



# CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, October 31, 2023 at 5:00 PM  
COUNCIL CHAMBERS | 1901 5th Street

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## COUNCIL MEMBERS

**Mayor:** Robert K Nelson

**Mayor Pro Tem:** Blayne Finlay

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

### Vision Statement

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

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## AGENDA

**THE FOLLOWING ITEM WILL BE ADDRESSED AT THIS OR ANY OTHER MEETING OF THE CITY COUNCIL UPON THE REQUEST OF THE MAYOR, ANY MEMBER(S) OF COUNCIL AND/OR THE CITY ATTORNEY:**

*ANNOUNCEMENT BY THE MAYOR THAT COUNCIL WILL RETIRE INTO CLOSED SESSION FOR CONSULTATION WITH CITY ATTORNEY ON MATTERS IN WHICH THE DUTY OF THE ATTORNEY TO THE CITY COUNCIL UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH THE OPEN MEETINGS ACT (TITLE 5, CHAPTER 551, SECTION 551.071(2) OF THE TEXAS GOVERNMENT CODE).*

## CALL TO ORDER AND CERTIFICATION OF QUORUM

### INVOCATION & PLEDGE

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

*Councilman Bradley Westmoreland*

### MISSION STATEMENT

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

*Councilman Bradley Westmoreland*

**APPROVAL OF AGENDA****PUBLIC COMMENTS**

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

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

1. City Council Regular meeting minutes of October 10, 2023.

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

2. Property ~ Discuss, consider, and/or approve a declaration of data processing materials and equipment as salvage property and authorize staff to dispose of said salvage property through the use of an e-waste salvage provider. Mark Flash, IT Manager
3. Grants ~ Discuss, consider, and or approve various equipment to be funded by the American Rescue Plan Funds and authorize staff to proceed with procurement. Krystal Mason, Assistant Public Works Director
4. Agreement ~ Discuss, consider, and/or approve a Professional Services Agreement between the City of Bay City, Texas and LSPS Solutions, LLC for conducting Phase 2 of a study of the City of Bay City's water system service lines and preparing a service line inventory to comply with the U.S. EPA Revised Lead and Copper Rule, budgeted in Fiscal Year 2024 Capital Improvement Plan. Krystal Mason, Assistant Public Works Director
5. Minutes ~ Discuss, consider, and/or approve the revised minutes of the Regular Council Meeting on December 20, 2022. Jeanna Thompson, City Secretary
6. Resolution ~ Discuss, consider, and/or approve a Resolution authorizing the City of Bay City to cast its official ballot for the Board of Directors for the Matagorda County Appraisal District. Robert K. Nelson, Mayor
7. Planning ~ Discuss and take action on the adoption of a truck route for the City of Bay City, Texas. Councilwoman Becca Sitz
8. Planning ~ Discuss and take action on future aquatic priorities and projects. Councilman Flores

**CLOSED / EXECUTIVE SESSION**

9. **Legal ~ Executive Session pursuant to Section 551.071 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, October 27, 2023 before 5:00 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.

# CITY OF BAY CITY

## MINUTES • OCTOBER 10, 2023

**COUNCIL  
CHAMBERS | 1901  
5th Street**

**City Council Regular Meeting**

**6:00 PM**

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



### **Mayor**

Robert K. Nelson

### **Mayor Pro Tem**

Blayne Finlay

### **Councilman**

Jim Folse

### **Councilman**

Bradley Westmoreland

### **Councilwoman**

Becca Sitz

### **Councilman**

Benjamin Flores

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**CALL TO ORDER AND CERTIFICATION OF QUORUM**

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

**PRESENT**

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

**ABSENT**

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."*

*Mayor Robert K. Nelson*

**MISSION STATEMENT**

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

*Mayor Robert K. Nelson*

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENTS**

Ken Beach, 14 Brandon Court, stated that the city still has the same problem with water lines and leaks and needs a better solution. Chief Christella Rodriguez asked all to take a moment of silence for all the loss in Israel.

**AWARDS & PROCLAMATIONS**

1. **Proclamation ~ A proclamation declaring October as "Domestic Violence Awareness Month"**. Brittany Matthews, Matagorda County Crisis Center

Mayor Robert K. Nelson read the proclamation and presented it to staff of the Matagorda County Crisis Center.

**2. Proclamation ~ A proclamation declaring October 10th, 2023, as Poet Laureate Pat McLeod Day.**

Mayor Robert K. Nelson read the proclamation and presented it to Pat McLeod.

**ACKNOWLEDGEMENTS FROM CITY MANAGER**

Shawna Burkhart, City Manager, introduced the new Public Works Director, Herb Blomquist, and thanked Krystal Mason for serving as the interim. Ms. Burkhart also announced Scotty Jones as the new Assistant City Manager.

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

Councilman Folse announced that November 17th is Relay for Life. Mayor Pro Tem Finlay stated that National Night Out with the Police Department had a good turnout and commented on how welcoming and appreciative citizens were of the Police Department. Councilman Flores discussed his recent attendance to the Texas Municipal League Conference and noticed the diversity. Councilman Flores stated that he talked to engineering firms and asked them about the rising costs and that their reply was that it was due to the growth in Texas. Mayor Nelson stated that it is Customer Service Week and that the city recognizes staff and citizens. Mayor Nelson announced the Rice Festival and parade, as well as Hazardous Waste collection on Saturday.

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

- 3. City Council Regular meeting minutes of September 26, 2023.**
- 4. City Council Workshop minutes of September 26, 2023.**

Motion made by Councilman Folse to approve the consent items with changes to the minutes of Regular Council Meeting on September 26, 2023, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilwoman Sitz. Motion carried.

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

- 5. Ordinance ~ Discuss, consider and/or approve an Ordinance of the City of Bay City, Texas, adopting a Fee Schedule attached hereto as exhibit "A" and labeled "Appendix B" to be added to the Code of Ordinances of the City of Bay City, Texas; adopting fees and charges for various City services and consolidating those fees and charges for convenience; providing for repeal; providing for ratification; providing a penalty; providing for severability; and providing an effective date. Scotty Jones, Finance Director**

Motion made by Councilwoman Sitz to approve an Ordinance of the City of Bay City, Texas, adopting a Fee Schedule with changes to airport and building department, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilwoman Sitz. Motion carried.

**6. Policy ~ Discuss, consider, and/or approve the 2024 City Holiday Schedule.** Rhonda Clegg, Director of Human Resources

Motion made by Councilwoman Sitz to approve the 2024 City Holiday Schedule, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilwoman Sitz. Motion carried.

**7. Ordinance ~ Discuss, consider, and/or approve the temporary rescheduling of Council meetings in the remainder of 2023.** Jeanna Thompson, City Secretary

Motion made by Councilman Folse to approve the temporary rescheduling of Council meetings, moving the meeting of October 24th to October 31st and moving the meeting of December 26th to December 19<sup>th</sup> and both meetings to start at 5:00 p.m., Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilwoman Sitz.

**CLOSED / EXECUTIVE SESSION**

Council adjourned into an executive session at 6:36 p.m.

**8. Executive Session pursuant to the Texas Government Code Section 551.087 to discuss economic development negotiations.**

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

**RECONVENE AND ACTION**

Council reconvened back into regular session at 7:52 pm. Council took no action on items #8 and #9.

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

Councilman Flores stated that he spoke with Veritas in regards to developers complaining about consistencies. Ms. Burkhart added that the Building Official will change to Building Inspector.

**ADJOURNMENT**

Motion made by Mayor Pro Tem Finlay to adjourn, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilwoman Sitz. Motion carried and Council adjourned at 7:54 p.m.

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**PASSED AND APPROVED**, this 31st day of October 2023.

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ROBERT K. NELSON, MAYOR

CITY OF BAY CITY, TEXAS

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JEANNA THOMPSON

CITY SECRETARY





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

## AGENDA ITEM SUBMISSION FORM

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

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**Requestor Name:** Flash, Mark **Date Submitted:** 10/26/2023  
*Last, First* *MM/DD/YYYY*

**Requestor Type:** City Staff **Meeting Date:** 10/31/2023  
*Citizen/City Staff/Council Member* *MM/DD/YYYY*

**Position Title** IT Manager  
*For City Staff Only*

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

### Agenda Content:

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Property ~ Discuss, consider, and/or approve a declaration of data processing materials and equipment as salvage property and authorize staff to dispose of said salvage property through the use of an e-waste salvage provider.

### Executive Summary of Item:

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The IT Department has "Salvage Property" that is deemed unusable and has no value. The IT Departments has coordinated with an E-Waste Provider to remove said items free of charge.

