



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, September 24, 2024 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

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.

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."*

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.

AWARDS & PROCLAMATIONS

- 1. Proclamation ~ Proclamation recognizing October 5, 2024 as "Bay City Teachers' Day".** Mayor Robert K. Nelson

ACKNOWLEDGEMENT FROM CITY MANAGER

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

- 2. City Council Workshop meeting minutes of June 18, 2024.**
- 3. Regular Council Meeting minutes of July 23, 2024.**
- 4. Regular Council Meeting minutes of August 27, 2024.**
- 5. City Council Workshop meeting minutes of August 27, 2024.**
- 6. Regular Council Meeting minutes of September 10, 2024.**
- 7. Policy ~ Discuss, consider, and/or approve the Budgetary and Financial Management Policy.** Scotty Jones, Interim City Manager
- 8. Resolution of the City of Bay City, Texas, adopting an Investment Policy.**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 9. Contract ~ Discuss, consider, and/or approve a contract between the City of Bay City, Texas and YMCA of the Golden Crescent, Victoria, Texas for the management of Valiant Pool.** Scotty Jones, Interim City Manager
- 10. Ordinance ~ An ordinance of the City Council of the City of Bay City, Texas. Amending Chapter 70 "Parks and Recreation", Section 70-25 "Use Permit" and Section 70-29 "Alcoholic Beverages"; Providing for a cumulative & conflicts clause, providing for a severability clause; and providing for an effective date.** Kelly Penewitt, Interim Parks and Recreation Director
- 11. 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, Interim City Manager

- 12. Budget ~ Discuss, consider, and/or approve the Bay City Community Development Corporation's Budget for Fiscal Year 2025.** Jessica Russell, BCCDC Executive Director
- 13. Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas adopting the City of Bay City Five Year Capital Improvement Program.** Scotty Jones, Interim City Manager
- 14. Ordinance ~ An Ordinance adopting an Operating Budget for the City of Bay City, Texas for Fiscal Year 2025 and all designated, specified, noted, and indicated levies, rates, reserves, revenue provisions, and planned expenditure inherent, expressed, and included therein; providing for a cumulative clause: providing for severability: and providing for an effective date.** Scotty Jones, Interim City Manager
- 15. Budget ~ Consider, and/or approve a motion to ratify the Property Tax increase reflected in the Budget for the City of Bay City Fiscal Year 2025.** Scotty Jones, Interim City Manager
- 16. Ordinance ~ An Ordinance adopting the Tax Rate of \$0.56916 per \$100.00 of assessed valuation for the City of Bay City, Texas, for the purpose of paying the current expenses of the City for the Fiscal Year ending September 30, 2025, levying a maintenance and operations rate of \$0.43447 and for the further purpose of creating a sinking fund to retire the principal and interest of the bond indebtedness of the City, levying a debt service rate of \$0.13469; providing for a lien on all real and personal property to secure payment of taxes due thereon; providing a severability clause herewith; and providing for an effective date.** Scotty Jones, Interim City Manager

CLOSED / EXECUTIVE SESSION

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

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, September 20, 2024 before 6:00 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.

CITY OF BAY CITY

MINUTES • JUNE 18, 2024

COUNCIL
CHAMBERS | 1901
5th Street

City Council Workshop - Capital Planning

5:00 PM

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

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

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

CERTIFICATION OF QUORUM

PRESENT

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

PUBLIC COMMENTS

There were no public comments.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND / OR APPROVAL

- 1. **Budget ~ Discuss, Consider, and/or take action on the Five (5) Year Capital Input session.** Scotty Jones, Interim City Manager

Scotty Jones, Interim City Manager, open discussions and review. James Mason, Airport Manager, reviewed capital projects proposed including runway overlay. Herb Blomquist, Public Works Director, reviewed capital projects for Utilities, Water Plants, Waste Water Treatment Plant Improvements, Water Lines, Manholes, Streets, Drainage, and Sidewalks. Mr. Blomquist added that Krystal Mason, Assistant Public Works Director brought a lot to this. Mr. Blomquist stated that Council needs to decide on what they want to spend on Nile Valley.

Scotty Jones stated that July 16th there will be a Capital Planning workshop on Buildings and Equipment.

ADJOURNMENT

Motion made by Mayor Pro Tem Finlay to adjourn, Seconded by Councilwoman Sitz. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried and Council adjourned at 6:56 p.m.

PASSED AND APPROVED, this 24th day of September 2024.

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

 JEANNA THOMPSON
 CITY SECRETARY

CITY OF BAY CITY

MINUTES • JULY 23, 2024

COUNCIL
CHAMBERS | 1901
5th Street

City Council Regular Meeting

6:00 PM

1901 5TH STREET
BAY CITY TX,77414



Mayor

Robert K. Nelson

Mayor Pro Tem

Becca Sitz

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilman

Blayne Finlay

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 6:01 p.m.

PRESENT

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

INVOCATION & PLEDGE

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

Councilman Blayne Finlay

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 Blayne Finlay

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.

There were no public comments.

ACKNOWLEDGEMENT FROM CITY MANAGER

City Manager recognized Debbie Lopez with Municipal Court for going above and beyond by receiving her Level 1 certification. City Manager also encourages citizens to visit Riverside Park and joining in the Go Wild Program events.

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

Councilman Benjamin Flores reminded citizens that people are working on debris, but it is going to take a while. Mayor Robert K. Nelson thanked the staff for putting together the successful employee night.

DEPARTMENT REPORTS

1. **Municipal Court 3rd Quarter Report.** Katy Plunkett, Municipal Court Administrator/Magistrate

Katy Plunkett, Municipal Court Administrator/ Magistrate, presented the Municipal Court 3rd quarter report. She discussed cash collections, clerk stats, non-cash collections, filed cases, issued warrants, and stated that there are some discrepancies in warrant numbers and that it is being worked on.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

2. **Property ~ Discuss, consider and/or approve a drainage easement agreement between the City of Bay City and SAL Holdings, LLC, being a 20-foot wide drainage easement out of that called City of Bay City, Texas 2.06-acre tract described in Volume 399, page 401 of the Matagorda County Deed Records and part of the I&G N RR Co Survey 4, block 4, Abstract 268.** Krystal Mason, Assistant Director of Public Works

Krystal Mason, Assistant Director for Public Works, discussed a drainage easement agreement that will require it to go under Avenue M and across city property to Cottonwood Creek.

Motion made by Councilman Flores to approve a drainage easement agreement between the City of Bay City and SAL Holdings, LLC, being a 20-foot wide drainage easement out of that called City of Bay City, Texas 2.06-acre tract described in Volume 399, page 401 of the Matagorda County Deed Records and part of the I&G N RR Co Survey 4, block 4, Abstract 268., Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

3. **Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City of Bay City, Texas, amending Chapter 42 "Fire Prevention and Protection", Article III "Fire Prevention Code", providing for repeal; providing for ratification; providing penalty; providing for severability; and providing an effective date.** Dan Shook, Fire Marshal

Fire Marshall, Dan Shook, discussed an Ordinance of the City of Bay City, Texas, amending Chapter 42 "Fire Prevention and Protection", Article III "Fire Prevention Code", providing for repeal; providing for ratification; providing penalty; providing for severability; and providing an effective date. Dan stated that the current fire code is 2015 and the ordinance change will update the code to 2018. The city is currently in

the 2015 fire code. The ordinance change would update the code to 2018. The city is looking to reevaluate an upgrade to the fire department, the fire code is required to be in at least 2 versions from the most recent before they will consider.

Councilman Jim Folse acknowledged the Public Works Department for installing 5 fire hydrants in the city.

Motion made by Councilman Folse to approve an Ordinance of the City of Bay City, Texas, amending Chapter 42 "Fire Prevention and Protection", Article III "Fire Prevention Code", providing for repeal; providing for ratification; providing penalty; providing for severability; and providing an effective date, Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

4. Police Department Strategic Plan Update. Christella Rodriguez, Chief of Police

Chief of Police, Christella Rodriguez presented the Police Department Strategic Plan Update.

Councilman Blayne Finlay asked if we are maintaining staff, to which the Chief informed him that we are not, the Police Department is down 7 employees, even with constant recruiting. A discussion of personnel retention and recruiting followed.

5. Report ~ Discuss, consider, and/or approve the City's Quarterly Financial and Investment Report for quarter ending June 30, 2024. Jennifer Leverett, Finance Manager

Finance Manager, Jennifer Leverett discussed the City's Quarterly Financial and Investment Report for quarter ending June 30, 2024.

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

CLOSED / EXECUTIVE SESSION

Council adjourned and went into an Executive Session at 7:17 p.m.

6. Executive Session pursuant to Section 551.071(2) of the Texas Government Code (Consultation with Counsel on Legal Matters)

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

RECONVENE AND ACTION

Council reconvened back into Regular Session at 8:32 p.m.

Councilman Bradley Westmorland made the motion to terminate the Main Street Program Service Agreement with the CDC, effective October 1, 2024. Councilman Becca Sitz seconded the motion. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

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

There were no comments.

ADJOURNMENT

Motion made by Councilman Flores to adjourn. Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried and council adjourned at 8:33 p.m.

PASSED AND APPROVED, this 10th day of September 2024.

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

JEANNA THOMPSON
CITY SECRETARY

CITY OF BAY CITY

MINUTES • AUGUST 27, 2024

COUNCIL
CHAMBERS | 1901
5th Street

City Council Regular Meeting

6:00 PM

1901 5TH STREET
BAY CITY TX,77414



Mayor

Robert K. Nelson

Mayor Pro Tem

Becca Sitz

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilman

Blayne Finlay

Councilman

Benjamin Flores

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

CALL TO ORDER AND CERTIFICATION OF QUORUM

The meeting was called to order by Robert K. Nelson at 6:02 p.m.

PRESENT

Mayor Robert K. Nelson
 Councilman Blayne Finlay
 Councilman Benjamin Flores
 Councilman Jim Folsie (TEAMS)
 Councilman Brad Westmoreland (TEAMS)
 Mayor Pro Tem Becca Sitz

INVOCATION & PLEDGE

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

Councilman James Folsie

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 James Folsie

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Susan Dancer, 3225 Avenue K, commented that she heard there would be discussion on the train sound ordinance. Ms. Dancer stated she has 3 rental houses in town, her tenants complain about the train noise. Ms. Dancer added that she measured the train horns at 84 decibels at night from her room, loud enough to wake her up at night. Ms. Dancer is on the Matagorda County Appraisal Review Board and has heard concerns from citizens that the property values are being lowered because of the trains. She asked council to take this information into consideration from a financial and quality of life perspective.

