed project is anticipated to be completed within 18 months of notice to proceed. A preliminary schedule is attached as Exhibit C.

We look forward to the opportunity to work with you and contribute to the safety and resilience of your community.

Please feel free to contact me at 832-651-5817 or [dane.schneider@freese.com](mailto:dane.schneider@freese.com) if you have any questions or require further information.

Thank you for considering our proposal.

Sincerely,



Dane P. Schneider, PE, ENV SP  
Project Director

EXHIBIT A



SCOPE OF SERVICES

FOR

City of Bay City, Texas

Stormwater Management Plan

**TASK AUTHORIZATION NO. 1: Professional Engineering Services for Hazard Mitigation Assistance (HMA) Management Funding**

**City of Bay City Stormwater Management Plan**

**Project Background:**

The City of Bay City (the City) submitted an application for funding assistance to the FEMA Hazard Mitigation Grant Program (HMGP) under the DR-4485-TX (Texas Covid-19 Pandemic) Notice of Funding Opportunity administered by the Texas Division of Emergency Management (TDEM). On December 18, 2023 the City received notice from TDEM that FEMA had approved the application. The City has experienced multiple extreme storm events in recent years, including Memorial Day 2015, Hurricane Imelda, Hurricane Harvey, and June 2019. In addition to street and structural flooding from noted historical storm events, the City experiences fluvial flooding from its geographic position with respect to the Colorado River and Cottonwood Creek floodplains, and pluvial flooding from more frequent rainfall events that overwhelms the capacity of existing local roadside ditch and storm sewer drainage systems.

**Project Description:**

The City of Bay City is located in Matagorda County, Texas. The project limits include 8.5-square miles of incorporated area and extra-territorial jurisdiction (ETJ) generally defined by Walker Rd on the north, Bordeaux Dr on the south, and the Colorado River floodplain and levee system on the west. The eastern project limits follow SH35 to Van Vleck and include the floodplains of Dry Creek, Bucks Bayou, and Hardeman Slough. The floodplain of Cottonwood Creek, and Old Cottonwood Creek, overlay a large area of the central project area from north to south. The current land use within the City is a mix of residential, commercial, industrial, and agricultural.

**Project Understanding:**

Freese and Nichols, Inc. (FNI) was engaged by the City of Bay City to provide professional services related to development of a city-wide stormwater management plan (the project). The overall objective of the project is to conduct a hydrologic and hydraulic (H&H) analysis of the watersheds and drainage systems within the project area to identify existing flood hazards and perform flood mitigation planning that leads to the conceptual development of projects that reduce flood risk and damage costs.

The project will achieve the following objectives:

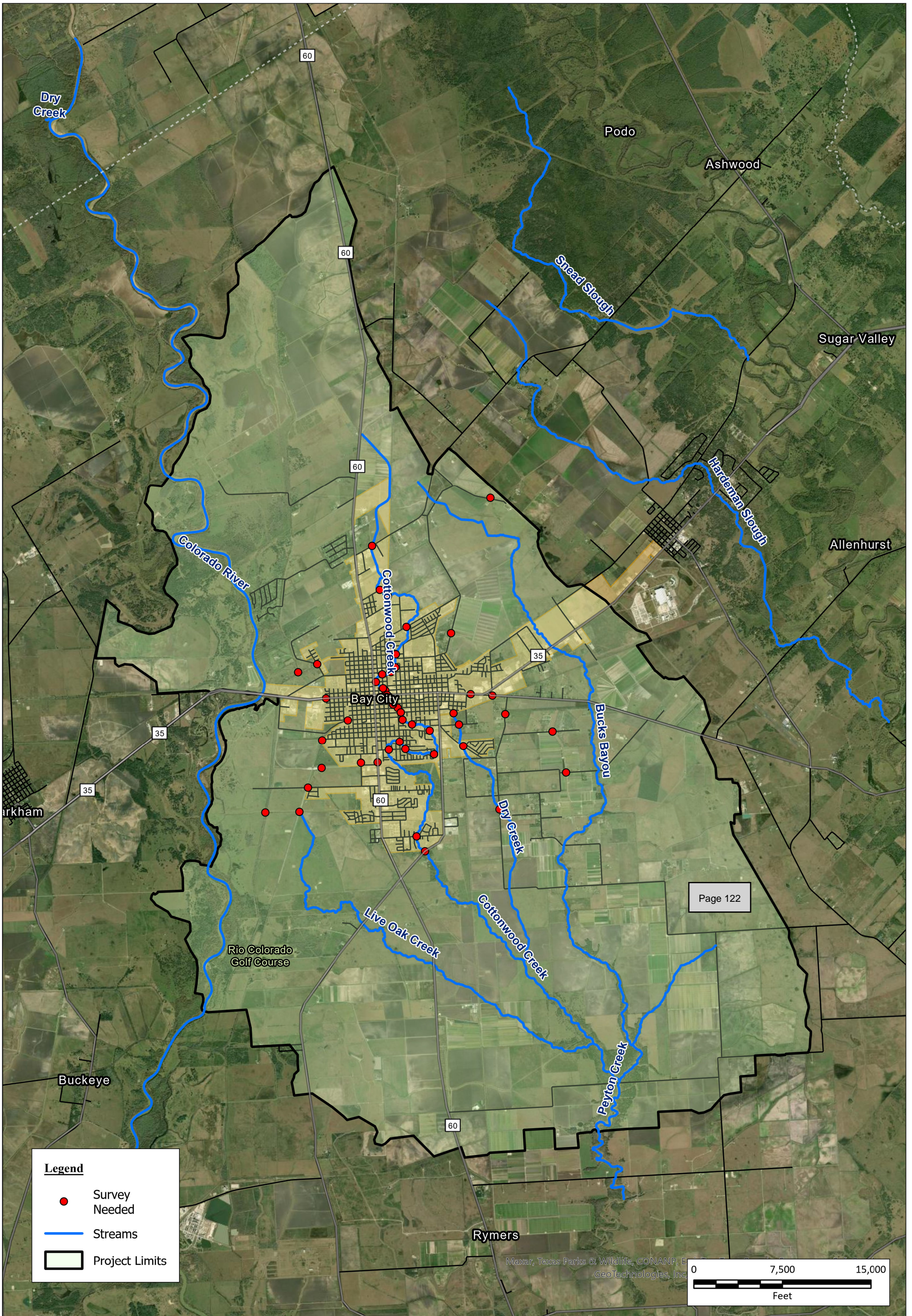
- Provide current information to the City regarding existing H&H conditions for an array of storm events within the project area.
- Identify locations at risk for flooding from and prioritize problem locations based on ponded stormwater depth and historical flood frequency information. Identify the cause(s) of the flooding problem.
- Gain a better understanding of existing local drainage infrastructure (layout, size, condition) serving project areas which flood during more frequent, less severe rainfall events. Identify existing level of service and system inadequacies.



- Develop drainage improvement concepts to address a minimum design level of service and reduce flood risk and damage costs.
- Develop proposed project implementation phasing, capital costs, and identify potential sources of funding assistance.

FNI understands the importance of compliance with the terms and conditions of the HMGP funding assistance, as noted in the award letter from TDEM, and will coordinate with the City's grant management consultant accordingly:

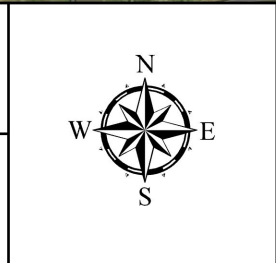
- The plan will meet or exceed the requirements for Local Mitigation Plans as outlined in 44 CFR § 201.6 and as determined by the State Hazard Mitigation Officer (SHMO).
- The natural hazards assessed by the plan will be coordinated with the current FEMA-approved version of the 2022 Matagorda County Hazard Mitigation Plan adopted by the City.
- The plan will be developed using FEMA guidance documents - Local Mitigation Planning Handbook and Local Mitigation Plan Review Guide, including the Local Mitigation Plan Review Tool.
- The plan will be submitted to FEMA no later than 6-months prior to the end of the performance period and following SHMO review and concurrence.