**Recommendation:** Staff recommends City Council approve the list of data processing materials and equipment as salvage property allowing the IT Department to dispose of the items.

**Attachment:** List of Salvage Property

MAKE	MODEL	SERIAL #	DESCRIPTION	LOCATION
Camera	ALI-NS3014R	552080970	Camera	Annex
Powerman	IP-P300BM1-0 H		Switch Power Supply	Annex
D-Link	DCS-3220	D517167000539	Camera	Annex
D-Link	DWL-P200	B2FF169000284	POE	Annex
D-Link	DWL-P200	B2FF169000281	POE	Annex
D-Link	DWL-P200	F3702CB001432	POE	Annex
D-Link	DWL-P200	B2FF169000283	POE	Annex
D-Link	DWL-P200	B2FF169000284	POE	Annex
D-Link	DWL-P200	F3702CB001431	POE	Annex
D-Link	DWL-P200	B2FF169000363	POE	Annex
D-Link	DCS-3220	D517167000536	Camera	Annex
logitech	B100	1245HC00YDTS	Mouse	Annex
Avocent	Switchview 1000	321029421	Camera Switch	Annex
D-Link	DCS-3220	D51B266000112	Camera	Annex
D-Link	DCS-3220	D517167000718	Camera	Annex
Speaker	CA-2100		Speaker	Annex
Arris	TM822G	81F2RE1GR200427	Modem	Annex
Hitron	CGNM-2252	251187027834	Router	Annex
Epson	H429A	PSBK2800042	LCD Projector	Annex
Delta Electronics	ADP-90-SB BB	VCW0813008717	AC Adapter	Annex
Hughes	PES 5000	33351	VSAT	Annex
HP	MORFEYUO	CNP32003Q6	Mouse	Annex
Avaya	DPSN-20HB A	08 DT 08 03 66 22	Power Supply	Annex
HP	608432-003	WBGYE0AAR3O26A	Power Supply	Annex
LG	M-Disk		DVD-Burner	Annex
Sades	V2020	46210362538500600	Wireless Keyboard	Annex
Polariod	P3000	6411A-Q10035	ID Printer	Annex
identi	BTO-500	267024752	Thumb scanner	Annex
Fujitsu	fi-6130Z	FI6230Z 628616	Scanner	Annex
Black Box	MD3400A	98090007	Industrial Modem	Annex
HP	A7E34AA#ABA	CNU247XPCM	Docking Station	Annex
GTEK	G0101-SC20		Fiber - Ethernet Converter	Annex
GTEK	G0101-SC20		Fiber - Ethernet Converter	Annex
Projector Lamp	CTLAM-P BL-FU185A	X000WPFZT	Projector Lamp	Annex
ASUS	H310M-A R2.0	LBMOKC01315544L	Motherboard	Annex
Monitor stands x5				Annex
Compaq Elite	TPC-W009		All-in-One PC	Annex
Compaq Elite	TPC-W009		All-in-One PC	Annex
Compaq Elite	TPC-W009		All-in-One PC	Annex
Compaq Elite	TPC-W009		All-in-One PC	Annex
ViewSonic	VS14818	T8G140901479	Monitor	Annex
ViewSonic	VS14818	T8G140901477	Monitor	Annex
ACER	Veriton X275	PSVAM0304113062A32T	Workstation	Annex
ACER	AL1916	ETL49081226070289DPK08	Monitor	Annex
ASUS	VW193	A1LMTF038349	Workstation	Annex
AOC	230LM00027	JAWF1JA000739	Monitor	Annex
ASUS	VH196	99LMIZ090429	Monitor	Annex
ACER	AL1716	ETL460C00560708F03PY11	Monitor	Annex
ASUS	VW193	9CLMTF007959	Monitor	Annex
Lenovo	A34	MJEHCGF	Workstation	Annex
Sades	V2020	46210362538500600	Wireless Mouse	Annex
DELL	DCCY		Workstation	Annex

MAKE	MODEL	SERIAL #	DESCRIPTION	LOCATION
Lenovo	A34	MJEHBPY	Workstation	Annex
DHub	M7C30081	41133	Workstation	Annex
HP	TS-H353	7AA8801LKUSDI8	DVD-Burner	Annex
DELL	1704FPTt	CN-0Y4299-71618-56I-CAYH	Monitor	Annex
logitech	M510	1634LZ0F3KQ8	Wireless Mouse	Annex
CM Storm			PC Tower	Annex
DELL	DCNE1F	2JDHZL1	Workstation	Annex
logitech	K350		Wireless Keyboard	Annex
APC	BE550G	4B1222P47637	UPS	Annex
APC	BE550G	4B1131P18422	UPS	Annex
APC	BE550G	4B1125P66495	UPS	Annex
APC	BE550G	4B1125P66425	UPS	Annex
APC	BE550G	4B1222P47606	UPS	Annex
brother	FAX4100	U60298J5J338450	Printer	Annex
Condor	A9-1A	LR68048	Power Supply	Annex
HP	Scanjet 5590	L1911B	Printer	Annex
Xerox	Workcenter 6605	XL3575519	Printer	Annex
HP	BOISB-1002-00	CNDF202204	Printer	Annex
HP	LP 400	CNBJ103141	Printer	Annex
Canon	L 100	QAU39910	Fax/Copier	Annex
HP	LP 400	JPBDQ06682	Printer	Annex
Dell	C1765	Service tag:32WHZ02	Fax/Copier	Annex
ViewEra	V172SV	7VUETN01GBS1002	AV Monitor	Annex
Daktech	Discovery 81	141110189	Computer	Annex
Daktech	Discovery 81	131216033	Computer	Annex
Daktech	Discovery 81	131216024	Computer	Annex
Daktech	Discovery 81	130305094	Computer	Annex
Daktech	Discovery 81	131216043	Computer	Annex
Daktech	Discovery 81	131216021	Computer	Annex
Daktech	Discovery 81	131216030	Computer	Annex
Daktech	Discovery 81	141110190	Computer	Annex
Daktech	Discovery 61	130305095	Computer	Annex
Daktech	Discovery 61	130305097	Computer	Annex
Daktech	Discovery 81	141110188	Computer	Annex
Daktech	Discovery 81	131216035	Computer	Annex
Daktech	Discovery 81	141110185	Computer	Annex
Daktech	Discovery 61	130305098	Computer	Annex
Daktech	Discovery 61	130305086	Computer	Annex
Daktech	Discovery 81	141110179	Computer	Annex
Daktech	Discovery 81	131216040	Computer	Annex
Daktech	Discovery 61	130305079	Computer	Annex
Daktech	Discovery 61	130305081	Computer	Annex
Dell	Inspiron 3847	GRP0X12	Computer	Annex
Daktech	Discovery 81	131216031	Computer	Annex
Daktech	Discovery 61	130305084	Computer	Annex
Lenovo	ThinkCentre	MJEHCGD	Computer	Annex
Daktech	Discovery 81	131216028	Computer	Annex
Daktech	Discovery 81	131216036	Computer	Annex
Daktech	Discovery 81	150409038	Computer	Annex
Daktech	Discovery 81	150409025	Computer	Annex
Daktech	Discovery 61	130305080	Computer	Annex
Daktech	Discovery 81	141110182	Computer	Annex