Jessica Russell, Executive Director BCCDC, stated that the CDC board has moved in a direction with a pool. There was a motion passed to work closely with the YMCA to develop an agreement to build and operate an aquatic center. She clarified that it is a great step forward

but does not mean the board approved going ahead with the build of the pool. The CDC is headed in that direction, but it has not happened yet. There is still a lot of work to be done.

ACKNOWLEDGEMENT FROM CITY MANAGER

City Manager acknowledged Kera Landry for receiving her Level 2 certification in Code Enforcement, and Libbie Cruz for a job well done. The airport installed sod to control erosion in the water well and they did not have enough water pressure to handle the demand. Libbie brought fire trucks out daily and watered the sod, in the heat, and never complained.

City Manager also announced that the Bay City Youth Soccer Club is holding their grand opening at Hardeman Park on September 5th at 6 p.m.

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

Councilman Blayne Finlay thanked Jessica Russell for clarifying the update about the aquatic center. Councilwoman Becca Sitz recognized the crews that have been repairing the railroad crossings in town, and stated she is excited to see the railroad crossings getting attention. Councilman Benjamin Flores thanked the staff for gathering the information he requested. He also spoke about a request to have the PowerPoint presentations shown in the council meetings shared on the city website. He spoke about a comment he received about the traffic at the intersection of FM 2668 and Hamman and how the traffic can be challenging at certain times of day. He discussed that he would place an item on a follow-up agenda regarding the council's ability to take notes in the correct format. He then mentioned that the cat problem is a large problem and progress has been made. He then mentioned how he is working with Gabriel from Public Works on maintaining a list of water wells and drainage projects for potential future grants. Councilman Flores then spoke about the HGAC 2-step event he is attending Thursday that is promoted and sponsored by the Office of the Governor. The event includes officials from Federal Government to state agencies and focuses on FEMA, business development, and tourism topics. Councilman Jim Folsie thanked the Mayor for leading the prayer and pledge, then thanked Jeanna Thompson for setting up the TEAMS meeting so he and Councilman Bradley Westmoreland could attend the council meeting while away.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

- 1. Ratify the alternative pricing with DRC Emergency Services, LLC for change in disposal methods.**
- 2. Council Workshop meeting minutes of July 23, 2024.**
- 3. Council Workshop meeting minutes of August 13, 2024.**

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

DEPARTMENT REPORTS
4. Public Works Reports and Updates.

Krystal Mason, Assistant Director of Public Works, provided the Public Works report and updates. Engineering Technician, Gabriel Lopez, gave an update on FEMA public assistance, debris removal, and public facility and private property damages.

5. Discussion on the Hurricane Beryl After Action Report (AAR).

Fire Marshal, Dan Shook, discussed the Hurricane Beryl After Action Report (AAR). Councilwoman He discussed that a new Emergency plan is under review and once it is in place, it will be posted on the website. Councilwoman Becca Sitz said that she wants the cell towers to have better generators in the city and to make it a requirement when permitting.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

- 6. Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas authorizing the Bay City Community Development Corporation to enter into a contract with Los Cucos Mexican Cafe Bay City, Inc., for a term not to exceed two years and providing incentives not to exceed a total amount of \$70,000 over the term of the agreement (Second Reading).** Jessica Russell, Executive Director BCCDC

Motion made by Councilman Flores to approve a resolution of the City Council of the City of Bay City, Texas authorizing the Bay City Community Development Corporation to enter into a contract with Los Cucos Mexican Cafe Bay City, Inc., for a term not to exceed two years and providing incentives not to exceed a total amount of \$70,000 over the term of the agreement (Second Reading), Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

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

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

8. **Resolution ~ Discuss, consider, and/or approve a resolution to authorize the Bay City Community Development Corporation to enter into a contract with BC Development Group, LLC, for a term not to exceed seven years and providing incentives not to exceed a total amount of \$250,000 over the term of the agreement (First Reading).** Jessica Russell, Executive Director BCCDC

Motion made by Mayor Pro Tem Sitz to approve a resolution to authorize the Bay City Community Development Corporation to enter into a contract with BC Development Group, LLC, for a term not to exceed seven years and providing incentives not to exceed a total amount of \$250,000 over the term of the agreement (First Reading). Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

9. **Contract ~ Discuss, consider, and/or approve Harrison, Waldrop, and Uherek, L.L.P. to provide audit services for the City of Bay City for the year ending September 30, 2024.**

Finance Manager, Jennifer Leverett discussed the Harrison, Waldrop, and Uherek, L.L.P. to provide audit services for the City of Bay City for the year ending September 30, 2024.

Motion made by Councilman Finlay to approve Harrison, Waldrop, and Uherek, L.L.P. to provide audit services for the City of Bay City for the year ending September 30, 2024., Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

10. **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

Motion made by Councilman Flores to 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), to Freese and Nichols. Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

11. **Discuss, consider, and/or approve entering into a contract with HDR Engineering, Inc. for \$52,500 to prepare the City of Bay City's grant application**

for the Federal Railroad Crossing Elimination (RCE) Track 1 Planning grant.
Gabriel Lopez, Engineering Tech

Item was tabled.

12. Agreement ~ Discuss, consider, and/or approve the reimbursement agreement between BNSF Railway Company and the City of Bay City, Texas.

Scotty Jones, Interim City Manager, discussed the reimbursement agreement between BNSF Railway Company and the City of Bay City, Texas. Councilman Jim Folse stated he is supportive under the condition that HDR provides the preliminary data that council requested previously.

Motion made by Councilman Folse to approve the reimbursement agreement between BNSF Railway Company and the City of Bay City, Texas. Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Voting Nay: Councilman Flores. Motion carried.

13. Agreement ~ Discuss, consider, and/or approve the reimbursement agreement between Union Pacific Railroad Company and the City of Bay City, Texas. Scotty Jones, Interim City Manager

Scotty Jones, Interim City Manager, discussed the reimbursement agreement between BNSF Railway Company and the City of Bay City, Texas. Councilman Jim Folse stated he is supportive under the condition that HDR provides the preliminary data that council requested previously.

Motion made by Councilman Folse made a motion to approve the reimbursement agreement between BNSF Railway Company and the City of Bay City, Texas. Seconded by Councilman Westmoreland. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Folse, Councilman Westmoreland, Mayor Pro Tem Sitz. Voting Nay: Councilman Flores. Motion carried.

14. Planning ~ Discuss, consider and/or approve the 2025-2027 Strategic Plan including the City's Mission, Vision, and Core Values.

Scotty Jones, Interim City Manager, discussed the 2025-2027 Strategic Plan including the City's Mission, Vision, and Core Values. She thanked the staff for their input.

Motion made by Councilman Finlay to approve the 2025-2027 Strategic Plan including the City's Mission, Vision, and Core Values. Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse,

Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

- 15. Tax ~ Consider placing a proposal to adopt a Tax Rate for the 2025 Fiscal Year as an action item on the agenda of a future Council meeting, specifying therein the desired tax rate and publishing notice thereof.** Scotty Jones, Interim City Manager

Interim City Manager, Scotty Jones, recommended placing a proposal to adopt a Tax Rate of .56916 for the 2025 Fiscal Year as an action item on the September 24, 2024 Council agenda.

Councilman Benjamin Flores made a motion to approve placing a proposal to adopt a Tax Rate for the 2025 Fiscal Year as an action item on the September 24, 2024 Council agenda the desired tax rate of .56916 per 100 value and publishing notice thereof, Councilman Brad Westmoreland seconded the motion. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz.

Council was polled by the Mayor. The yeas were unanimous. Motion carried.

- 16. Tax ~ Consider setting a Public Hearing on the Proposed 2025 Fiscal Year Tax Rate for Tuesday, September 17, 2024.** Scotty Jones, Interim City Manager

Motion made by Councilman Finlay to set a Public Hearing on the Proposed 2025 Fiscal Year Tax Rate for Tuesday, September 17, 2024. Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

- 17. Budget ~ Consider setting a Public Hearing on the City of Bay City's proposed 2025 Fiscal Year Budget and the City of Bay City's Five-Year Capital Improvement Plan for Tuesday, September 17, 2024.** Scotty Jones, Interim City Manager

Motion made by Councilman Finlay set a Public Hearing on the City of Bay City's proposed 2025 Fiscal Year Budget and the City of Bay City's Five-Year Capital Improvement Plan for Tuesday, September 17, 2024. Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

- 18. Budget ~ Consider setting a Public Hearing on the Bay City Community Development Corporation's proposed 2025 Fiscal Year Budget for Tuesday, September 17, 2024.** Scotty Jones, Interim City Manager

Motion made by Councilman Flores to set a Public Hearing on the Bay City Community Development Corporation's proposed 2025 Fiscal Year Budget for Tuesday, September 17, 2024. Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Motion carried.

CLOSED / EXECUTIVE SESSION

Council adjourned and went into an Executive Session at 8:16 p.m.

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

RECONVENE AND ACTION

Council reconvened back into Regular Session 8:57 p.m.

Motion made by Councilman Westmoreland to approve a lease agreement with Bay City Community Development Corporation for the facility located at 2005 6th Street. Seconded by Mayor Pro Tem Sitz. Voting Yea: Mayor Nelson, Councilman Flores, Councilman Folsie, Councilman Westmoreland, Mayor Pro Tem Sitz. Voting Nay: Councilman Finlay.

ADJOURNMENT

Council adjourned at 8:59 p.m.

PASSED AND APPROVED, this 24th day of September 2024.

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

JEANNA THOMPSON
CITY SECRETARY

CITY OF BAY CITY

MINUTES • AUGUST 27, 2024

**COUNCIL
CHAMBERS | 1901
5th Street**

City Council Workshop

5:00 PM

**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

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

The meeting was called to order by Mayor Robert K. Nelson at 5:02 p.m.

CERTIFICATION OF QUORUM
PRESENT

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

PUBLIC COMMENTS

There were no public comments.