FN PROJECT NO.	Project #
DATE CREATED	Date: 10/31/2022
DATUM & COORDINATE SYSTEM	
NAD 1983 StatePlane Texas South Central FIPS 4204 Feet	
FILE NAME	City of Bay City Stormwater Management Plan
PREPARED BY	FX

**FRESE AND NICHOLS, INC.**  
 10497 TOWN AND COUNTRY WAY, SUITE 600  
 HOUSTON, TEXAS 77024  
 OFFICE: 713-600-6800  
 FAX: 713-600-6801

City of Bay City  
**Stormwater Management Plan**  
**Project Limits**



**FIGURE 1**

## BASIC SERVICES

### 1.0 PROJECT MANAGEMENT AND COORDINATION

Project management and coordination services are based on an estimated maximum eighteen (18) month project duration.

- 1.1 Kickoff Meeting - Attend initial kickoff meeting with the City to discuss project objectives, scope, schedule, deliverables, criteria, and other critical items. FNI to receive notice to proceed from the City, if not previously issued.
- 1.2 CHARM Meeting – Attend in-person the Texas Community Watershed Partners (TCWP) Workshop using the Community Health and Resource Management (CHARM) platform on October 17, 2024.
- 1.3 Progress Meetings - Attend up to twelve (18) monthly project progress meetings with the City and grant management consultant to provide updates and discuss future work items.
- 1.4 Routine Project Controls – Administration of the contract, preparation of monthly invoices and progress reports, and coordination with the grant administrator. The FNI project management team will provide monthly progress reports that may be used by the grant management consultant to generate the required quarterly progress report to TDEM. Project management and coordination of FNI task leads, engineering disciplines, and subconsultants.
- 1.5 Quality Assurance/Quality Control (QA/QC) – Implement quality management plan and document QA/QC activities performed. Engage senior staff and subject matter experts to perform detailed reviews of the contract deliverables at each milestone.

### 2.0 DATA COLLECTION AND REVIEW

- 2.1 Project Information - Collect and review information provided by the City to be used for the project, including history of flooding problems, record plans, on-going or planned projects, GIS data, and previous drainage studies. Record plans will be utilized when available to minimize the need for topographic survey and channel cross-sections.
  - Review applicable current design criteria and confirm all entities having jurisdictional authority over the project, including review, approval, and permits.
  - Review topography (2018 and 2019 LiDAR), current land use/land cover (H-GAC Regional Land Use Information System), effective Flood Insurance Study and floodplain maps (FEMA), and stream and precipitation gage data (USGS) as applicable.
  - Collect GIS building structures inventory from county appraisal district, Microsoft building footprint, and Texas Natural Resources Information System (TNRIS).
- 2.2 Previous Studies (to be provided by the City):
  - Deliverable C Preliminary Models for Matagorda County Regional Master Drainage Plan, City of Bay City, Matagorda County, Texas, August 2021 by Jones & Carter [report and model files,

received]. This study represents the most current H&H modeling available, and utilized previous studies as noted below.

- Colorado River HEC-HMS and 1D2D HEC-RAS 2021 update to 2001 Lower Colorado River Authority Flood Damage Evaluation Project by Scheibe Consulting LLC [report and model files]. According to Jones & Carter study, “only the hydrology for the Colorado River drainage areas will be updated...the Colorado River will not be included in the hydraulic modeling.”
- Final Results of Hydrology Study Cottonwood Creek Watershed Bay City, Texas, September 2017 by Halff & Associates [FIRMs effective 01-15-2021]. The Halff work product updated the 1983 FEMA FIS for Bucks Bayou, Hardeman Slough, and Cottonwood Creek. According to Jones & Carter study, “to be consistent with this study and to capture the overflow in this area, JC incorporated these models into the final models detailed in this report.”
- Matagorda County Flood Mitigation Plan, January 2010 by Halff Associates, Inc [report received].
- Current FEMA-approved version of the Matagorda County Hazard Mitigation Plan [report].
- Cottonwood Creek Flood Protection Plan, October 1990 by Pledger Kennedy Rogers Kalkomey Consulting Engineers [report, received].