MAKE	MODEL	SERIAL #	DESCRIPTION	LOCATION
Daktech	Discovery 81	131216044	Computer	Annex
Daktech	Discovery 81	131216020	Computer	Annex
Daktech	Discovery 61	130305099	Computer	Annex
Daktech	Discovery 61	130305085	Computer	Annex
Daktech	Discovery 81	131216022	Computer	Annex
Daktech	Discovery 81	131216018	Computer	Annex
Systemax	Impact	106447167	Computer	Annex
Systemax	Impact	106447164	Computer	Annex
Daktech	Discovery 81	141110186	Computer	Annex
Daktech	Discovery 81	131216039	Computer	Annex
Intel	NUC	G6BN8030046P	Computer	Annex
HP	COMPAQ	4CE1160MF4	Computer	Annex
Daktech	Discovery 81	131216037	Computer	Annex
Daktech	Discovery 81	141110183	Computer	Annex
Daktech	Discovery 61	130305082	Computer	Annex
HP	8300 ALL IN ON	MX3061DF9	Computer	Annex
ASUS	ALL IN ONE	BCPECJ009436	Computer	Annex
ASUS	ALL IN ONE	T3PECJ002421	Computer	Annex
Imac	ALL IN ONE	NA	Computer	Annex
Imac	ALL IN ONE	NA	Computer	Annex
DAKTECH	ALL IN ONE	927256004H32100214	Computer	Annex
Scale	Server	002-091116-C813M0937K50191	Server	Annex
Scale	Server	002-091116-C813M0937K50316	Server	Annex
Dell	PowerEdge 1950	CN-0Wy363-72481-783-00KG	Server	Annex
Dell	PowerEdge	49Y5356-L81076C	Server	Annex
Dell	PowerEdge	49Y5356-L81076D	Server	Annex
Scale	Server	002-101206-C813M0025K70125	Server	Annex
Scale	Server	002-101206-C813M0025K70217	Server	Annex
Scale	Server	002-101269-C813M0941K50143	Server	Annex
Scale	Server	002-101116-C813M0037KA0024	Server	Annex
HIKVISION	DVR		Video storage	Annex
MOTEROLA T2500B	WAN router	147YH0422	Router	Annex
MOTEROLA T2500B	WAN router	147HYZ0335	Router	Annex
ACER	V173D	1205792442	Monitor	Annex
HP	A6B85A	6CM3320SK5	Monitor	Annex
Getac	S400	RAB39S0049	Laptop	Annex
Notebook	486 Series	DX3-F03526	Laptop	Annex
Compaq	PP2140	9X2AKSBZF17S	Laptop	Annex
HP Pavilion	F2362M	TW10901881	Laptop	Annex
Getac	S400	RAB39S0026	Laptop	Annex
Getac	S400	RAB39S0046	Laptop	Annex
Getac	S400	RAB39S0028	Laptop	Annex
Apple	A1286	C02GW391DV7P	Laptop	Annex
Toshiba	PSLD9U-008007	2929036Q	Laptop	Annex
Systemax	R15D	106223238	Laptop	Annex
Toshiba	L675D-S7022	7A367683K	Laptop	Annex
Ubiquiti	M/N: AF-24	1502P0027220AB45E	Air Fiber Bridge	Annex
Hp	RTL8188EE	CND5216M6C	Laptop	Annex
DELL	LATITUDE D530	37423177309	Laptop	Annex
Toshiba	SATELITE P15-S470	14331056K	Laptop	Annex
Toshiba	SATELITE PRO L450-EZ15	7A395336K	Laptop	Annex
HP	ELITEBOOK 8770w	CNU24449787	Laptop	Annex

MAKE	MODEL	SERIAL #	DESCRIPTION	LOCATION
HP	PAVILION	CNF8160GKV	Laptop	Annex
Toshiba	2415-S205	Z2113348P	Laptop	Annex
HP	TPN-C125	CND704099Y	Laptop	Annex
IBM	THINKPAD	78-C2TD00901	Laptop	Annex
IBM	THINKPAD	78-C25PW20901	Laptop	Annex
ACER	ASPIRE 7738	LXPCCOX1399290AA6F2000	Laptop	Annex
DELL	PP17L	29878295581	Laptop	Annex
IBM LENOVO	THINKPAD	L3AM3440702	Laptop	Annex
Toshiba	SATELITE PRO L350-S170	29292232Q	Laptop	Annex
ACER	ASPIRE 5520	80102064516	Laptop	Annex
Getac	S400	RAB39S0033	Laptop	Annex
ASUS	MEMOPAD	NA	Laptop	Annex
Cisco	Switch/WS-C3560G-24PS	E-E011-04-4417	Switch Power Supply	Annex
Cisco	Switch/WS-C3560G-24PS	E-E011-04-4418	Switch Power Supply	Annex
Cisco	Switch/WS-C3560G-24PS	0093-05-1086	Switch Power Supply	Annex
Cisco	Switch/WS-C3560G-24PS	0093-05-1088	Switch Power Supply	Annex
Cisco	Switch/WS-C3560G-24PS	0093-05-1090	Switch Power Supply	Annex
Cisco	Switch/WS-C3560G-24PS	0093-05-1091	Switch Power Supply	Annex
Cisco	Switch/WS-C3560G-24PS	0093-05-1084	Switch Power Supply	Annex
Avaya	IP Office 500	1.07898E+14	IP Phone system	Annex
Cisco	Cisco 2901	7.89836E+12	Cisco	Annex
Acer	AL1706 A	ETL480B1827200CA43394F	LCD Monitor	Annex
Cisco	ASA5500	ASA5510V04	Cisco	Annex
Cisco	Switch/WS-C3560G-24PS	E-E011-04-4417	Switch Power Supply	Annex
Cisco	Switch/WS-C3560G-24PS	7.89836E+12	Switch Power Supply	Annex
ACER	V193W	ETLHV0D601390BFD7850A	LCD Monitor	Annex
ACER	V203W	84205897142	LCD Monitor	Annex
DELL	1907FPc	CN--CC299-64180-62K-3FCS	LCD Monitor	Annex
D-Link	DGS-1024D	DRBW586000308	Switch	Annex
3COM	TippingPoint X505	8UZ9690000375	Phone System	Annex
Intel	ICES-003 Class A	HA19100684	BOARD	Annex
Avocent	4SV1000	321036266	Switch	Annex
Avocent	4SV1000	321036267	Switch	Annex
Acer	V193W	2804180742	LCD Monitor	Annex
Acer	V193W	12705296742	LCD Monitor	Annex
Asus	VW193	9CLMTF007980	LCD Monitor	Annex
HIKVISION	DS-2CD2032-I	514504723	Camera	Annex
HIKVISION	DS-2CD2032-I	514504912	Camera	Annex
HIKVISION	DS-2CD2032-I	514504906	Camera	Annex
HIKVISION	DS-2CD2032-I	510156001	Camera	Annex
HIKVISION	DS-7608NI-E2/8P	515272230	Network Video Recorder	Annex
XEROX	Workcenter 6605	XL3575505	Printer	Annex
Fujifilm	LTO ULtium4	15716800	Data Cartridges	Annex
Dell	LTO Dell UL-2 200G U	26220005	DVD Ultrium Tapes	Annex
TDK	D2407-LTO4		DVD Ultrium Tapes x5	Annex
Soundsource	Soundisk SD-100		Powered Speaker System	Annex
iomega	zip 750mg disk	30954000	750mb Storage Disks x2	Annex
Netgear	MA401	ma41d27200588	802.11b Wireless PC Card	Annex
ALPS	Glidepoint	100851-00	Pointing Device	Annex
Linksys	WPS11 Ver 3	SBA302903536	Wireless Print Server	Annex
Linksys	EFSP42		2 Port Switched Print Ser	Annex
Linksys	WPC11 Ver 3	B302753171	Wireless PC Card	Annex

MAKE	MODEL	SERIAL #	DESCRIPTION	LOCATION
Linksys	WUSB11 Ver 2.6	M4126C502630	Wireless USB Adapter	Annex
Linksys	WPC11 Ver 3	B302703880	Wireless PC Card	Annex
Linksys	WPC11 Ver 3	B302606373	Wireless PC Card	Annex
Maxtor	One Touch II	B60FWRWH	Storage Device	Annex
iomega	jaz traveller		jaz portable device	Annex
iomega	jaz jet		jaz scsi pci card	Annex
iomega	Z100P2	PMAJ372EU9	ZIP drive	Annex
iomega	V200S	XS6M31C13G	External Jaz Drive	Annex
iomega	jaz		2gb disks x4	Annex
Panasonic	KX-FA93		Panasonic Ink Film	Annex
iomega	jaz		1gb disks x2	Annex
jvc	ehg Library Master		JVC Tape	Annex
Konica Minolta	Color Pageworks L		DVD	Annex
Microsoft	Windows 98		Windows 98 DVD	Annex
Bay City SCADA System			SCADA system Tapes x9	Annex
imation	2HD IBM		Floppy Disks x3	Annex
Sony	System Recovery CD		CD	Annex
Microsoft	X04-80322		Windows 98 Floppy	Annex
STB Systems	Nitro ISA		Utility Driver Floppy	Annex
Microsoft	StreetsPlus Deluxe		CD	Annex
ArcGis	Arcview 9		CD	Annex
CSC	Drive Service Station	HW29715	Drive Cloning Station	Annex
ICS	Image Masster 500	8857	Image Cloning Station	Annex
Fujitsu	fi-6130	65468	Scanner	Annex
Linksys	WAP11	M31404200027	Wireless Access Point-B	Annex
GPS Capable	1085L		Distance Measuring Instr	Annex
DigitalDoc2	AMS-DK-SC008		Thermal Sensor-Fan Mon	Annex
Dazzle Multimedia	DVC	DVCUSBPV	Digital Video Creator	Annex
APC	1284-6F-1V	3a0521t00000	6ft parallel printer cable	Annex
Westell	C90-36R516-01A	01B406285307	Wirespeed	Annex
Apple	Airport Extreme Base	6F038348ACC	Wireless Router	Annex
Motorola	2210-02-1022K	1.57095E+11	Single Port Modem	Annex
Gigabyte	GO-B5232C	540001688	DVD Drive	Annex
Aopen	COM5232	51102235JE CL	DVD Drive	Annex
H-L Data Storage	GDR-8164B		DVD Drive	Annex
Lite-On-It	SHW-160P6S10C	302606407225	DVD Drive	Annex
Lite-On-It	SOHW-812S	479412005717	DVD Drive	Annex
Efficient Networks	060-5360-002		Speedstream 5360 Mode	Annex
Sony	AD-7260S	1366131L111	DVD Drive	Annex
Sony	AD-7200A	94FS689L312	DVD Drive	Annex
Xerox	Workcentre 6605	XL3575519	Printer	Annex
Ubiquiti	AF24		UISP Air Fiber 24 GHz Brid	Annex
Bomgar	B200R		U2 Server	PD
Scale		--	Server	PD
Scale	SN1000-1U4SATAG.2		Server	PD
Scale	SN1000-1U4SATAG.2		Server	PD
Scale	SN1000-1U4SATAG.2		Server	PD
Scale	S1.3.2		Server	PD
Scale	S1.3.2		Server	PD
Scale	S2-RFB		Server	PD
Scale	S1.3.2		Server	PD
Scale	S1.3.2	C813M0015K70274	Server	PD