PRESENTATION
1. Update on Wastewater Treatment Plant Improvement Project. Garver

Tyson Hann, Garver Engineer, presented the Wastewater Treatment Plant Improvement Project. Topics highlighted were the previous plan for treatment plan funding, the scope of the three primary components (SCADA Programming, Testing & Inspections, Aeration Equipment, and Contractor Change Order), and recommended actions to be taken.

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND / OR APPROVAL
2. Discuss, Consider, and/or approve a sole source purchase with Jaeger Aeration, LLC for the Aeration Basin Equipment Procurement Package, including purchase of diffusers, mixers, blowers, access walkway, VFDs, control panels, and equipment startup services.

Public Works Director, Herb Blomquist, discussed the sole purchase of the Aeration Basin Equipment Procurement Package with Jaeger Aeration, LLC.

Motion made by Councilman Flores, to approve the purchase of the Aeration Basin Equipment Procurement Package, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

- 3. Discuss, consider, and/or approve additional WWTP Improvements work to be added to LEM Construction contract via Change Order No. 2 for equipment materials, labor, and equipment installation.**

Public Works Director, Herb Blomquist, discussed the need for additional WWTP improvements work to be added to the LEM contract via Change Order No. 2 for equipment materials, labor, and equipment installation.

Motion made by Councilman Flores, approving additional improvements work to the WWTP via Change Order No. 2, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

- 4. Discuss, consider, and/or approve an application Services Programming (ASP) Contract for the WWTP Improvements work for SCADA and PLC Programming via Garver Work Order #12.**

Public Works Director, Herb Blomquist, discussed the Application Services Programming (ASP) contract for the WWTP improvements work for SCADA and PCL Programming via Garver Work Order #12. Herb noted that the correct agenda wording should have been Garver Work Order #13.

Motion made by Councilman Flores to approve the Application Services Programming (ASP) for the WWTP improvements work for SCADA and PLC Programming via Garver Work Order #13, Seconded by Mayor Pro Tem Finlay. Voting Yea: Mayor Nelson, Mayor Pro Tem Finlay, Councilman Flores, Councilman Folse, Councilman Westmoreland, Councilwoman Sitz. Motion carried.

ADJOURNMENT

Meeting was adjourned at 5:33 p.m. by Mayor Robert K. Nelson.

PASSED AND APPROVED, this 24th day of September 2024.

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

JEANNA THOMPSON
CITY SECRETARY

CITY OF BAY CITY

MINUTES • SEPTEMBER 10, 2024

COUNCIL
CHAMBERS | 1901
5th Street

City Council Regular Meeting

6:00 PM

1901 5TH STREET
BAY CITY TX,77414



Mayor

Robert K. Nelson

Mayor Pro Tem

Becca Sitz

Councilman

Jim Folse

Councilman

Bradley Westmoreland

Councilman

Blayne Finlay

Councilman

Benjamin Flores

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

CALL TO ORDER AND CERTIFICATION OF QUORUM

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

PRESENT

Mayor Robert K. Nelson
Councilman Blayne Finlay
Councilman Benjamin Flores
Councilman Jim Folse
Mayor Pro Tem 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."*

Councilman Bradley Westmoreland

MISSION STATEMENT

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

Councilman Bradley Westmoreland

APPROVAL OF AGENDA

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

PUBLIC COMMENTS

Chief Christella Rodriguez shared a September 11, 2001, commentary and announced two commemoration events in the city, asking for city personnel and citizens to join to remember 9/11 victims.

ACKNOWLEDGEMENT FROM CITY MANAGER

Interim City Manager, Scotty Jones, reminded council & citizens of the Parks & Recreation event, Touch a Truck, on September 14, 2024, at the Bay City Sports Complex.

ITEMS / COMMENTS FROM THE MAYOR & COUNCIL MEMBERS

Councilman Jim Folsie thanked Mayor Nelson for going to the Bay City Youth Soccer opening ceremonies and Councilman Finlay for his donation. Mr. Folsie stated the event turned out good and was a lot of fun. Councilman Finlay requested that security be increased at Hardeman Park due to vandalism. Councilman Flores addressed the calendar of department reports, stating he does not see reports from IT and Animal Control and would like to see reports from other departments also. Councilman Flores mentioned he has asked about cat control in the past and these reports would help see that progress. The Interim City Manager stated that she has information regarding the cats and will send that out to council. Mr. Flores apologized to Gabriel Lopez, Engineering Tech with Public Works for appearing to ask questions in a stronger manner than intended, in a previous meeting. Councilman Flores asked for information from a council meeting in July, regarding an ordinance to update fees for Code Enforcement. The Interim City Manager asked that he request to put that on the upcoming agenda. Councilman Flores then asked for a moment of silence for the young lives lost in Van Vleck at the beginning of September. Mayor Pro Tem Becca Sitz noticed a significant amount of gang tags around town and would like something to be done to clean them up. She also mentioned visitors that have come back and are surprised at the positive changes to the city.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

1. **Council Workshop meeting minutes of August 6, 2024.**
2. **Regular Council Meeting minutes of August 13, 2024**

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

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

3. **Resolution ~ Discuss, consider, and/or approve a resolution to authorize the Bay City Community Development Corporation to enter into a contract with BC Development Group, LLC, for a term not to exceed seven years and providing incentives not to exceed a total amount of \$250,000 over the term of the agreement (Second Reading).** Jessica Russell, Executive Director BCCDC

City Attorney, Anne Marie Odefey, stated there will be an upcoming agreement from council for contribution for the project and annexation of the project into the City of Bay City. It will come forward in an annexation agreement. She mentioned that Mayor Pro Tem Becca Sitz previously asked for information in the agreement and that she has

notes. Ms. Odefey stated that she is waiting for the agreement from the CDC before anything is finalized. Item does still need to be voted on.

Motion made by Councilman Folsie to approve a resolution to authorize the Bay City Community Development Corporation to enter into a contract with BC Development Group, LLC, for a term not to exceed seven years and providing incentives not to exceed a total amount of \$250,000 over the term of the agreement (Second Reading), Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Mayor Pro Tem Sitz. Motion carried.

4. Ordinance ~ Discuss, consider, and/or approve an Ordinance of the City of Bay City, Texas adopting a "Budget Amendment #2" to the Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2024.

Finance Manager, Jennifer Leverett reviewed the ordinance of the City of Bay City, Texas adopting a "Budget Amendment #2" to the Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2024.

Motion made by Councilman Finlay made the motion to approve an ordinance of the City of Bay City, Texas adopting a "Budget Amendment #2" to the Annual Budget of the City of Bay City, Texas, for the Fiscal Year 2024. , Seconded by Councilman Folsie. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Mayor Pro Tem Sitz. Motion carried.

5. Property – Discuss, consider, and/or approve a declaration of unusable equipment, supplies, and materials as surplus and authorize staff to sell said surplus equipment, supplies, and materials through the use of an online auction or other means. Krystal Mason, Assistant Public Works Director

Motion made by Councilman Flores to approve a declaration of unusable equipment, supplies, and materials as surplus and authorize staff to sell said surplus equipment, supplies, and materials through the use of an online auction or other means, Seconded by Councilman Finlay. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folsie, Mayor Pro Tem Sitz. Motion carried.

6. Bids ~ Discuss, consider, and/or approve the rejection of all bids received for the FY 2024 Public Works Roadway Materials Invitation to Bid and authorize staff to rebid.

Gabriel Lopez, Engineering Tech, discussed the rejection of all bids received and stated that the department would like to change the details of the bid to attract more competition.

Motion made by Councilman Flores to approve the rejection of all bids received for the FY 2024 Public Works Roadway Materials Invitation to Bid and authorize staff to rebid., Seconded by Councilman Folse. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Mayor Pro Tem Sitz. Motion carried.

7. **Resolution ~ Discuss, consider, and/or approve a Resolution of the City of Bay City, Texas, authorizing the award of a Disaster Recovery Management Service Provider for the FEMA Public Assistance (PA) and Hazard Mitigation Assistance (HMA) Programs funded through the Texas Division of Emergency Management (TDEM) and /or Texas Water Development board (TWDB).** Gabriel Lopez, Engineering Tech

Motion made by Mayor Pro Tem Sitz to approve a resolution of the City of Bay City, Texas, authorizing the award of a Disaster Recovery Management Service Provider to Grantworks for the FEMA Public Assistance (PA) and Hazard Mitigation Assistance (HMA) Programs funded through the Texas Division of Emergency Management (TDEM) and /or Texas Water Development board (TWDB), Seconded by Councilman Flores. Voting Yea: Mayor Nelson, Councilman Finlay, Councilman Flores, Councilman Folse, Mayor Pro Tem Sitz. Motion carried.

8. **Policy ~ Discussions regarding proposed paperless processes regarding Council meeting documentation.**

Jeanna Thompson, City Secretary, discussed a proposed paperless processes regarding Council meeting documentation and pointed out that any electronic notes they take would be open for public record. Mayor Pro Tem, Becca Sitz likes the idea of retaining paper agendas for note taking, stated that touch-screen Chromebooks are \$200-\$300 each. Mayor Nelson stated that Chromebook are economical and easy to use but prefers paper. Councilman Blayne Finlay doesn't have a preference on the matter. City Attorney Ann Marie Odefey stated that council personal notes taken on paper are not required to be retained and have and are for that council member's use only. Jeanna stated that she will research Chromebooks and stay with printed agendas for council note taking. Discussion only, no motion needed.

CLOSED / EXECUTIVE SESSION

Council adjourned the regular session and went into executive session at 6:50 p.m.

9. **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 a regular session at 7:11 p.m. and took no action on items in executive session.

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

There were no comments.

ADJOURNMENT

The meeting adjourned at 7:12 p.m.

PASSED AND APPROVED, this 24th day of September 2024.

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

JEANNA THOMPSON
CITY SECRETARY

~ Consider and/or approve the budgetary and financial management policy



EXECUTIVE SUMMARY

BUDGETARY & FINANCIAL MANAGEMENT POLICY

BACKGROUND:

The GFOA recommends that Financial Policies be reviewed by the governing body at least annually.

The Policy itself requires an annual review. This is usually reviewed in conjunction with the City’s annual budget process.

FINANCIAL IMPLICATIONS:

Financial Policies protect City dollars by providing sound proactive guidelines to follow for fiscal accountability.

IMPACT ON COMMUNITY SUSTAINABILITY:

Provides policy guidelines to protect City dollars.