2.3 Field Visits - Perform up to two (2) field visits at designated locations to familiarize the project team with existing watershed conditions and inform development of the hydrologic and hydraulic (H&H) models. Site visit locations may include areas with a history of structural or roadway flooding, areas indicated within FEMA flood loss database, field verification of survey deliverable, condition assessment of drainage and roadway infrastructure, major hydraulic structures, and channel conditions at major roadway crossings. Site visits will be documented and include geo-referenced photographs of existing features.

2.4 Historic Storm Events – Coordinate with the City to identify historic storm events with documented flood damage within the project limits. Research previous news reports and available precipitation and stream gage data. Data collected will be used for validation of H&H models.

### 3.0 DRAINAGE INFRASTRUCTURE INVENTORY

3.1 Database Development – Meet with the City and on-call GIS consultant to identify attributes and schema to use in the drainage infrastructure inventory database. Create geodatabase and feature classes with applicable attribute fields.

3.2 Digitizing Drainage Infrastructure – Populate the geodatabase with points and lines representing the following public drainage infrastructure: underground storm sewers, roadway crossing culverts. Data such as pipe size, material, inlet type, and flowline elevations will be input to populate attributes of the features based on the information provided in the 1981 Grid Map PDFs and record drawings provided by the City. Drainage infrastructure located on private property and driveway crossing culverts at roadside ditches are excluded from this task. Only drainage infrastructure located in the public right of way, owned and operated by the City, will be captured.

3.3 Major Hydraulic Structures – Identify major crossing structures or storm sewer outfalls [culverts and bridges] through evaluation of the local topography, stream centerlines, roadway lines, and review of the August 2021 Jones & Carter study. Topographic survey and channel sections upstream and downstream at major crossing structures or outfall flowline and pipe characteristics will be collected at up to twenty (20) additional locations where more detail is warranted. Coordinate with the City’s current on-call GIS consultant to identify opportunities to update the existing geodatabase with regard to major hydraulic structures.

Task 3.0 Deliverables:

- Geodatabase of digitized drainage infrastructure with populated attribute fields.

#### 4.0 FLOODING HAZARD ASSESSMENT

4.1 Localized Flooding Methodology and Calculations – Perform preliminary study of local flooding problem areas using a HEC-RAS Rain-on-Mesh model. Storm sewers digitized as part of Task 3 will be included within the model. This analysis will focus on localized drainage issues and will assume major channels are within banks and do not have a tailwater condition. Ponding areas and structural flooding will be highlighted for further investigation. The 2-year, 10-year, and 100-year 24-hour storm events will be simulated.

4.2 Riverine Flooding Methodology and Calculations - Riverine flooding will be investigated by updating the J&C model of Cotton Wood Creek and Bucks Bayou using relevant data collected in Task 3 and rerun for establish existing conditions in the 2-year, 10-year and 100-year storms. No additional analysis beyond the conclusions reached in previous studies will be completed for the Colorado River. Key assumptions are listed below:

- Drainage areas from the 2021 Jones & Carter study will be utilized and refined as needed for the Cottonwood Creek and Bucks Bayou systems. The delineations will be reviewed, and refinements will be made as necessary based on topography and hydraulic connections (storm sewers, culvert crossings, and bridge crossings) which currently exist.
- To better assess the inflows to the City from Cottonwood Creek, the 1D/2D model will be updated to capture additional detail and to correct model deficiencies from the previous studies. Where drainage areas extend beyond the City limits, the H&H model will be extended to include the limits of the contributing drainage area if needed.
- Update the 2021 Jones & Carter hydraulic models as needed (breaklines, structure info, land use layer for Manning’s n-values) The extents of this model will include all drainage from Cottonwood Creek and will end near County Road 218 for Cottonwood Creek, Dry Creek, and Bucks Bayou. The end of Live Oak Creek will be at State Highway 60 to account for potential restrictions in roadway crossings which may affect areas within the City limits.