MAKE	MODEL	SERIAL #	DESCRIPTION	LOCATION
Scale	FSC	C813M0947K51894	Server	PD
Dell	Power Edge	JPHZGB2	Server	PD
D-Link	DKVM-2k	DL0224C007352	Server	PD
Dell	SVP	595BMJ1	Server	PD
Evantide	CSE-512	V0000253	Server	PD
HP	IX260+	2UC6040005	Laptop	PD
HP	IX260+	2UC6040014	Laptop	PD
HP	IX260+	2UC5320025	Laptop	PD
HP	IX260+	2UC5230179	Laptop	PD
HP	IX260+	2UC6040017	Laptop	PD
HP	IX260+	2UC6040018	Laptop	PD
HP	IX260+	2UC5470307	Laptop	PD
HP	IX260+	2UC5380009	Laptop	PD
HP	IX260+	2UC5350010	Laptop	PD
APC	Smart-USP	1500	Laptop	PD
APC	BE550G	4B1417P10297	Laptop	PD
Avaya	IP Office 500V2	CCAA11P10030T0	Laptop	PD
HP	IX260+	2UC6040004	Laptop	PD
Fujitsu	fi-6130	111146	Laptop	PD
SONICWALL	1RK25-084	0017C517FD44	Laptop	PD
ATT	IPFLEX	HS18102900100118	Laptop	PD
Dell	7947-AC1	KQVADCL	Laptop	PD
Dell	7947-64U	99M0407	Laptop	PD
Pc -21			Laptop	LIBRARY
Monitor - 10			Monitors	LIBRARY
Laptops 8			LaptopS	LIBRARY
All in one - 2			Computers	LIBRARY
Server -3			ServerS	LIBRARY
Miscellaneous router, switches, keyboards			MISC	LIBRARY
External HD	HD250UFAPE5-72	B-539918	External Drive	PD
Sonicwall	1RK25-84	0017C599C0A4	Server	PD
Ubiquity	nanoBridge M5		Bridge	PD
Lanier	LCR-5	216510	MISC	PD
Ubiquity	nanoBridge M5		Bridge	PD
Motarola	ST2500B-S2500	1479JX0001	MISC	PD
Motarola	ST2500B-S2500	147YHM0169	MISC	PD
Microsoft	WO MFM10011	5167704335913	Server	PD
Desktop	MP945-VX	64400294JED8	Computer	PD
Tranzeo	TR-49-20f	TR-49SRCN0371513	MISC	PD
AZIO	REMAZ10050	5184666	MISC	PD
KODAK	DC120-200M		CAMERA	PD
LOGISYS	PS480D	862626001562	MISC	PD
ARCO	DupliDISK		Disk Duplicator	PD
CANON	K10222	XADV 39346	CAMERA	PD
Desktop Server		C74300610B50083	Server	PD
Unitrends	CSE-825	C8250FD02MA0021	Server	PD
Server	HSTNS-5141		Server	PD
Dell	R3302	4XST4G1	Server	PD
SmartOnline UPS	SU750RTLX2U	9739ALPS584300118	UPS	PD
SmartOnline UPS	SU750RTLX2U	9739ALCPS584300122	UPS	PD
Silicom	ATT-V150	2052191409	MISC	PD
Sonicwall	1RK25-84	0017C5E1F05C	Server	PD

MAKE	MODEL	SERIAL #	DESCRIPTION	LOCATION
Ubiquiti	UBI-POE-48-5G	1210-008687	Server	PD
PH	Laserjet	C4781-60500	Printer	PD
Startech	MCMGBSC15	12442500145	MISC	PD
Startech	MCMGBSC15	314C05800523	MISC	PD
Startech	MCMGBSC15		MISC	PD
Kyocera	E4520PTT	KYOE4520PTT	MISC	PD
Samsung	SCHU680MAV	A0000048665DDA	Server	PD
Samsung	SCHU680MAV	A00000486C3DEC	Server	PD
Samsung	SCHU680MAV	A0000048666173	Server	PD
Samsung	SCHU680MAV	A0000048E2D7A3	Server	PD
Samsung	SCHU680MAV	A0000048663E26	Server	PD
Samsung	SCHU680MAV	A00000486C3DEC	Server	PD
Samsung	SCHU680MAV	A00000486C3DD6	Server	PD
Samsung	SCHU680MAV	A00000486C3E2E	Server	PD
Samsung	SCHU680MAV	A0000048663E29	Server	PD
Samsung	SCHU680MAV	A0000048AD186D	Server	PD
Samsung	SCHU680MAV	A0000048664430	Server	PD
Samsung	SCHU680MAV	A0000048DA779D	Server	PD
Samsung	SCHU680MAV	A0000048AD2311	Server	PD
Samsung	SCHU680MAV	A0000048665F1B	Server	PD
Samsung	SCHU680MAV	A00000486644D5	Server	PD
Samsung	SCHU680MAV	A00000486660A4	Server	PD
Samsung	SCHU680MAV	A0000048665EC2	Server	PD
Samsung	SCHU680MAV	A00000486C3B32	Server	PD
Samsung	SCHU680MAV	A0000048DA77B6	Server	PD
Samsung	SCHU680MAV	A00000486644C9	Server	PD
Samsung	SCHU680MAV	A00000486644CE	Server	PD
Samsung	SCHU680MAV	A0000048666184	Server	PD
Samsung	SCHU680MAV	A00000486C3DE3	Server	PD
Samsung	SCHU680MAV	A0000048663E6B	Server	PD
Samsung	SCHU680MAV	A00000486644DB	Server	PD
Samsung	SCHU680MAV	A00000486644D1	Server	PD



~ **DISCUSS, CONSIDER, AND/OR APPROVE VARIOUS EQUIPMENT TO BE FUNDED BY THE AMERICAN RESCUE PLAN FUNDS AND AUTHORIZE STAFF TO PROCEED WITH PROCUREMENT**



## EXECUTIVE SUMMARY

### AMERICAN RESCUE PLAN ACT PROJECT EQUIPMENT FOR PUBLIC WORKS, STREET & BRIDGE

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

The City of Bay City received \$ 4,353,513.57 from the US Treasury as allocated in the American Rescue Plan (ARP) Act.

ARPA requires **OBLIGATION** of all funds by 12-31-2024 and all projects are to be **COMPLETED** by 12-31-2026.

**FINANCIAL IMPACT:** The list below is an estimate only and due to inflation, the cost may be higher.

**RECOMMENDATION:** Public Works originally requested the purchase of three rollers for in-house road repairs. After further consideration, it has been determined that a paving machine must be the primary purchase to continue in-house road rehab projects. Recommend City Council approve staff to begin the federal procurement process for the equipment listed below (through competitive bidding since >\$50,000).