RECOMMENDATION:

Staff recommends City Council annually approve the Budgetary and Financial Management Policy document. **Note: There are no changes recommended from current policy.**

ATTACHMENTS:

Budgetary & Financial Management Policy



Budgetary & Financial Management Policies

The goal of formally adopting financial management and budgetary policies is to provide sound guidelines in planning the City's financial future. The adoption and adherence to these policies will help ensure long-term financial stability and a healthy financial position for the City of Bay City.

General Budgetary Policies

Budget Preparation

The City Budget shall be prepared in accordance with all applicable Charter requirements and State laws. The goal each year shall be to present the Proposed Budget to Council no later than six weeks prior to the end of the fiscal year and for the final approval of the Budget to be ready for Council action no later than two weeks before the end of the fiscal year. The Budget shall be comprehensive in nature and address all major funds of the City.

Government Finance Officer Association Distinguished Budget Program

The goal this year and each year following will be for the City's Budget to conform to the requirements of the Distinguished Budget Program of the G.F.O.A. and be submitted thereto for peer review.

Balanced Budget

It shall be a requirement each year for the budget of each fund to be balanced. This means that total resources available, including prior year ending resources plus projected revenues, shall be equal to or greater than the projected expenditures for the coming year. In a case where a deficit fund balance does occur, the goal shall be to limit deficits to only those amounts representing one-time capital expenditures and/or to adjust revenues and/or expenses so that the deficit is eliminated in no more than two budget years.

Public Hearings, Availability of Budget to Public

Upon completion of the Proposed Budget to Council, the City holds public hearings in August and September. A copy of the Proposed Budget is made available in the City Secretary's Office, the Bay City Library, and on the City's website. These hearings provide the Citizens of Bay City a chance to ask questions as well as an opportunity for Council to hear any recommendations before final approval of the budget.

Cost Center Accounting and Budgeting

It shall be the policy of the City to allocate cost, and budget accordingly, to the various funds to the extent practical. This includes such items as utility costs, fuel costs, vehicle lease charges, overhead manpower and insurance fees.

Bond Ratings

It shall be the City's long-term goal to improve its bond ratings for general obligation bonds and revenue bonds. The City's policy shall be to manage its budget and financial affairs in such a way so as to promote enhancement of its bond ratings. This financial management includes the following:

- *Develop and maintain a multi-year operating budget*
- *Develop and maintain a multi-year capital improvements plan*
- *Implement financial procedures to quickly identify financial problems & limit budget shortfalls*
- *Review projected revenue methodologies annually*
- *Review method of determining appropriate cash reserve levels annually*

Administrative Overhead Fee to Enterprise Funds

It shall be the budgetary policy of each enterprise fund to pay to the General Fund an amount as set by the Budget each year. This charge shall be set as a percent of fund revenues and shall be construed as a payment for general administrative overhead, including management, accounting, legal, and personnel services. From an accounting perspective, such fee shall be treated as a fund operating transfer.

Budget Projections for Revenues and Expenditures

Most individual budget projections are a collaborative effort between the Division Heads, the Director of Finance, and the City Manager. The Director of Finance will note the methodology for estimating each major revenue or expense item budgeted; taking into consideration the insight of the respective Division Head. Revenue and expense estimates are always to be conservative so as to reduce any potential for budget shortfalls.

Maintenance of Plant and Equipment

The operating budget will provide for the adequate maintenance and replacement of the capital plant, building, infrastructure, and equipment. Deferral of such costs on a long-term continued basis will not be an acceptable policy to use in balancing the budget.

Financial Management Policies

Fund Balance Policy

Purpose

The purpose of this policy is to establish a key element of the financial stability of the City of Bay City by setting guidelines for fund balance in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54. Unassigned fund balance is an important measure of economic stability and it is essential that the City maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and other similar circumstances. This policy will ensure the City maintains adequate fund balances in the operating fund with the capacity to:

1. Provide sufficient cash flow for daily financial needs,
2. Secure and maintain investment grade bond ratings,
3. Offset significant economic downturns or revenue shortfalls, and
4. Provide funds for unforeseen expenditures related to emergencies.

Definitions

Fund Equity – A fund’s equity is generally the difference between its assets and its liabilities.

Fund Balance – The fund equity of a governmental fund for which an accounting distinction is made between the portions that are spendable and nonspendable.

Fund Balance reporting in governmental funds: Fund balance will be reported in governmental funds under the following categories using the *definitions* provided by GASB Statement No. 54:

- 1) **Nonspendable fund balance** – includes the portion of net resources that cannot be spent because of their form (i.e. inventory, long-term loans, or prepaids) or because they must remain in-tact such as the principal of an endowment.
- 2) **Restricted fund balance** – includes the portion of net resources on which limitations are imposed by creditors, grantors, contributors, or by laws or regulations of other governments (i.e. externally imposed limitations). Amounts can be spent only for the specific purposes stipulated by external resource providers or as allowed by law through constitutional provisions or enabling legislation. Examples include impact fees, grants, and debt covenants.
- 3) **Committed fund balance** – includes the portion of net resources upon which the Council has imposed limitations on use. Amounts that can be used only for the specific purposes determined by a *formal action* of the council. Commitments may be changed or lifted only by the Council taking the same *formal action* that originally imposed the constraint. The formal action must be approved before the end of the fiscal year in which the commitment will be reflected on the financial statements. An example would be committing hotel/motel tax funds for future consideration of a reconstruction project (i.e. Visitor’ Center).
- 4) **Assigned fund balance** – includes the portion of net resources for which an *intended* use has been established by the City Council or the City Official authorized to do so by the City Council.

Assignments of fund balance are much less formal than commitments and do not require formal action for their imposition or removal. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed which indicates that resources are, at a minimum, intended to be used for the purpose of that fund. An example would be encumbrances (i.e. Purchase Orders) for purchase of goods and/or supplies and/or construction services.

Authority to Assign - The City Council delegates the responsibility to assign funds to the City Manager or their designee to be used for specific purposes. City Council shall have the authority to assign any amount of funds to be used for specific purposes. Such assignments cannot exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund. The assignments may occur subsequent to fiscal year-end.

- 5) **Unassigned fund balance** – includes the amounts in the general fund in excess of what can properly be classified in one of the other four categories of fund balance. It is the residual classification of the general fund and includes all amounts not contained in other classifications. Unassigned amounts are technically available for any purpose.

Minimum Unassigned Fund Balance

General Fund - Being a City on the Gulf Coast, it shall be the goal of the City to maintain a fund balance in the General Fund equal to 120 days of the operating expenditures and a policy to maintain a **unassigned** fund balance of no less than 90 days of operating expenditures and outgoing transfers as to provide operating liquidity and contingency funding for non-specific unscheduled expenditures such as natural disasters or major unexpected expenditures. In the event that the unassigned fund balance is calculated to be less than the policy stipulates, the City shall plan to adjust budget resources in subsequent fiscal years to restore the balance.

Hotel/Motel Tax Fund – Since the City’s Convention Center qualifies for use of Hotel/Tax, it shall be the goal of the City to maintain a fund balance in the Hotel/Motel Fund to support the annual cost for repairs and maintenance of the Civic Center. The proper level of this unassigned fund balance will be based on the most recent three-year average cost of building maintenance plus the most recent insurance payment for the Civic Center or \$50,000 whichever is greater.

Committed Fund Balances

Fixed or Capital Asset Replacement- The City Council commits an additional portion of the General Fund Reserve for fixed asset replacement related to machinery and equipment. On an annual basis, the City strives to commit dollars equal to one year’s depreciation expense of machinery and equipment for assets on record as of the previous fiscal year end. The balance at year end in this account will be the committed fund balance.

Replenishment of Minimum Fund Balance Reserves

If unassigned fund balance unintentionally falls below 90 days or if it is anticipated that at the completion of any fiscal year the projected unassigned fund balance will be less than the minimum requirement, the City Manager shall prepare and submit a plan to restore the minimum required level as soon as economic conditions allow. The plan shall detail the steps necessary for the replenishment of fund balance as well as an estimated timeline for achieving such.

These steps may include, but are not limited to, identifying new, nonrecurring, or alternative sources of revenue; increasing existing revenues, charges and/or fees; use of year end surpluses; and/or enacting cost saving measures such as holding capital purchases, reducing departmental operating budgets, freezing vacant positions, and/or reducing the workforce. The replenishment of fund balance to the minimum level shall be accomplished within a three to four-year period. If restoration of the reserve cannot be accomplished within such a period without severe hardship to the City of Bay City, then the Council shall establish an extended timeline for attaining the minimum balance.

Order of Expenditure of Funds

When multiple categories of fund balance are available for expenditure (for example, a construction project is being funded partly by a grant, funds set aside by the Council, and unassigned fund balance), the Council will first spend the most restricted funds before moving down to the next most restrictive category with available funds.

Appropriation of Unassigned Fund Balance

Appropriation from the minimum unassigned fund balance shall require the approval of the City Council and shall be utilized only for one-time expenditures, such as capital purchases, and not for ongoing operating expenditures unless a viable revenue plan designed to sustain the expenditure is simultaneously adopted.

The Council may appropriate unassigned fund balances for emergency purposes, as deemed necessary, even if such use decreases the fund balance below the established minimum.

Monitoring and Reporting

The Director of Finance shall be responsible for monitoring and reporting the City’s reserve balances. The City Manager is directed to make recommendations to the Council on the use of reserve funds both as an element of the annual operating budget submission and from time to time throughout the fiscal year as needs may arise.

Compliance with the provisions of the policy shall be reviewed as a part of the annual operating budget adoption process and subsequent review will be included in the annual audit and financial statement preparation procedures.

Fund Balance Policy for Component Units

Each Component Unit (i.e. Bay City Community Development, Bay City Gas Company) shall create a fund balance/reserve policy that shall be approved by the City Council.