4.3 Target Problem Locations – Areas of riverine vs localized risk vs combined risk will be highlighted in graphical results. Particular focus will be placed upon target areas of concerns based on input from the City. Locations to be identified for further analysis in Task 5 can include but are not limited to:

- Intersection of Encino Ave & Nichols Ave

- Tenie Holmes south of 3rd St to Helen Ave
- HWY 60 & Thompson Rd
- HWY 60 & Morningside Dr
- Glen Meadows at 4121 Heatherglen Dr
- 12<sup>th</sup> St & 7<sup>th</sup> ST
- HWY 60 & Judy St

Based on results from the flood hazard assessment, and input from the City and the public, the top five (5) problem locations will be targeted for flood mitigation solutions. Locations at high risk of structural flooding will be a priority, but in some cases the City may select major roadways and highways at high risk for flooding as a targeted problem location as these may be important transportation routes and/or evacuation corridors.

Task 4.0 Deliverables:

- Preliminary existing condition H&H model of the City using Rain-on-Mesh model with graphic and tabular results. Updated J&C riverine H&H model with graphic and tabular results.

**5.0 FLOOD MITIGATION PLANNING**

5.1 Identify Flood Mitigation Alternatives – Using the results of the existing conditions flood hazard assessment, flood mitigation alternatives will be developed and evaluated for their potential to reduce flood risk at the priority problem locations.

- Evaluate the recommendations from previous flood mitigation studies. Unimplemented recommendations that remain valid and align with the objectives of the current study may be leveraged.
- Consider how on-going or planned projects may affect the watershed’s condition and the targeted flood hazard location.
- Review stakeholder and public feedback and incorporate requests or suggestions that are aligned with the objectives of the current study and provide benefit to solving the flooding problem in the targeted flood hazard location.

5.2 Develop Conceptual Alternatives – Develop conceptual flood mitigation alternatives that reduce the severity or eliminate the cause of the current problem. Alternatives will be developed and evaluated individually or in combination to achieve the greatest benefit. Alternatives considered may include:

- Channel capacity/conveyance improvements along main stem or tributaries.
- New or improved detention storage such as regional detention basins.
- Overland flow conveyance or diversion/bypass channel improvements.
- Storm sewer or roadside ditch capacity/conveyance improvements.

- Protective levee systems.
- Property buy-out programs.

5.3 Detailed H&H Modeling – Building upon the methodology and assumptions from the existing conditions H&H task, develop and execute a stormwater drainage model of the conceptual flood mitigation alternative to determine proposed hydraulic conditions for an array of storm events, including the 2-yr, 5-yr, 10-yr, 25-yr, 50-yr, 100-yr, and 500-yr frequency events.

Up to three (3) feasible flood mitigation alternatives per targeted problem location will be evaluated to simulate water surface elevations to evaluate the magnitude of water surface reductions for each event, develop peak flows, and flood inundation extents for each storm event.

- Adjust hydrologic parameters, as necessary, to support the inclusion of a proposed project into the models

Changes in peak flows and WSE will be evaluated throughout the model to identify adverse impacts. Mitigation concepts will be recommended for further detailed analysis in design, including:

- Detention storage volume required to mitigate adverse impacts to flows, max water surface elevations, and lost floodplain storage.
- Number of homes and acreage of land required to be purchased for additional right of way.
- Hydraulic structures that will need to be modified.