DEPT #	DEPARTMENT	DESCRIPTION	QTY	ORIGINAL COST	REVISED COST
175	Street & Bridge	Paver	1		182,000
175	Street & Bridge	Smooth Drum Roller	1	120,000	120,000
175	Street & Bridge	Sheep Foot Roller	1	100,000	130,000
175	Street & Bridge	Pneumatic Roller	1	140,000	134,000
175	Street & Bridge	Flat Bed Truck*	1	85,000	83,500
		<b>Estimated Cost of Equipment</b>		<b>\$445,000</b>	<b>\$649,500</b>
		<b>Net Increase</b>			<b>\$204,500</b>

\*Previously approved by Council to purchase



**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:** Mason, Krystal **Date Submitted:** 10/25/2023  
*Last, First* *MM/DD/YYYY*

**Requestor Type :** City Staff **Meeting Date:** 10/31/2023  
*Citizen/City Staff/Council Member* *MM/DD/YYYY*

**Position Title** Assistant Director of Public Works  
*For City Staff Only*

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

### Agenda Content:

**DISCUSS, CONSIDER, AND/OR APPROVE A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF BAY CITY, TEXAS AND LSPS SOLUTIONS, LLC FOR CONDUCTING PHASE 2 OF A STUDY OF THE CITY OF BAY CITY'S WATER SYSTEM SERVICE LINES AND PREPARING A SERVICE LINE INVENTORY TO COMPLY WITH THE U.S. EPA REVISED LEAD AND COPPER RULE, BUDGETED IN FISCAL YEAR 2024 CAPITAL IMPROVEMENTS PLAN.**

### Executive Summary of Item:

The U.S. EPA enacted a revision to the current Lead and Copper Rule which requires all community and non-transient, non-community water systems to prepare a lead service line inventory and submit it to the Texas Commission on Environmental Quality by October 16, 2024. This inventory must include all services connected to the Public Water System and it must include information about the service on both the public and privately owned portions of the service. LSPS Solutions, LLC completed the first phase of this project in September 2023 which included account data upload and preparing electronic data and GIS base map. Phase 2 is the final phase of the project and will include field verification by LSPS Solutions, Inc., which is a service not offered by other firms. Due to the size of the project and limited staffing, support is needed to complete the project by the October 16, 2024 compliance date.



**LSPS Solutions, LLC**  
**203 Windwood Lane**  
**Victoria, Texas 77904**  
**361 / 212-8243**

ITEM #4.

September 26, 2023

Ms. Krystal Mason  
Assistant Director of Public Works  
City of Bay City  
1217 Avenue J  
Bay City, TX 77414

Re: **Proposal for Conducting Phase 2 of a Study of the City of Bay City's Water System Service Lines and Preparing a Service Line Inventory to Comply with the USEPA's Revised Lead and Copper Rule**

Ms. Mason,

Thank you for allowing me the opportunity to propose on conducting Phase 2 of a study of the City of Bay City's water system service lines and preparing a Service Line Inventory to comply with the USEPA's new Revised Lead and Copper Rule.

This provision of the new Revised Lead and Copper Rule requires all community and non-transient, non-community water systems to prepare a lead service line inventory and submit it to the TCEQ by October 16, 2024. The inventory must include all services connected to the public water system and it must include information about the service on both the public and privately owned portions of the service.

In order to manage the large amount of data generated from the LSL Inventory, LSPS Solutions uses GIS technology to geo-spatially tie the data from each service line to the GPS coordinates for the corresponding meter location on that service line.

As you are aware, LSPS Solutions, LLC recently completed Phase 1 of the City of Bay City's LSL Inventory by uploading the City's Utility Billing Office account information into our electronic data capturing devices, attaching an electronic form whose fields exactly match the TCEQ Form 20943 to each of the accounts, and then creating a GIS base map with a parcel layer that assigns a Unique Identifier to each of the parcels currently served by the City of Bay City's potable water supply. All of the Phase 1 work listed above was performed in preparation for the Phase 2 activities which are set forth in the following proposal:

**Proposal**



**Proposal for Conducting Phase 2 of a Study of  
the City of Bay City's Water System Service  
Lines and Preparing a Service Line Inventory to  
Comply with the USEPA's Revised Lead and  
Copper Rule**

ITEM #4.

September 26, 2023

LSPS Solutions, LLC proposes to perform the following work activities to successfully perform Phase 2 of a service line inventory for the City of Bay City to comply with the Revised Lead and Copper Rule:

- For all accounts not pre-populated with all required information having been provided prior to upload, LSPS Solutions, LLC will begin conducting research on available City and County records in an effort to acquire the required information for each of the remaining notes without having to field-verify the information. All information obtained through records review will be entered into the electronic data collection forms in the P.L.A.N.I.T. app.
- LSPS Solutions LLC staff will then begin making trips to the project sites and collecting or verifying the field data for each of the remaining service lines and entering that data into the electronic templates. To collect the data, the field technicians will use either visual verification, (if the service line can be seen from within the meter box), or a combination of two different types of metal detectors to determine if the lines on either side of the meter are metallic and if they are, what metal they are constructed of.
- Once the service line material on each side of the meter is determined, the service lines will be categorized and entered into the electronic template as one of the following EPA categories:
  - Lead
  - Not Lead
  - Galvanized Requiring Replacement
  - Lead Status Unknown
- LSPS Solutions GIS Technicians will export the field collected data into the management tool files and will begin geo-referencing the infrastructure.
- Once the draft deliverables are prepared, LSPS Solutions technicians will conduct a quality control check on the finished products.
- LSPS Solutions technicians will then meet with the City staff to review the preliminary data in order to identify any readily visible inaccuracies.
- Following this meeting, LSPS Solutions technicians will remedy any errors identified and create the final deliverables for the project.

### **Deliverables**

LSPS Solutions, LLC will deliver to the City an external hard drive containing the following electronic files each containing the following:

1. A completed form TCEQ-20943 for submittal to the TCEQ.
2. A Google Earth .kmz file showing the location of the water meters and the service line information collected.



**Proposal for Conducting Phase 2 of a Study of the City of Bay City's Water System Service Lines and Preparing a Service Line Inventory to Comply with the USEPA's Revised Lead and Copper Rule**

ITEM #4.

September 26, 2023

3. A GIS shape file showing the location of the water meters and the service line information collected.
4. An Excel spreadsheet identifying the GPS coordinates of the water meters and the service line information collected.

**Fee**

**LSPS Solutions, LLC agrees to perform the above referenced services for the City of Bay City for the unit costs shown in the following table:**

Task	Unit Price
Records Review and Data Population after Initial Upload	\$5.00 per Service Line
Field Data Collection of Verification and Data Population	\$25.00 per Service Line
Final Export, Creation of Deliverables, QC Check, Edits, etc.	\$3.00 per Service Line
<b>Maximum per Service Line for all Tasks</b>	<b>\$33.00 per Service Line</b>
<b>Minimum per Service Line</b>	<b>\$8.00 per Service Line</b>

**Assumptions**

The fee quoted above is based on the following assumptions:

- This proposal does not include digging or potholing to field verify service line materials. If records do not exist to determine the materials used to construct a service line and the service line cannot be seen from within the meter box, then metal detectors will be used to determine the materials used to construct the service line. TCEQ has not approved the use of metal detectors to verify the material of construction for service lines and, as a result, they require these service lines to be marked as "Unknown-Likely not Lead".
- If the service line is under concrete or asphalt for the entirety of its length, and the type of material used to construct the service line cannot be determined without breaking concrete, this service will be marked as "Lead Status Unknown".
- LSPS Solutions intends to use a TerraGo P.L.A.N.I.T. mobile app, Diamond Maps (GIS software application), Google Earth, Google Chrome, and Microsoft Excel for the development and use of the management tools described in this proposal.
- LSPS Solutions, LLC will not, however, be providing or installing any computer hardware or software on the City's network as part of this project.
- LSPS Solutions, LLC will be uploading the completed portion(s) of the assessment as a GIS Shape File onto the Diamond Maps platform on a monthly basis while performing the inventory and will provide complimentary "View Only" access to that data to the City during the inventory process.



**Proposal for Conducting Phase 2 of a Study of  
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September 26, 2023

After completion of the inventory process, should the City desire to maintain access to the Diamond Maps platform, any costs associated with subscribing to that service or for acquiring and/or installing any other software applications on the City's computer network or desktops will be borne by the City exclusive of this proposal.

- This proposal assumes that the infrastructure, (water meters), for which field data collection must be performed is readily accessible and visible. LSPS Solutions will make a reasonable attempt to locate the infrastructure, but if LSPS Solutions staff cannot access the infrastructure, City personnel will be notified and will be responsible for locating the infrastructure and making it readily accessible.
- The City staff will work cooperatively with LSPS Solutions, LLC staff in an effort to get the project completed to the satisfaction of all parties to the contract.