Revenue Management Policy

The City strives for the following optimum characteristics in its revenue system:

- ***Simplicity and Certainty.*** The City shall strive to keep the revenue classification system simple to promote understanding of the revenue sources. The City shall describe its revenue sources and enact consistent collection policies to provide assurances that the revenue is collected according to budgets and plans.
- ***Equity.*** The City shall make every effort to maintain equity in its revenue system structure. The City shall minimize all forms of subsidization between entities, funds, services, utilities, and customers.
- ***Realistic and Conservative Estimates.*** Revenues are to be estimated realistically. Revenues of volatile nature shall be budgeted conservatively.
- ***Centralized Reporting.*** Receipts will be submitted daily to the Finance Department for deposit and investment. Daily transaction reports and supporting documentation will be prepared.
- ***Review of Fees and Charges.*** The City shall review all fees and charges annually in order to match fees and charges with the cost of providing that service.
- ***Aggressive Collection Policy.*** The City shall follow an aggressive policy of collecting revenues. Utility services will be discontinued (i.e. turned off) for non-payment in accordance with established policies and ordinances. The Matagorda County Tax Office is responsible for delinquent tax collection, through the central collection agency, shall be encouraged to collect delinquent property taxes using an established tax suit policy and sale of real and personal property to satisfy non-payment of property taxes. A warrant officer in the Police Division will aggressively pursue outstanding warrants, and the Court will use a collection agency to pursue delinquent fines.

Use of Fund Balance and Non-Recurring Revenues

The City will use non-recurring revenues and excess fund balance for capital expenditures or for non-recurring expenditures. These non-recurring revenues will not be used to fund recurring type maintenance and operating costs. *For example, the City receives annual contributions from the City's two component units- the Bay City Gas Company and the Bay City Community Development Corporation. These appropriations are treated as non-recurring in the sense that they are committed for capital expenditures (i.e. park amenities and/or street projects).*

Property Tax Revenue

All real and business personal property located within the City shall be valued at 100% of the fair market value based on the appraisal supplied by the Matagorda County Appraisal District. Reappraisal and reassessment is provided by the Appraisal District. A ninety-eight percent (98%) collection rate shall serve each year as a goal for tax collections and the budgeted revenue projection shall be based in average collection rate calculated by the Matagorda County Appraisal District. Property tax rates shall be maintained at a rate adequate to fund an acceptable service level. Based upon taxable values, rates will be adjusted to fund this service level. Collection services shall be contracted out with a collection agency, currently the Matagorda County Tax Office.

Interest Income

Interest earned from investment of available monies, whether pooled or not, shall be distributed to the funds in accordance with the equity balance of the fund from which monies were invested.

User Based Fees and Service Charges

For services associated with a user fee or charge, the direct and indirect costs of that service shall be offset wholly or partially by a fee where possible. There shall be an annual review of fees and charges to ensure that the fees provide adequate coverage of costs of services.

Water and Wastewater Rates and other fees for Services

Water and wastewater shall be set to generate revenues required to cover operating expenditures, meet the legal requirements of applicable bond covenants, and provide for an adequate level of working capital. It is the goal of the City that the Water and Wastewater Fund, and other enterprise funds, not be subsidized by property tax revenue.

Intergovernmental Revenues/Grants/Special Revenues

Grant revenues and other special revenues shall be spent for the purpose(s) intended. The City shall review grant match requirements and include in the budget all grant revenues and expenditures.

Collection of Charges

The City will follow a policy of collecting, on a timely basis, all fees, charges, taxes and other revenues properly due to the City. The City will follow an aggressive policy of collecting all delinquencies due to the City.

Revenue Monitoring

Revenues actually received are to be regularly compared to budgeted revenues (at least monthly) with a formal report to City Council at least quarterly. If revenue estimates are down, the Director of Finance shall recommend to Council a corrective action to minimize the impact on the budget at the next available Council Meeting.

Expenditure Control Policy

Appropriations

The responsibility for budgetary control lies with the Department Head. Department Heads may not approve expenditures that exceed monies available at the departmental budget level excluding personnel and capital expenditures. Capital expenditures are approved by the City Council on a per project basis normally during the annual budget process.

Amendments to the Budget

In accordance with the City Charter, under Article 10.14 (Budget Amendments after Adoption) provides, that if, during the fiscal year, the City Treasurer certifies that there are available for appropriation revenues in excess of those estimated in budget, the Council, by ordinance, may make supplemental appropriations for the fiscal year up to the amount of the excess.

Central Control

Unspent funds in salary and capital allocation object codes may not be spent for any purpose other than their specifically intended purpose without prior authorization of City Manager.

City Manager's Authority to Amend the Budget

The City Manager is authorized to transfer budgeted amounts within and among departments; however any revisions that alter the total expenditures/expenses must be approved by the City Council.

Purchasing

All purchases shall be made in accordance with the Purchasing Policies approved by the City Council.

Prompt Payment

All invoices approved for payment by the proper City authorities shall be paid by the Finance Department within thirty (30) calendar days of receipt, in accordance with the provisions of state law. Proper procedures shall be established that enables the City to take advantage of all purchase discounts, except in the instance where payments can be reasonably and legally delayed in order to maximize the City's investable cash.

Long-Term Debt Policy

Revenue Bond Debt Service Account

It shall be the policy of the City to always be in strict compliance with the requirements of the ordinance that created the Revenue Bond Debt Service Fund. Monthly transfers are to be made to this account each year in accordance with the bond debt service payment schedule. The balance in the account must be adequate to cover semi-annual payments as they become due.

General Obligation Bond Debt Service Account

It shall be the policy of the City to always be in strict compliance with the requirements of the ordinance that created the General Obligation Bond Interest and Sinking Fund Account. Taxes, as applicable shall be distributed to this account monthly as received. Utility Revenues transferred to the Interest and Sinking Fund Account shall occur, as needed prior to the semi-annual payment dates. The balance in the account must be adequate to cover semi-annual payments as they become due.

Capital Improvement Plan (CIP)

The City will develop a multi-year plan to present to Council each year for approval. The City will provide a list of proposed capital improvements, funding recommendations, and prospective timing of projects. CIP projects shall be for equipment over \$10,000, infrastructure over \$50,000 and facilities over \$25,000. Any maintenance and operational cost shall be disclosed that could impact future operating budgets.

Debt Policy Guidelines

- The City will limit long-term debt to only those capital projects that cannot be financed from current revenues.
- The City will not use long-term debt to finance recurring maintenance and operating costs.
- The City will not issue long-term debt for a period longer than the estimated useful life of the capital project.
- Decisions will be made based on long term goals rather than a short- term fix.
- Debt Service Funds will be managed and invested according to all federal, state, and local laws
- Coverage Ratios of Revenue Bonds will always be in compliance with the minimum coverage ratio required by the revenue bond ordinances. It shall be the goal of the City to achieve a budgeted coverage ratio of 1.60.

Other Fund Use Information

Governmental Funds

Most government functions are financed through governmental funds. The acquisition, use, and balances of the City's expendable resources and related current liabilities are accounted for through governmental funds. Long-term liabilities and fixed assets are not accounted for through governmental funds.

Proprietary Funds

These funds listed below are used to account for the ongoing activities of the City that are similar to those found in the private sector. These funds are financed through user charges to recover costs of services provided. Proprietary funds use accrual accounting, which means revenues are recognized when they are earned by the City and expenses are recognized when they are incurred. Enterprise funds are considered proprietary funds and are used to account for operations for the City's Public Utility Fund and Airport Fund.

Working Capital Position- the goal shall be to maintain a working capital position equal to 120 days of the operating budget and a policy to maintain a working capital position no less than 90 days of the operating budget.

Public Utility Fund

It shall be the general policy of the City to commit a portion of the reserve for fixed asset replacement as it strives to budget for revenue to cover depreciation.

Airport Fund

It will be the general policy of the City that the fees collected will be spent on maintenance of the facilities grounds, and other structures. The goal shall be to reduce the reliance of the general fund tax dollars for this purpose.

Implementation and Review

Upon adoption of this policy the City Council authorizes the City Manager to establish any standards and procedures which may be necessary for its implementation. The Director of Finance shall review this policy at least annually and make recommendations for changes to the Mayor and City Council.

PASSED AND APPROVED AT BAY CITY TEXAS THIS 24th DAY OF SEPTEMBER 2024.

Robert K. Nelson, Mayor
City of Bay City

ATTEST:

Jeanna Thompson, City Secretary

~ Consider and/or approve a resolution to adopt the City's Investment Policy



EXECUTIVE SUMMARY

INVESTMENT POLICY

BACKGROUND:

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

FINANCIAL IMPLICATIONS:

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

IMPACT ON COMMUNITY SUSTAINABILITY:

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

RECOMMENDATION:

Staff recommends City Council approve the Resolution to re-adopt the City's Investment Policy.

Note: There are no changes recommended from current policy.

ATTACHMENTS:

Resolution and Investment Policy

RESOLUTION NO. _____

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

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

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

WHEREAS, the City’s Finance Director has recommended the adoption of the Investment Policy attached hereto; and

WHEREAS, deems it appropriate to adopt such policy.

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

Section one.

The Investment Policy attached hereto is hereby adopted annually beginning on October 1, 2024 and ending on September 30, 2025.

Section two.

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

Section three.

This Resolution shall become effective October 1, 2024.

PASSED AND APPROVED AT BAY CITY TEXAS THIS 24th DAY OF SEPTEMBER 2024.

Robert K. Nelson, Mayor
City of Bay City

ATTEST:

APPROVED AS TO FORM:

Jeanna Thompson, City Secretary

Anne Marie Odefey, City Attorney



Investment Policy and Strategy

I. POLICY STATEMENT

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

II. SCOPE

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

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

III. OBJECTIVES

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

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

Safety

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

Liquidity

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

Cash Flow Forecasting

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

Diversification

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

Yield

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

IV. STRATEGY

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

V. LEGAL LIMITATIONS, RESPONSIBILITIES AND AUTHORITY

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

VI. INVESTMENT COMMITTEE

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

VII. DELEGATION OF INVESTMENT AUTHORITY

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

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

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

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

Limitation of Personal Liability

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

VIII. PRUDENCE

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

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

IX. INTERNAL CONTROLS

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

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

Monitoring Credit Ratings

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

X. AUTHORIZED INVESTMENTS

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

- A. Obligations of the United States Government, its agencies and instrumentalities, and government sponsoring enterprises, not to exceed five years to stated maturity, including collateralized mortgage obligations (CMOs); CMO's cannot be either an Interest-Only or Principal-Only CMO nor can it be an inverse floater.
- B. Fully insured or collateralized certificates of deposit from a bank doing business in the State of Texas, with a maximum maturity of 24 months, collateralized with 102% coverage with:
 - In accordance with 2256.010 of the Act, certificates of deposit may be purchased from a Texas depository institution through a nationally coordinated program in which (a) the depository arranges for deposits in one or more federally insured depositories allowing for full FDIC coverage and (b) the depository receives comparable deposits from other linked depositories.
 - Collateral agreements must be in writing and require a bank resolution of approval.
- C. FDIC insured *brokered certificates of deposit securities* from a bank in any US State, delivery versus payment to the safekeeping agent, not to exceed five years to maturity. Before purchase, the Investment Officer must verify FDIC status of the bank on www.fdic.gov to assure that the bank is FDIC insured.
- D. Commercial paper rated A-1/P-1 or the equivalent by at least two nationally recognized rating agencies not to exceed 90 days to stated maturity.
- E. AAA-rated money market mutual funds as defined by the Public Funds Investment Act.
- F. Obligations of the States, agencies thereof, Counties, Cities, and other political subdivisions of any state, with a maximum maturity not to exceed five years, and having been rated as investment quality by a nationally recognized investment rating firm of not less than "A" or its equivalent.
- G. AAA-rated, constant dollar Texas Local Government Investment Pools as defined by the Public Funds Investment Act - must be approved by City Council.