5.4 Evaluate Conceptual Alternatives – Evaluate the effectiveness of the proposed condition by comparing pre-project and post-project peak flows, maximum water surface elevations, and flood inundation extents. Flood hazard assessment metrics will be used to evaluate alternatives and recommend one (1) project that achieves the maximum feasible benefit at each targeted problem location. Consideration will be given to:

- Reduction in number of parcels and building structures at risk of flooding in the 10-year and 100-year events
- Reduction in land area of 100-year floodplain
- Project life cycle costs
- Ability to incorporate Green Infrastructure or Nature Based Solutions
- Feasibility and Constructability

5.5 Conceptual Project Layout – Develop conceptual layout in one-line detail for the recommended flood mitigation project at each targeted problem location.

- Based on readily available aerial imagery and field visits, identify and describe significant physical conditions such as overhead infrastructure, utilities, pipelines, railroads, or encroachments that may represent a fixed constraint, require relocation, or require some other action for conflict resolution.

- Identify any condition within the project area that may present a risk to implementation of the flood mitigation, including stakeholder buy-in, environmental permitting, coordination with jurisdictional entities, etc.
- Identify right of way needs, potential environmental constraints, potential utility conflicts, and other issues that may hinder implementation.
- Develop a planning-level cost estimate for the recommended flood mitigation project.
- Determine estimated costs associated with buy-out areas using available county appraisal district values and agreed upon multiplier.
- Complete a preliminary benefit-cost analysis for recommended flood mitigation projects in a level of detail sufficient to support submission and inclusion to the Texas State Flood Plan.

5.6 Project Implementation and Phasing – Based on input from the City, assist with the development of a fiscal year based project delivery plan that aligns with the current limitations of the 5-year Capital Improvement Program (CIP), including right of way acquisition, design procurement, and construction costs.

- Identify critical constraints that influence implementation schedule of construction costs.
- Phase construction costs over multiple fiscal years.
- Identify possible sources of funding assistance, including TWDB FIF, FEMA FMA or BRIC, HMGP, and GLO CDBG-MIT.

Task 5.0 Deliverables:

- Proposed conditions H&H models with graphic and tabular results.
- Stormwater Management Plan report, including executive summary, flood mitigation planning report content, supporting tables, maps, and exhibits.
- Submit the draft report to the City for review and comment. Task includes effort associated with one (1) round of review comments and revisions to achieve the submittal to the SHMO.
- Submit the final report to the SHMO for review and comment. Task includes effort associated with one (1) round of review comments and revisions to achieve final acceptance by TDEM/FEMA.

## 6.0 FUTURE FLOOD MITIGATION PLANNING

### 6.1 Future Studies

- Identify additional studies needed to fully understand and propose solutions to areas within Bay City not able to be covered as part of this study.



6.2 Regional Flood Planning Group Coordination

- Submit any future studies identified as FMEs to the Lower Colorado RFPG.
- Submit projects proposed as part of study as FMPs to the Lower Colorado RFPG.

6.3 FEMA Grant Planning

- Provide a letter recommending a strategy for recommended project funding utilizing FEMA grant opportunities focused on HMA opportunities (HMPG, FMA, BRIC).

Task 6.0 Deliverables:

- Memorandum identifying future studies needed to capture additional existing and future flood risk to Bay City.
- Submit list of FMXs to Lower Colorado RFPG (Future studies as FMEs, Projects proposed as part of study as FMPs).
- Letter documenting FEMA funding strategy for HMA programs. Applications to funding opportunities can be completed as part of future task orders.