**Terms**

LSPS Solutions, LLC will invoice the City of Bay City during the last week of each month for the portion of the work completed during that month. The City of Bay City agrees to make payment on the invoice within 30 days of receipt of the invoice.

Upon your review of this proposal, should you have questions or concerns regarding this matter, please contact me at 361 / 212-8243. I look forward to working with you and your staff on this very important project.

Sincerely,

Lynn Short, President

**Agreement for Professional Services For Conducting Phase 2 of a Study of the City of Bay City's Water System Service Lines and Preparing a Service Line Inventory to Comply with the USEPA's Revised Lead and Copper Rule Between the City of Bay City And LSPS Solutions, LLC**

This Agreement for Professional Services ("Agreement") is made between LSPS Solutions, LLC, 203 Windwood Lane, Victoria, TX ("Professional"), and the City of Bay City ("Owner") a Texas municipal corporation, 1901 Fifth Street, Bay City, TX 77414, who, in consideration of the mutual covenants of this Agreement, hereby agree as follows:

## **I. Scope of Services**

**1.1 Scope of Work.** In accordance with the attached **Proposal for Conducting Phase 2 of a Study of the City of Bay City's Water System Service Lines and Preparing a Service Line Inventory to Comply with the USEPA's Revised Lead and Copper Rule (Exhibit A)**, dated September 26, 2023, Professional shall provide all personnel and equipment necessary to complete the EPA mandated LSL Inventory for the City of Bay City.

## **II. Payment**

**2.1 Payments to Professional.** City agrees to pay Professional a unit price for each service connection in accordance with the table on Page 3 of the attached **Exhibit A**. **(Based on a service connection count of ~7,571 connections, the total amount of the Phase 1 Project is estimated to be <\$249,843.00)** Professional shall submit an invoice to City upon completion of the work, and City shall pay for all services within 30 days after receipt of an invoice for said services.

## **III. Term/Termination**

**3.1 Term and Termination.** This Agreement shall commence no later than ten (10) days after execution and shall terminate upon completion of the project specified in the attached **Exhibit A**. City may terminate this agreement upon written notice to Professional with the understanding that all services being performed under this agreement shall cease upon the date specified in such notice. In the event of early termination, Professional shall invoice City for all services completed and shall be compensated in an amount corresponding to the percentage of the compensation corresponding to the percentage of the work satisfactorily completed on the effective date of termination, to the extent such work provides value to City.

## **IV. Miscellaneous**

**4.1 Ownership of Documents.** All documents prepared and assembled by Professional pursuant to this agreement shall become property of City and shall be delivered to City without restriction of future use. Professional may make copies of any and all documents for its files.

**4.2 Controlling Law.** This agreement is performable and is to be governed by the law applicable in Matagorda County, Texas. Venue for any action arising under this Agreement shall be in Matagorda County, Texas.



**4.3 Successors & Assigns.** Neither City nor Professional shall assign, sublet or transfer any rights under or interest in (including, but without limitations, monies that may become due or monies that are due) this Agreement without the written consent of the other. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent Professional from employing independent consultants, associates and other employees to assist it in the performance of services hereunder.

**4.4 No Third-Party Beneficiaries.** Nothing herein shall be construed to give any rights or benefits to anyone other than City and Professional.

**4.5 Independent Contractor.** In performing services under this agreement, the relationship between City and Professional is that of independent contractor, and City and Professional by the execution of this agreement do not change the independent contractor status of Professional. No term or provision of this agreement or act of Professional in the performance of this agreement shall be construed as making Professional the agent, servant, or employee of City.

**4.6 Entire Agreement.** This agreement, together with any referenced attachments, constitutes the entire agreement between the parties, and supersedes all prior written or oral understandings. This agreement and said attachments may only be amended, supplemented, modified or canceled by a duly executed written instrument.

EXECUTED, this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

City of Bay City, Texas

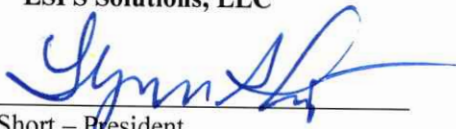
\_\_\_\_\_  
Shawna Burkhart, City Manager

(seal)


Attest:

\_\_\_\_\_  
Printed Name

LSPS Solutions, LLC

  
\_\_\_\_\_  
Lynn Short – President

Attest:

  
\_\_\_\_\_  
Thomas Short – Vice President





**LSPS Solutions, LLC**

**203 Windwood Lane**

**Victoria, Texas 77904**

**361 / 212-8243**

ITEM #4.

September 26, 2023

Ms. Krystal Mason  
Assistant Director of Public Works  
City of Bay City  
1217 Avenue J  
Bay City, TX 77414

**Re: Proposal for Conducting Phase 2 of a Study of the City of Bay City's Water System Service Lines and Preparing a Service Line Inventory to Comply with the USEPA's Revised Lead and Copper Rule**

Ms. Mason,

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**Proposal**



**Proposal for Conducting Phase 2 of a Study of  
the City of Bay City's Water System Service  
Lines and Preparing a Service Line Inventory to  
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September 26, 2023

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  - Lead
  - Not Lead
  - Galvanized Requiring Replacement
  - Lead Status Unknown
- LSPS Solutions GIS Technicians will export the field collected data into the management tool files and will begin geo-referencing the infrastructure.
- Once the draft deliverables are prepared, LSPS Solutions technicians will conduct a quality control check on the finished products.
- LSPS Solutions technicians will then meet with the City staff to review the preliminary data in order to identify any readily visible inaccuracies.
- Following this meeting, LSPS Solutions technicians will remedy any errors identified and create the final deliverables for the project.

### **Deliverables**

LSPS Solutions, LLC will deliver to the City an external hard drive containing the following electronic files each containing the following:

1. A completed form TCEQ-20943 for submittal to the TCEQ.
2. A Google Earth .kmz file showing the location of the water meters and the service line information collected.



**Proposal for Conducting Phase 2 of a Study of the City of Bay City's Water System Service Lines and Preparing a Service Line Inventory to Comply with the USEPA's Revised Lead and Copper Rule**

ITEM #4.

September 26, 2023

3. A GIS shape file showing the location of the water meters and the service line information collected.
4. An Excel spreadsheet identifying the GPS coordinates of the water meters and the service line information collected.

**Fee**

**LSPS Solutions, LLC agrees to perform the above referenced services for the City of Bay City for the unit costs shown in the following table:**

Task	Unit Price
Records Review and Data Population after Initial Upload	\$5.00 per Service Line
Field Data Collection of Verification and Data Population	\$25.00 per Service Line
Final Export, Creation of Deliverables, QC Check, Edits, etc.	\$3.00 per Service Line
<b>Maximum per Service Line for all Tasks</b>	<b>\$33.00 per Service Line</b>
<b>Minimum per Service Line</b>	<b>\$8.00 per Service Line</b>

**Assumptions**

The fee quoted above is based on the following assumptions:

- This proposal does not include digging or potholing to field verify service line materials. If records do not exist to determine the materials used to construct a service line and the service line cannot be seen from within the meter box, then metal detectors will be used to determine the materials used to construct the service line. TCEQ has not approved the use of metal detectors to verify the material of construction for service lines and, as a result, they require these service lines to be marked as "Unknown-Likely not Lead".
- If the service line is under concrete or asphalt for the entirety of its length, and the type of material used to construct the service line cannot be determined without breaking concrete, this service will be marked as "Lead Status Unknown".
- LSPS Solutions intends to use a TerraGo P.L.A.N.I.T. mobile app, Diamond Maps (GIS software application), Google Earth, Google Chrome, and Microsoft Excel for the development and use of the management tools described in this proposal.
- LSPS Solutions, LLC will not, however, be providing or installing any computer hardware or software on the City's network as part of this project.
- LSPS Solutions, LLC will be uploading the completed portion(s) of the assessment as a GIS Shape File onto the Diamond Maps platform on a monthly basis while performing the inventory and will provide complimentary "View Only" access to that data to the City during the inventory process.



**Proposal for Conducting Phase 2 of a Study of  
the City of Bay City's Water System Service  
Lines and Preparing a Service Line Inventory to  
Comply with the USEPA's Revised Lead and  
Copper Rule**

ITEM #4.