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

Competitive Bidding Requirement

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

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

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

Delivery versus Payment

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

Diversification

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

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

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

XI. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

Depository

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

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

Security Broker/Dealers

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

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

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

XII. SAFEKEEPING AND COLLATERALIZATION

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

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

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

Collateralization

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

XIII. PERFORMANCE EVALUATION AND REPORTING

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

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

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

XIV. INVESTMENT POLICY AMENDMENTS

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

WITNESS MY HAND AND SEAL OF OFFICE THIS 24th DAY OF SEPTEMBER 2024
PASSED AND APPROVED THIS 24TH DAY OF SEPTEMBER 2024.

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

ATTEST:

JEANNA THOMPSON, CITY SECRETARY

Discuss, consider, and/or approve a contract between the City of Bay City, Texas and YMCA of the Golden Crescent, Victoria, Texas for the management of Valiant Pool.



EXECUTIVE SUMMARY

BACKGROUND:

The YMCA and Wellness Matagorda have a strong desire to keep Valiant pool in operation for the area swim teams. This pool can be heated for the cooler months and can be dedicated for the swim teams, leaving Hilliard open for public. The contract will be between the YMCA and the City. Either party can end the contract upon 60 days' notice.

FINANCIAL IMPLICATIONS:

The City will be responsible for mowing a small area of grass within the fence. No other operational or capital expenses will be paid by the City. Both parties will maintain insurance.

RECOMMENDATION:

Staff recommends City Council approve the agreement

ATTACHMENTS: Contract

YMCA of the Golden Crescent
POOL MANAGEMENT CONTRACT
(16th Street Pool)
with
The City of Bay City

This Pool Management Contract (hereinafter referred to as the “Contract”) is entered into by and between the YMCA of the Golden Crescent, whose address is 1806 N. Nimitz, Victoria, Texas 77901 (hereinafter referred to as the “YMCA”) and who agrees to manage as an independent contractor, and not an agent or employee, the City of Bay City 16th Street Pool (hereinafter referred to as the “Pool”) owned by the City of Bay City whose address is 1901 Fifth Street, Bay City, Texas 77414 (hereinafter referred to as the “City”) the terms set forth in this Contract.

It is the intent of this Agreement that other than liability and property insurance, the City shall have no further obligation regarding the operation or maintenance of the Pool. The YMCA acknowledges this intent and understands that any funding for the Pool will be provided by third parties or the YMCA and not by City.

The YMCA agrees to perform the following services and to accept the following obligation during the term of the Contract:

1. The YMCA will furnish lifeguards to the facility as they determine are necessary for the legal and proper supervision of all use of the Pool.
2. The YMCA will perform all necessary maintenance and labor on all pool equipment above ground that could be considered ordinary scheduled daily maintenance with respect to the operation of the Pool, including responsibility for new or replacement parts.
3. The YMCA will in all ways maintain the Pool facility, deck and any maintenance of the fenced areas. The City will continue to mow and maintain areas outside of the fence and mow grassy areas inside the fence only.
4. The YMCA will be responsible to maintain the pool within state health standards.
5. The YMCA shall regulate the pool rules and operational hours.
6. Alcoholic beverages are not to be permitted on pool property.
7. The YMCA shall have exclusive use of the pool and shall regulate all individuals entering and leaving the pool area. Any fees collected from third parties shall be paid to YMCA.
8. To the extent it so desires, the YMCA may maintain a concession stand at its own cost and expense and may retain any fees collected.
9. The City shall have no obligations regarding the maintenance or use of the pool during the term of this Agreement.
10. The City and the YMCA agree to provide each other with a certificate of insurance showing coverage in the amounts required on Appendix A. The YMCA agrees to provide the City written

notice of any accident, personal injury and or property damage. The report shall be provided to the City manager immediately or no later than 3 days after the occurrence. YMCA personnel will be made available to the City for questions regarding the incident/accident.

11. The YMCA agrees to indemnify, defend, protect, and hold harmless the City its agency employees from all liability, responsibility, or losses arising out of any accident, injury or claim that may result from YMCA’s management of the Pool.

12. The City agrees to indemnify, defend, protect, and hold harmless the YMCA from liability, responsibility or loss arising out of any negligent act or omission or any willful wrongdoing on the part of the City or any agent or employee of the City.

13. Insurance Requirements are outlined in Exhibit “A”.

14. Termination on Notice: Either party hereto may terminate this Agreement at any time by giving sixty (60) days written notice to the other party.

15. Attorneys’ Fees and Costs: If any action at law or in equity, including an action for declaratory relief or arbitration, is brought to enforce or interpret the terms of this Agreement, the prevailing party will be entitled to reasonable attorneys’ fees and costs, which may be set by the court in the same action or a separate action brought for that purpose, in addition to any other relief to which that party may be entitled.

16. Governing Law: This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any action at law or in equity shall be proper in the State Courts of Matagorda County.

17. This Contract shall be in force from October 1, 2024 to September 30, 2025.

Executed in duplicate counterparts by the duly authorized representatives of the respective parties, to be effective the 1st day of October, 2024.

Robert K. Nelson
Mayor, City Bay City

W. Oliver
Executive Director
YMCA of the Golden Crescent

EXHIBIT "A"

INSURANCE PROVISIONS

Below are listed the provisions required for all leases, agreements, and contracts between the YMCA and non-YMCA groups. Proof of insurance must be exchanged at least two weeks prior to the beginning of Aquatic Services.

MINIMUM REQUIREMENTS

1. Workers' Compensation Insurance, including Occupational Diseases in accordance with the laws of Texas and Employer's Liability Insurance with a limit of \$1,000,000.
2. General Liability Insurance, with limits
 - a. Each Occurrence: \$1,000,000
 - b. Operations Aggregate: \$1,000,000
 - c. General Aggregate: \$1,000,000
3. The City of Bay City shall have the YMCA named an additional insured on its General Liability Insurance policies for this Agreement. Also, the City of Bay City policy carriers are required to notify the YMCA within 30 days of any changes and/or if the insurance is cancelled by the City of Bay City.
4. The YMCA shall have the City of Bay City named as additional insured on its General Liability Insurance policies for this Agreement. Also, the YMCA policy carriers are required to notify the City of Bay City within 30 days of any changes and/or if the insurance is cancelled by the YMCA.
5. Professional Liability Insurance may be required depending on the services being provided to the YMCA. Minimum requirements would be \$1,000,000 per occurrence and \$1,000,000 aggregate.
6. It is hereby understood and agreed that any insurance provided by the YMCA in accordance with an agreement, contract, etc., shall be deemed primary insurance and is provided exclusively for activities related to pool.
7. To the extent permitted by law the City of Bay City will defend, hold harmless, and indemnify the YMCA against any claims and losses arising in any way out of their use of the premises, caused by the negligence of the City of Bay City.

_____ Certificate holder must be shown as:

YMCA of the Golden Crescent	City of Bay City
Attn: CEO 1806 North Nimitz	1901 Fifth Street
Victoria, Texas 77901	Bay City, Texas 77414

_____ Certificate holder must be named as an additional insured.

_____ Certificate must be current.



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: Penewitt, Kelly **Date Submitted:** 09/05/24
Last, First *MM/DD/YYYY*

Requestor Type : City Staff **Meeting Date:** _____
Citizen/City Staff/Council Member *MM/DD/YYYY*

Position Title Interim Director of Parks and Recreation
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 Special Event Permit – Amending ordinance Sec. 70-25. Parks and Facilities Use permits and Sec. 70-29. Alcoholic beverages

Executive Summary of Item:

An ordinance amending the Bay City Code of Ordinances, Ordinance Sec. 70-25. Parks and Facilities Use permits and Sec. 70-29. Alcoholic Beverages establishing regulations and standards to facilitate and coordinate special events within Bay City parks and to allow alcohol at Le Tulle Park, Sports Complex and the USO/Service Center.

Sec. 70-25. Use permits at all City Park.

Definitions. The following terms, when used in this chapter, shall have the following meanings:

Applicant shall include the person, or other entity applying for the special event permit. Applicant shall include, but not limited to, the event's sponsor, organizer, or promoter.

City means the City of Bay City, Texas.

City Park means any property in the City designated as a park, playground, recreational facility, swimming pool or hike and bike path, and shall include buildings, parking lots and driveways in such areas comprising the parks and recreation system of the city under the management and control of the director of parks and recreation or designee.

Permittee means the person to whom a Special Event Permit is granted pursuant to this Chapter.

Person means any individual, entity, association or organization.

Permit application fee shall mean the fee to be paid by the special event permit applicant at the time the application is filed with the city. Such fees shall be set by the city council.

Refundable deposit shall mean the amount of money required of a permittee by the city in order to assure adequate cleanup of the special event site. The deposit shall be returned to the permittee upon the completion of the event and approval of the parks and recreation department.