**ADDITIONAL SERVICES**

**7.0 SURVEY SERVICES** [Tejas Surveying]

- Generally includes collecting topographic data at cross sections at channel crossings and collecting storm sewer flowlines at locations indicated.
- Horizontal data collected will be provided in grid coordinates, based on North American Datum of 1983 (NAD83) Texas Coordinate System South Central Zone.
- Vertical data collected will be referenced to North American Vertical Datum of 1988 (NAVD88) using GEOID12B for integrating with existing project LiDAR.
- Cross sections at channel crossings – data collected as indicated in Survey proposal.
- Storm sewer outfall pipes and manholes or junction structures – data collected includes horizontal and vertical location of structures including pipe size, material, inlet type, and flowline elevations.
- Topographic data at up to twenty (20) additional channel crossings or storm sewer flowlines to be selected on a case-by-case basis. Survey data to be collected at each location will be according to schematic provided by FNI.
- Deliverables will include point file in standard ASCII (PNEZD) format, .XML surface, and Civil 3D .DWG files.
- Pictures of identified storm sewer outfalls to channels for use in condition assessment.

**8.0 COMMUNICATIONS SERVICES** [FNI and Hollaway Environmental]

- Provide support services to the City's grant management consultant in the development of communications materials and provide PowerPoint presentation suitable to convey information to the public.
- Assist with providing technical responses to comments received during community engagement meetings. The grant administrator will manage comment tracking and response delivery process.
- Prepare for and attend one (1) townhall meeting, provide printing, reproduction, exhibit boards, and collect feedback from this public engagement effort.
- Prepare for and attend one (1) City Council meeting or similar civic meeting to present findings of the project and the recommended projects.
- City will be responsible for selection of dates and venues for the meetings.

### TIME OF COMPLETION

FNI is authorized to commence work on the Project and agrees to provide deliverables based on the attached schedule of Task completion. The overall project is expected to span 18 months with several interim deliverables.

If FNI's services are delayed through no fault of FNI, FNI shall be entitled to adjust the contract schedule consistent with the number of days of delay. These delays may include but are not limited to delays in Client or regulatory reviews, delays on the flow of information to be provided to FNI, governmental approvals, etc.



Engineering Architectural and Survey Services for Hazard Mitigation Assistance Projects

**MASTER PROFESSIONAL SERVICES AGREEMENT**

**TASK AUTHORIZATION NO. 1**

City of Bay City, TX  
Gabriel Lopez  
Engineering Tech  
1217 Avenue J  
Bay City, TX 77414

FNI Project: CBC

Client Contract: PO/Contract No.)

Date: 1/7/2025

**Project Name:** City of Bay City Stormwater Management Plan

**Description of Services:** Refer to attached Scope of Services – Basic Services.

**Deliverables:** Refer to attached Scope of Services – Basic Services.

**Schedule:** Refer to attached Scope of Services – Time of Completion.

**Compensation Type:** Hourly (Not To Exceed Budget)

**Amount Authorized:** Total Compensation = \$650,000.00

*The services described above shall proceed upon execution of this Task Authorization. All other provisions, terms, and conditions of the Master Professional Services Agreement which are not expressly amended shall remain in full force and effect.*

**CITY OF BAY CITY, TX**

**FREESE AND NICHOLS, INC.**

By:

By:

Name:

Name: Cory J. Stull

Title:

Title: Principal and Vice President

Date:

Date: January 7th, 2025

City of Bay City Stormwater Management Plan	2025												2026					
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	May	June
<b>Task 1 - Project Management</b>																		
<b>Task 2 - Data Collection and Review</b>																		
<i>Survey</i>																		
<i>Field Visits and Data Review</i>																		
<b>Task 3 - Drainage Infrastructure Inventory</b>																		
<i>Storm Digitization Geodatabase Deliverable</i>																		
<b>Task 4 - Flood Hazard Assessment</b>																		
<i>Localized Analysis</i>																		
<i>Riverine Analysis</i>																		
<i>Existing Condition H&amp;H Modeling Task 4 Deliverable</i>																		
<b>Task 5 - Flood Mitigation Planning</b>																		
<i>Conceptual Alternatives</i>																		
<i>Detailed H&amp;H Modeling</i>																		
<i>Evaluate and Project Layout</i>																		
<i>Project Implementation and Phasing</i>																		
<i>Flood Mitigation Projects - Task 5 Deliverable</i>																		
<b>Task 6 - Future Flood Planning</b>																		