September 26, 2023

After completion of the inventory process, should the City desire to maintain access to the Diamond Maps platform, any costs associated with subscribing to that service or for acquiring and/or installing any other software applications on the City's computer network or desktops will be borne by the City exclusive of this proposal.

- This proposal assumes that the infrastructure, (water meters), for which field data collection must be performed is readily accessible and visible. LSPS Solutions will make a reasonable attempt to locate the infrastructure, but if LSPS Solutions staff cannot access the infrastructure, City personnel will be notified and will be responsible for locating the infrastructure and making it readily accessible.
- The City staff will work cooperatively with LSPS Solutions, LLC staff in an effort to get the project completed to the satisfaction of all parties to the contract.

**Terms**

LSPS Solutions, LLC will invoice the City of Bay City during the last week of each month for the portion of the work completed during that month. The City of Bay City agrees to make payment on the invoice within 30 days of receipt of the invoice.

Upon your review of this proposal, should you have questions or concerns regarding this matter, please contact me at 361 / 212-8243. I look forward to working with you and your staff on this very important project.

Sincerely,

Lynn Short, President



## CERTIFICATE OF LIABILITY INSURANCE

DATE

9

ITEM #4.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Frost Insurance - Victoria 6835 N Main Street Victoria TX 77904		<b>CONTACT NAME:</b> <b>PHONE (A/C, No, Ext):</b> 361-580-9010 <b>FAX (A/C, No):</b> 361-580-9065 <b>E-MAIL ADDRESS:</b>	
License#: 7298 LSPSSOL-01		<b>INSURER(S) AFFORDING COVERAGE</b>	
<b>INSURED</b> LSPS Solutions LLC 203 Windwood Victoria TX 77904		<b>NAIC #</b> 10200	
		<b>INSURER A:</b> Hiscox Insurance Company Inc	
		<b>INSURER B:</b>	
		<b>INSURER C:</b>	
		<b>INSURER D:</b>	
		<b>INSURER E:</b>	
		<b>INSURER F:</b>	

## COVERAGES

CERTIFICATE NUMBER: 613308806

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	<b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE  DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y / N <input type="checkbox"/> N / A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Professional Liability			MPL1902950 23	4/1/2023	4/1/2024	Limit Per Claim 1,000,000 Aggregate 1,000,000 Deductible -Per Claim 1,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

City of Bay City  
1901 Fifth Street  
Bay City TX 77414

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



## CERTIFICATE OF LIABILITY INSURANCE

DATE

9

ITEM #4.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

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<b>PRODUCER</b> Frost Insurance - Victoria P O Box 2625 Victoria TX 77902		<b>CONTACT</b> NAME: Margery Hall PHONE (A/C, No, Ext): 361-580-9057 E-MAIL ADDRESS: jhall@frostinsurance.com FAX (A/C, No):	
		<b>INSURER(S) AFFORDING COVERAGE</b>	
		<b>INSURER A:</b> Texas Mutual Insurance Co.	
		<b>INSURER B:</b> Mesa Underwriters Specialty Insurance Company	
		<b>INSURER C:</b> Progressive County Mutual	
		<b>INSURER D:</b> Evanston Insurance Company	
		<b>INSURER E:</b>	
		<b>INSURER F:</b>	

## COVERAGES

CERTIFICATE NUMBER: 24001875

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			MP0142028000182	4/22/2023	4/22/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
C	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input checked="" type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			968510971	4/22/2023	4/22/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
D	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			EZXS3113179	4/22/2023	4/22/2024	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y / N <input type="checkbox"/>	N / A	0002048004	5/22/2023	5/22/2024	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

## CERTIFICATE HOLDER

## CANCELLATION

City of Bay City  
1901 5th Street  
Bay City TX 77414

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

# CONFLICT OF INTEREST QUESTIONNAIRE

For vendor doing business with local governmental entity

FORM CIQ

This questionnaire reflects changes made to the law by H.B. 23, 84th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code, by a vendor who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the vendor meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the vendor becomes aware of facts that require the statement to be filed. See Section 176.006(a-1), Local Government Code.

A vendor commits an offense if the vendor knowingly violates Section 176.006, Local Government Code. An offense under this section is a misdemeanor.

## OFFICE USE ONLY

Date Received

## 1 Name of vendor who has a business relationship with local governmental entity.

LSPS Solutions, LLC

2 ☐ Check this box if you are filing an update to a previously filed questionnaire. (The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date on which you became aware that the originally filed questionnaire was incomplete or inaccurate.)

## 3 Name of local government officer about whom the information is being disclosed.

n/a

Name of Officer

4 Describe each employment or other business relationship with the local government officer, or a family member of the officer, as described by Section 176.003(a)(2)(A). Also describe any family relationship with the local government officer. Complete subparts A and B for each employment or business relationship described. Attach additional pages to this Form CIQ as necessary.

n/a

A. Is the local government officer or a family member of the officer receiving or likely to receive taxable income, other than investment income, from the vendor?

☐ Yes☒ No

B. Is the vendor receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer or a family member of the officer AND the taxable income is not received from the local governmental entity?

☐ Yes☒ No

5 Describe each employment or business relationship that the vendor named in Section 1 maintains with a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership interest of one percent or more.

n/a

6 ☐ Check this box if the vendor has given the local government officer or a family member of the officer one or more gifts as described in Section 176.003(a)(2)(B), excluding gifts described in Section 176.003(a-1).

7   
Signature of vendor doing business with the governmental entity

9/26/2023

Date



~ Discuss, consider, and/or approve the revised minutes of the Regular Council Meeting of December 20, 2022.

---



## **EXECUTIVE SUMMARY**

**Revised Minutes of 12/20/2022**

### **BACKGROUND:**

The minutes were approved without containing the Council voting. In addition, for TWDB grant clarification, the discussion was expanded. All revisions were consistent with the recording of the meeting as found on the city website : [Dec 20, 2022 City Council - Bay City, TX \(swagit.com\)](https://www.swagit.com/dec-20-2022-city-council-bay-city-tx)

### **FINANCIAL IMPLICATIONS:**

### **IMPACT ON COMMUNITY SUSTAINABILITY:**

### **RECOMMENDATION:**

**Council to approve the revised minutes of the December 20, 2022 meeting**

### **ATTACHMENTS:**

**Revised Minutes**



# CITY OF BAY CITY

## MINUTES • DECEMBER 20, 2022 • REVISED

**COUNCIL  
CHAMBERS | 1901  
5th Street**

**City Council Regular Meeting**

**6:00 PM**

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



### **Mayor**

Robert K. Nelson

### **Councilman**

Blayne Finlay

### **Mayor Pro Tem**

Jim Folse

### **Councilman**

Bradley Westmoreland

### **Councilwoman**

Becca Sitz

### **Councilwoman**

Floyce Brown

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

---

**CALL TO ORDER AND CERTIFICATION OF QUORUM**

The meeting was called to order by Mayor Robert K. Nelson at 6:00 pm. A quorum was certified.

**PRESENT**

Mayor Robert K. Nelson  
Councilwoman Floyce Brown  
Mayor Pro Tem Jim Folse  
Councilwoman Becca Sitz

**ABSENT**

Councilman Brad Westmoreland  
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."*

*Councilwoman Floyce Brown*

**MISSION STATEMENT**

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

Councilwoman Floyce Brown

**APPROVAL OF AGENDA**

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

**PUBLIC COMMENTS**

David Torrez, 1616 Cottonwood, addressed council with his concerns and grievance regarding streets and water bills.

**ACKNOWLEDGEMENT FROM CITY MANAGER**

There were no acknowledgements.

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

1. **City Council Regular Meeting minutes of November 15, 2022.**
2. **Council Workshop meeting minutes of December 6, 2023.**
3. **Regular Council Meeting minutes of December 6, 2022.**

Motion made by Councilwoman Sitz to approve the consent items with grammatical and spelling corrections, Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse. Motion carried.

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

4. **Agreement ~ Discuss, consider, and/or approve an Interlocal Agreement between the City of Bay City and Matagorda County for library services for the 2023 year.**

Samantha Denbow, Library Director, presented the annual agreement stating that there were no changes from last year.

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

5. **Agreement ~ Discuss, consider, and/or approve a Jurisdictional Memorandum of Understanding between the Bay City I.S.D. Police Department and the City of Bay City Police Department outlining reasonable communication and coordination of efforts.** Christella Rodriguez, Chief of Police

Motion made by Mayor Pro Tem Folse to approve the Memorandum of Understanding, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz. Motion carried.