Special event means any meeting activity, gathering, or group of persons, animals or vehicles, or any combination thereof, having a common purpose, design or goal, upon a park, pavilion or building, where the special event substantially inhibits the usual flow of pedestrian or vehicular traffic, or which occupies any public area and preempts use by the general public. A special event shall include, but shall not be limited to a festival, celebration, concert, parade, athletic event and other similar gathering which has a substantial impact or requires substantial public services at a City Park or Facility. ~~which 1) is reasonably expected to have a substantial impact on such park; 2) is reasonably expected to require the provision of substantial public services; 3) is reserving an Le Tulle Park, USO, MOPAC Train Depot and the Sports Complex; 4) where alcohol is present; 5) erection of a tent; 6) installation of a stage, band shell, trailer, van, portable building, grandstand or bleachers; 7) placement of portable toilets; 8) placement of temporary no parking signs; and/or 9) placement of pedestrian boundary markers on City owned property.~~

Director shall mean Parks and Recreation Director or designee.

Special events permit shall mean the permit issued by the Parks and Recreation Director after the applicant has met all applicable reviews and requirements set forth in this chapter.

Special event vendor shall be a permitted vendor allowed to operate within entertainment areas during permitted special events.

Substantial impact on a park or other public place means an event which would preclude in whole or in significant part the public's normal and customary use of such park or public place.

Substantial public services means a material increase in the amount, scope, or level of necessary fire, police, traffic control, crowd control, or other public services above those that

Commented [SJ1]: MOPAC- no abbreviations

would normally be required without the event. With respect to police resources, "substantial public services" means resources for crowd management or traffic control required for the event over and above the normal deployment of police in that geographic area of the city at the time of day during which the event will occur.

Use for non-city sponsored events at all city parks:

(a) A permit shall be obtained from the Director before participating in park activities.

(b) Must be 21 years of age

(c) Alcohol will not be present

(d) A person seeking issuance of a permit under this article shall file an application with the Director. The application shall include:

- (1) The name, address, phone number, age and e-mail of the applicant;
- (2) The name and address of the person, persons, corporation or association sponsoring the activity, if any;
- (3) The day and hours for which the permit is desired;
- (4) The park or portion thereof for which the permit is desired;
- (5) An estimate of the anticipated attendance;
- (6) Age of participants; and
- (7) Type of use use/event

Use for non-city sponsored events when renting the entire Le Tulle Park or the entire Sports Complex

Permit Required

It shall be unlawful for any Person to hold a Special Event, sponsor a Special Event or cause a Special Event to be held without first having obtained a Special Event Permit from the City.

(a) A permit shall be obtained from the Director before participating in park activities.

(b) Must be 21 years of age

(c) The Special Event Permit Application shall set forth as a minimum the following information:

- (1) The name, address, e-mail, age and telephone number of all persons who will be the event representatives and who will be responsible for conducting the Special Event.
- (2) The proposed location(s) for the Special Event.
- (3) The purpose of the Special Event.
- (4) The date(s) and time(s) the Special Event will start and terminate.
- (5) The time at which on-site activities in preparation for the Special Event will begin.
- (6) Age of special event permits
- (7) Whether or not alcohol is present

Exception: A Special Event Permit is not required for city sponsored events.

A Special Event Permit shall not be issued until a completed Application, together with any additional information requested (i.e., insurance with city named as an additional insured), and payments of all applicable fees are received by the City. The Special Event must comply with this ordinance and other applicable laws.

Fees and Costs

- (a) The City Council to establish Special Event ~~Application, Alcohol and~~ Permit and Fees.
- (b) Applicant shall pay all required fees with the Special Event Permit Application. Applicant shall also be required to pay all fees and costs required by other City ordinances to conduct specific activities in conjunction with or as part of a Special Event.
- (c) If the City determines that a Special Event may require the special attention and involvement of City personnel or City facilities, the City shall notify the Applicant. Prior to issuance of a Special Event Permit:
 - (1) Applicant and City shall agree upon the additional costs the City will incur as a result of the Special Event and Applicant shall pay those costs to the City; and
 - (2) Applicant shall agree in writing to pay any additional costs to the City incurred as a result of the Special Event within five (5) days of the date upon which the City informs the Applicant of the amount of such additional costs.

Application Process and Review

The Special Event Permit Application will be processed and reviewed pursuant to the Special Events Rules and Regulations. The director may appoint an events committee or an individual designee responsible for the application process.

Special Event Rules and Regulations

The City Council authorizes the Director to develop and adopt Special Event Application, Rules and Regulations consistent with, and to further the purpose of, this ordinance.

- ~~(a) A permit shall be obtained from the appropriate director before participating in park activity.~~
- ~~(b) A person seeking issuance of a permit under this article shall file an application with the appropriate director. The application shall state:~~
 - ~~(1) The name and address of the applicant;~~
 - ~~(2) The name and address of the person, persons, corporation or association sponsoring the activity, if any;~~
 - ~~(3) The day and hours for which the permit is desired;~~
 - ~~(4) The park or portion thereof for which the permit is desired;~~
 - ~~(5) An estimate of the anticipated attendance; and~~

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~~(6) Any other information which the director shall find reasonably necessary to a fair determination as to whether a permit should be issued under this article.~~

The director shall issue a permit under this article when he finds that the:

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- (1) Proposed activity or use of the park will not unreasonably interfere with or detract from the general public enjoyment of the park;
- (2) Proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare, safety and recreation;
- (3) Proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
- (4) Proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the city; and
- (5) Facilities desired have not been reserved for other use at the day and hour required in the application.

- (d) Within seven days after receipt of an application, the director shall apprise an applicant in writing of his reasons for refusing a permit, and any aggrieved person shall have the right to appeal in writing within seven days to the parks and recreation advisory ~~committee~~ board, which shall consider the application under the standards set forth in any subsection ~~(e)~~ of this section and sustain or overrule the director's decision within 30 days. The decision of the parks and recreation advisory committee shall be final.
- (e) A permittee shall be bound by all park rules and regulations and all applicable ordinances fully as though the same were inserted in said permits.
- (f) The person to whom a permit is issued shall be liable for any loss, damage or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued.
- (g) The director shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance, or upon good cause shown.
- (h) No person shall fail to produce and exhibit any permit from the director he claims to have upon request of any authorized person who shall desire to inspect for the purpose of enforcing compliance with any ordinance or rule.
- (i) No person shall disturb or interfere unreasonably with any person or party occupying any area or participating in any activity under the authority of a permit.

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(Code 1985, § 21-62; Code 2000, § 70-112)

Sec. 70-29. Alcoholic beverages.

No person in a park shall:

- (a) Possess or drink alcoholic beverages in any park.
- (b) Possess any alcoholic beverage in a glass container at any time within ~~Riverside Park~~ any City park.
- (c) Enter upon or be at any park under the influence of intoxicating liquor or beverages.
- (d) Permitted events with alcohol will require certified Police Officers.

(e) Exceptions:

- a. When renting the entire Le Tulle Park, ~~MOPAC~~ Train Depot, USO/Service Center or Sports Complex with a special event ~~alcohol~~ permit.
- b. Within the confines of the individual campsites within Riverside Park.

~~e) Permitted events with alcohol will require certified Police Officers.~~

~~No person in a park shall:~~

- ~~(1) Possess or drink alcoholic beverages in any park except within the confines of the individual campsites within Riverside Park and the Sports Complex located on F.M. 3156, subject to the provisions of section 6-4.~~
- ~~(2) Possess any alcoholic beverage in a glass container at any time within Riverside Park.~~
- ~~(3) Enter upon or be at any park under the influence of intoxicating liquor or beverages.~~

(Code 1985, § 21-66; Code 2000, § 70-116)

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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.



EXECUTIVE SUMMARY

APPENDIX B- FEE SCHEDULE

Reviewed proposed amendments to fee schedule with City Council on August 13, 2024 and September 17, 2024.

Revised Sections:

- Chapter 18- Aviation
- Chapter 22- Building & Building Regulations
- Chapter 58- Municipal Court
- Chapter 70- Parks and Recreation
- Chapter 74- Peddlers and Solicitors
- Chapter 90- Solid Waste
- Chapter 98- Subdivisions
- Chapter 114- Utilities
- Chapter N/A- Bay City Public Library
- Chapter N/A- Miscellaneous Administrative Fees

ORDINANCE NO. _____

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.

WHEREAS, the City of Bay City, Texas, (“City”) has adopted numerous ordinances that provide for fees and charges for various city services; and

WHEREAS, the City has determined that it would be convenient to consolidate those fees and charges into one ordinance that can be reviewed and amended as needed from time to time; and

WHEREAS, the City has adopted a budget for the 2025 fiscal year that incorporates these fees and charges specified herein on September 24, 2024; and

WHEREAS, the City has determined that the fees and charges specified herein are reasonable, necessary, fair, and designed to fund the various activities to which they pertain; and

WHEREAS, the City has determined that the fees and charges specified herein will promote the health, safety, and welfare of City;

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

Section 1. The facts and recitations contained in the preamble to this Ordinance are true and correct and incorporated herein for all purposes.

Section 2. *Fees Schedule adopted.* The City hereby adopts the Fee Schedule attached hereto as Exhibit “A” and labeled “Appendix B” to be added to the City of Bay City, Texas, Code of Ordinances and imposes the fees and charges set forth therein upon the various services to which they pertain. These fees and charges shall be collected by the City in accordance with the various City ordinances that more particularly describe each such fee or charge.

Section 3. *Repeal.* All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict only.

Section 4. *Ratification.* The City ratifies any past action taken regarding charging of fees.

Section 5. *Penalty.* Any person who violates or causes, allows, or permits another to violate any provision of this ordinance, rule, or police regulation of the city shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine or penalty not to exceed five hundred dollars (\$500.00). Each occurrence of any violation of this ordinance, rule, or police regulation shall constitute a separate offense. Each day on which any such violation of this ordinance, rule, or police regulation occurs shall constitute a separate offense.

Section 6. *Severability.* In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Bay City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. *Effective Date.* This Ordinance shall be effective on October 1, 2024 and may be published as required by law.

PASSED, APPROVED, AND ADOPTED on this 24th day of September 2024.