**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:** 01/9/2025  
*Last, First* *MM/DD/YYYY*

**Requestor Type:** City Staff **Meeting Date:** 01/14/2025  
*Citizen/City Staff/Council Member* *MM/DD/YYYY*

**Position Title** Engineering Technician  
*For City Staff Only*

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

### Agenda Content:

**DISCUSS, CONSIDER, AND/OR APPROVE AWARDS FOR UNIT PRICE-BASED CONTRACTS FOR A SIX-MONTH TERM TO MULTIPLE VENDORS FOR PUBLIC WORKS ROAD MATERIALS, INCLUDING AGGREGATES, BASED ON COMPETITIVE SEALED BIDS RECEIVED IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE CHAPTER 252, AND AUTHORIZE THE MAYOR OR CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS.**

### Executive Summary of Item:

**BACKGROUND:** The City of Bay City issued an Invitation to Bid (ITB) for Public Works road materials, with bids opened on January 9, 2025, at 1:00 PM. The ITB included various materials needed for city road maintenance, such as aggregates, asphalt, and cold patch materials. Vendors submitted unit price bids for materials to be delivered or picked up within a 45-mile radius of Bay City. The contracts awarded will reflect the lowest responsive and responsible bids for each line item.

The bid specifications outlined that all materials must meet the Texas Department of Transportation (TxDOT) standards. The bids will remain valid for a six-month term, expiring on July 9, 2025.

**FINANCIAL IMPLICATIONS:** The costs for materials will align with the lowest bid prices for each item as listed in the bid tabulation, which is attached for Council's review. This approach ensures fiscal responsibility while meeting the City's operational needs for road materials.

**IMPACT ON COMMUNITY SUSTAINABILITY:** Awarding these contracts will ensure the City has the necessary materials to support planned maintenance schedules and address unforeseen repairs, maintaining reliable road conditions.

**RECOMMENDATION:** City Staff recommends Council approve awarding contracts to the lowest responsive bidders for Public Works road materials, in accordance with the bid tabulation and Texas procurement laws. This approval will allow the City to proceed with planned road maintenance projects.

**Attachments:**

- PW Road Material Bid Tab



## COBC PW Road Materials Bids

Deadline: January 09, 2025, at 1:00 PM  
 Opened: January 09, 2025, at 1:05 PM  
 Location: 1901 5<sup>th</sup> St, Bay City, TX, 77414

Bid Tabulation		Bidder:	Lonestar Sand and Gravel LLC	Vulcan Materials Company	Waller County Asphalt Inc.	Ergon Asphalt & Emulsions Inc.	Matagorda Construction & Materials	Colorado Materials Ltd.	Quality Hot Mix Inc.
Item No.	Item Description	Unit	Price	Price	Price	Price	Price	Price	Price
2.1	Aggregates for Surface Treatment Typ C (Traprock) Grade 3 or 4 Delivered	Ton	\$70.15	\$118.10				\$109.00	
2.2	Base Material, 1½" limestone, Type "A" Grade 2, Delivered	Ton	\$48.62	\$54.00			\$45.80	\$43.00	\$43.00
3.1	Asphalt Cement, Cationic Emulsified, CRS-2, Delivered	Gal.				\$3.07			
4.1	Hot-Mix Asphalt Pavement, Type "D", Delivered	Ton		\$115				\$105.00	\$100.00
4.2	Hot-Mix Asphalt Pavement, Type "D", Picked up	Ton							\$90.00
4.3	Cold Patch High Performance Polymer Modified ASPPM Grade IV, Delivered	Ton			\$135.23				
4.4	Cold Patch High Performance Polymer Modified ASPPM Grade IV, Picked up	Ton			\$110.00				
4.5	Hot Mix Cold Lay (HMCL) Pavement Type D, Picked up	Ton							\$92.00
4.6	Pre-Mix Asphalt Pavement, Type D, Picked up	Ton		\$80.00**					

\*\*Did not meet distance requirement for pick up.