6. **Bid ~ Discuss, consider and/or select LEM Construction for the Wastewater Treatment Plant Rehab Projec under the Texas Water Development Board Funding for the Clean Water SRF Projects and Authorize the Mayor and/or City Manager to execute a contract approved to form by the City Attorney between the City of Bay City and LEM Construction.** Barry Calhoun, Public Works Director

Barry Calhoun, Public Works Director, **stated that the bids came in twice as much as expected and** asked Council to approve LEM Construction to move forward with just the items approved **within the current budget. Mr. Calhoun added that LEM has been vetted and can provide value engineering and help us identify areas to reduce cost while moving forward..** Top four items are Cottonwood Lift Station, head works lift station, dewaterization of sludge, and aeration.

Motion by Councilwoman Brown to approve LEM Construction. Second by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz. Motion carried.

**7. Variance ~ Discuss, consider, and/or approve a variance to the Animal Ordinance allowing for the raising of pigs.**

Benjamin Flores provided a presentation as to why he should be granted a variance.

Motion made by Councilwoman Sitz to deny the variance, Seconded by Councilwoman Brown. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz. Motion carried.

Tom Gwosdz, Assistant City Attorney, advised that Council may want to add a provision to the ordinance to address variances denied can not come back for one year.

**8. Budget ~ Discuss, Consider, and/or Approve Budget Amendments for the Bay City Community Development Corporation (BCCDC) as of November 30, 2022.**

Jessica Russell, BCCDC Executive Director

Item tabled until the January 10th meeting.

**9. Resolution ~ Discuss, consider, and/or approve a resolution authorizing the award of administration service provider for Hazard Mitigation Assistance (HMA) Program(s) funded through the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB).**

Gabriel Lopez, Engineering Tech, presented the resolution and recommended GrantWorks as the administration service provider.

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

**10. Resolution ~ Discuss, consider, and/or approve a resolution authorizing the award of engineering service provider for the Hazard Mitigation Assistance (HMA) Program(s) funded through the Texas Division of Emergency Management (TDEM) and/or Texas Water Development Board (TWDB).**

Gabriel Lopez, Engineering Tech, presented the resolution and recommended Urban Engineering as the engineering service provider.

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

Folse, Councilwoman Sitz. Motion carried.

- 11. Resolution ~ Discuss, consider, and/or approve a resolution committing up to \$16,499.00 in City funds towards the construction cost of the Flood and Drainage Improvements Project, CDBG-DR GLO CONTRACT NO. 20-065-048-C142.**

Gabriel Lopez, Engineering Tech, presented the resolution and stated that this was the screen project.

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

## **CLOSED / EXECUTIVE SESSION**

Council adjourned to go into an executive session at 6:38 pm.

- 12. Executive session pursuant to Texas Government Code Section 551.072 to discuss or deliberate regarding the purchase, exchange, lease, or value of real property.**
- 13. Executive Session pursuant to Title 5, Section 551.074 of the Texas Government Code (To discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: Chief of Police**

## **RECONVENE AND ACTION**

Council reconvened at 7:15 pm and took no action on item #12 and #13.

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

Mayor Pro Tem Folse asked for updates on the patch truck to be on the January 10th meeting. Mayor Pro Tem Folse also stated that he had been hearing good things about Hamman Road project and would like an update. Councilwoman Brown stated that she was impressed with Hamman Road.

Councilwoman Sitz asked for an update on the final amount for Day of the Dead event. Councilwoman Sitz also stated that a variance to concrete requirements is needed. Shawn Burkhart replied that they are rewriting the ordinance to address. Councilwoman Sitz asked about the status of the Tourism sign and Ms. Burkhart replied it is being constructed. Councilwoman Sitz stated that Mayor Nelson led an enlightened meeting on arsenic and subject matter expert group. She believes they came up with some good ideas. Councilwoman Sitz added that if we are going to spend money on an old well then she recommends we build another well. Shawna Burkhart replied that the change of scope will be

3 wells of same size replacing the old and will provide a little more capacity, but the question will be where to put the new wells.

Mayor Pro Tem Folse stated that the Mayor represented well with the railroad. Mayor Nelson added that it was a positive meeting and they have scheduled a second one.

Mayor Nelson stated that TxDOT will be starting on the sidewalks on highway 35 in January.

## ADJOURNMENT

Motion made by Councilwoman Brown to adjourn the meeting, Seconded by Mayor Pro Tem Folse. Voting Yea: Mayor Nelson, Councilwoman Brown, Mayor Pro Tem Folse, Councilwoman Sitz. Motion carried and Council adjourned at 7:25 pm.

**PASSED AND APPROVED**, this 10th day of January 2023.

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

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

# Matagorda County Appraisal District

2225 Avenue G  
Bay City, Texas 77414  
979-244-2031

October 18, 2023

9489 0090 0027 6546 1977 81

Mayor Robert Nelson & City Council  
City of Bay City  
1901 5<sup>th</sup> St.  
Bay City, TX 77414

RE: Official Ballot for voting on the 2024/2025 Matagorda County Appraisal District Board of Directors

Enclosed is the official ballot to vote on the 2024/2025 Board of Directors for the Matagorda County Appraisal District. This is an agenda item for your governing body and will need a resolution from the governing body attached to the completed ballot. Each ballot has the number of votes to be cast by the voting entity.

Each voting entity's ballot and resolution must be received by the Chief Appraiser before December 14, 2023, however we kindly ask that you get them back to us by 5pm on Monday, December 11, 2023, so they can be read out during the end of year Board of Directors meeting that is always held on the second Tuesday of December. You may email to [mcad@co.matagorda.tx.us](mailto:mcad@co.matagorda.tx.us) or you can mail to Vince Maloney, Chief Appraiser, Matagorda County Appraisal District, 2225 Avenue G, Bay City, Texas 77414.

If you have any questions, please do not hesitate to call 979-244-2031.

Sincerely,



Vince Maloney  
Chief Appraiser

**RESOLUTION R-2023-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING THE CASTING OF THE CITY'S OFFICIAL BALLOT FOR APPOINTMENT OF MEMBERS TO THE MATAGORDA COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS FOR THE TERM OF JANUARY 1, 2024, THROUGH DECEMBER 31, 2025.**

**WHEREAS**, Pursuant to Chapter 6 of the Texas Property Tax Code, the City of Bay City is authorized to nominate and vote on the appointment of a member or members to the Board of Directors of the Matagorda County Appraisal District; and

**WHEREAS**, Pursuant to Chapter 6 of the Texas Property Tax Code, the City of Bay City may vote on each candidate for each position to be filed on the Board of Directors; and

**WHEREAS**, The Chief Appraiser of Matagorda County Appraisal District has delivered written notification to the City of Bay City of its right to cast 328 votes for a candidate or candidates for appointment to the board of directors: and

**WHEREAS**, The City Council of the City of Bay City has determined it is in the public interest to cast votes for the person(s) as candidate(s) for appointment to the board of directors of the Matagorda County Appraisal District as reflected in the City's "Official Ballot":

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

The "Official Ballot", attached hereto and incorporated by reference herein for all purposes, reflects the votes of the City of Bay City for candidate(s) for appointment to the board of directors of the Matagorda County Appraisal District.

The City Secretary is authorized and directed to submit the "Official Ballot" to the Matagorda County Appraisal District and to take all other reasonably necessary action to fulfill the intent of this Resolution.

**PASSED AND APPROVED AT BAY CITY TEXAS THIS 31<sup>ST</sup> DAY OF OCTOBER, 2023**

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

ATTEST:

APPROVED TO FORM:

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

\_\_\_\_\_  
Ann Marie Odefey, City Attorney



# Official Ballot

## Matagorda County Appraisal District Board of Directors Election For Term 2024-2025

Issued To: City of Bay City

Number of Votes: 328

### List of Candidates:

David Cobb	Votes Received	_____
Frank Hurley III	Votes Received	_____
Tony Kucera, Jr.	Votes Received	_____
Peter Zamarrippa	Votes Received	_____
Stephen Zapalac	Votes Received	_____

Date: \_\_\_\_\_

Robert Nelson, Mayor of Bay City

S.B. 621. Section 6.03(g) requires the above action to be taken by resolution; therefore, please attach a copy of the resolution to this ballot and return to: Vince Maloney, Chief Appraiser, Matagorda County Appraisal District, 2225 Avenue G, Bay City, Texas 77414.

Ballots & resolutions are due back to the appraisal district before December 14, 2023, however we kindly ask that you get them back to us by 5pm on **Monday, December 11, 2023**, so they can be read out during the end of year Board of Directors meeting that is always held on the second Tuesday of December.