Robert K. Nelson, Mayor
City of Bay City

ATTEST:

APPROVED AS TO FORM:

Jeanna Thompson, City Secretary
City of Bay City

Anne Marie Odefey, City Attorney

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

PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

APPENDIX B FEE SCHEDULE¹

Section Number	Subject	Fee Amount
Chapter 2 - Administration		
2-53(c)	Fine for disrupting council meetings	\$25.00 to \$100.00 per offense
2-164	Return Check Fee	\$30.00
2-216	Request for records fee	\$0.10 per page (standard size) \$0.15 per page (legal size)
2-268	Variance application fee	\$75.00
Chapter 10 - Amusements and Entertainments		
Sexually oriented business permit		
10-39(a)	Application fee	\$500.00
10-39(b)	Renewal - Adult service provider permit	\$100.00
10-39(c)	Renewal - Business manager permit	\$150.00
10-39(d)	Duplicate/copy - License, permit, identification card	\$10.00
10-39(e)	Fingerprinting	\$25.00
Chapter 14 - Animals		
14-	Animal impound	\$25.00 first day, \$10.00 each additional day
14-44	Animal quarantine - Rabies	\$30.00 Processing fee \$15.00 per day
Chapter 18 - Aviation		
18-	Aerial Applicator Operating Permit	\$500.00 per aircraft (30-day 12 month period) \$250.00 for each additional aircraft
18-135	Fuel Flowage Fee	\$0.17 per gallon
<i>Nightly Tie Down Fees</i>		
18-	Single Engine	\$11.00 \$12.00
18-	Twin Engine	\$23.00 \$28.00
18-	Turbo/Jet Engine	\$35.00 \$47.00
First night free with fuel purchase		
<i>Monthly Tie Down Fees</i>		
18-	Single Engine	\$115.00 \$119.00
18-	Twin Engine	\$230.00 \$238.00
18-	Turbo/Jet Engine	\$400.00 \$414.00
18-	Turbo/Jet Engine 12,500 lbs. and greater	\$460.00 \$475.00
No discount offered with purchase of fuel. Tie down fees are calculated on the calendar day. (Example: "Calendar Day" One minute to 24 hours equals one calendar day)		
<i>Main Hangar Daily Fees</i>		
18-	Single Engine	\$30.00 \$31.00

PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

18-	Twin Engine	\$60.00 <u>\$62.00</u>
18-	Turbo Prop	\$115.00 <u>\$119.00</u>
18-	Jet Engine	\$170.00 <u>\$175.00</u>
No discount offered with purchase of fuel. Fees are calculated on the calendar day.		
<i>Main Hangar Monthly Fees</i>		
18-	Single Engine	\$285.00 <u>\$295.00</u>
18-	Twin Engine	\$345.00 <u>\$357.00</u>
18-	Turbo Prop	\$455.00 <u>\$470.00</u>
18-	Jet Engine	\$570.00 <u>\$590.00</u>
18-	Deposit	Equal to one month's rent
<i>T-Hanger Monthly Fees</i>		
18-	T-Hanger Existing and 946 sf	\$230.00 <u>\$238.00</u>
18-	T-Hanger Suite Existing and 1098 sf	\$266.00 <u>\$275.00</u>
18-	T-Hanger Bi-fold doors and 1,060 sf	\$270.00 <u>\$280.00</u>
18-	T-Hanger Bi-fold doors and 1,219 sf	\$300.00 <u>\$310.00</u>
18-	T-Hanger Bi-fold doors and 1,426 sf	\$325.00 <u>\$336.00</u>
18-	Deposit	Equal to one month's rent
18-	Late Fee assessed for all payments not received by the 11th of each month	\$50.00
<i>Ramp Fees</i>		
18-	Single Engine	\$41.00 <u>\$42.00</u>
18-	Twin Engine	\$25.00 <u>\$26.00</u>
18-	Turbo/Jet Engine	\$60.00 <u>\$62.00</u>
Customers using our ramp to drop off or pick up passengers and purchasing aviation fuel are not charged a ramp use fee.		
18-	Courtesy Vehicle for Fly-in visitors w/aviation fuel purchase	First 2 hours: No charge; then \$15.00/hour
	Courtesy Vehicle for Fly-in visitors w/out aviation fuel purchase	\$20.00/hour
	(a) Fly in visitors with no fuel purchase: A surcharge of \$20.00 will be charged regardless of how much fuel was used in the vehicle, if the vehicle is returned without the fuel being replaced.	
	(b) The overnight use of the vehicle may be approved at the cost of a flat rate fee of \$100.00 (after 5:00 p.m. until 8:00 a.m.). The charges as stated above will then apply between the hours of 8:00 a.m. to 5:00 p.m.	
<i>After Hour's Services - Customers requesting services or assistance after business hours, weekends and holiday</i>		
18-	Call Out Fee	\$65.00/hour (2-hour minimum)
18-	Overtime Fee	\$65.00/hour Customers requesting services that require employees to work past business hours.
18-	Fuel Service Fees	\$.40 cents to \$1.00 per gallon of fuel based on market rates
18-	Fuel additive	\$.06 cents per gallon plus posted fuel price
18-	Long Term Parking	\$2.00 per day

PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

18	Fueling Fee for private self-fuel delivery	\$.17 cents per gallon
18	Catering Fee	Based on the size of the order, time spent coordinating the order and delivery.
18	Office/Terminal lease	\$3.00—\$17.00 sq ft per year
<i>Ground Lease</i>		
18	Aviation-related land—Improved	\$.17 cents sq ft per Month or Year
18	Aviation-related land—Unimproved	\$.12 cents sq ft per Month or Year
18	Non-aviation-related land	\$.28 cents sq ft per Month or Year
Chapter 22 - Building and Building Regulations		
22-50	Plan Review Fee Only	
	Per dwelling unit, a new plan for previously reviewed plan or Master Plan	\$200.00 per plan or per address
	Plan Review Fee when a permit has been issued for the dwelling and the construction plans are altered such that an additional plan review is required (excludes new plan)	\$150.00 per plan or per address
22-50	Residential New Construction Plan Review Fee	Included in Residential New Construction Building Permit Fee
22-50	Commercial and Multi-Family Construction Plan Review Fee	
	Valuation: \$10,000 or less	\$50.00
	Valuation: \$10,001.00 to \$25,000.00	\$70.69 for the first \$10,000.00 + \$5.46 for each additional \$1,000.00
	Valuation: \$25,001.00 to \$50,000.00	\$152.59 for the first \$25,000.00 + \$3.94 for each additional \$1,000.00
	Valuation: \$50,001.00 to \$100,000.00	\$251.09 for the first \$50,000.00 + \$2.73 for each additional \$1,000.00
	Valuation: \$100,001 to \$500,000.00	\$387.59 for the first \$100,000.00 + \$2.19 for each additional \$1,000.00
	Valuation: \$500,001.00 to \$1,000,000.00	\$1,263.59 for the first \$500,000.00 plus \$1.85 for each additional \$1000.00
	Valuation: \$1,000,001.00 and up	\$2,188.59 for the first \$1,000,000.00 plus \$1.23 for each additional \$1,000.00
Residential New Construction Building Permit Fees		
	0—1,500 square foot	\$785.00
22-50	1,501—10,000 sq ft	\$785.00 for the first 1,500 sq ft plus \$0.35 for each additional sq ft to and including 10,000 sq ft

PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

22-50	Over 10,000 sq ft	\$3,760.00 for the first 10,000 sq ft plus \$0.15 for each additional sq ft over 10,000 sq ft
	Residential Alteration/Addition Building Permit Fees	
22-50	Building, Mechanical, Electrical, Plumbing, Fuel Gas and similar	\$100.00 per trade
	Other project types not listed above	\$160.00 per trade
	Miscellaneous residential projects such as, but not limited to, Accessory Structures, Fences, Pools, etc.	Based on Valuation, see Commercial and Multi-Family Building Permit Fees
22-50	Re-roof	\$100.00
22-50	Commercial and Multi-Family Building Permit Fees	
	Valuation: \$ \$10,000 or less	\$76.92 \$80.00
	Valuation: \$10,001.00 to \$25,000.00	\$108.75 for the first \$10,000.00 + \$8.40 for each additional \$1,000.00
	Valuation: \$25,001.00 to \$50,000.00	\$234.75 for the first \$25,000.00 + \$6.06 for each additional \$1,000.00
	Valuation: \$50,001.00 to \$100,000.00	\$386.25 for the first \$50,000.00 + \$4.20 for each additional \$1,000.00
	Valuation: \$100,001 to \$500,000	\$596.25 for the first \$100,000.00 + \$3.36 for each additional \$1,000.00
22-50	Valuation: \$500,001.00 to \$1,000,000.00	\$1,940.25 for the first \$500,000.00 plus \$2.85 for each additional \$1000.00
22-50	Valuation: \$1,000,001.00 and up	\$3,365.25 for the first \$1,000,000.00 plus \$1.89 for each additional \$1,000.00
22-50	Demolition and Utility Termination Permit	\$150.00
22-50	Re-inspection Fee – Single Family Residential	\$76.92 \$80.00
22-50	Re-inspection Fee – Commercial and Multi-family	\$125.00 \$130.00
22-50	After-hours inspection Fee	\$150.00
22-50	Flood Zone Confirmation	\$25.00
22-50	Permit Renewal/Extension prior to expiration	50% of original permit fee
22-50	Permit Renewal after Expiration	100% of original permit fee
22-50	Work prior to issuance of permit	200% of original permit fee
22-50	New Construction Certificate of Occupancy	No Charge
22-50	Certificate of Occupancy – Commercial and Multi-Family	\$150.00
22-50	Temporary Certificate of Occupancy (TCO)	\$100.00
22-50	Copy of Certificate of Occupancy	\$10.00
22-50	Mobile Home Occupancy Permit	\$25.00
22-50	Mobile Home Placement Permit (INCLUDES all trades)	\$250.00

PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

22-50	Storage of Impounded Sign	\$25.00 per sign
22-163	Residential Electrical Permit Fee	\$76.92 \$80.00
22-163	Commercial Electrical Permit Fee	\$125.00 \$130.00 per address, building or unit
22-297	Residential Plumbing Permit Fee	\$76.92 \$80.00
22-297	Commercial Plumbing Permit Fee	\$125.00 \$130.00 per address, building or unit
22-383	Residential Mechanical Permit Fee	\$76.92 \$80.00
22-383	Commercial Mechanical Permit Fee	\$125.00 \$130.00 per address, building or unit
22-465	Moving Permit (Building or structure)	\$100.00
22-484	Annual Registration Vacant Building Fee (commercial)	\$250.00
22-484	Annual Registration Vacant Building Fee (Historical)	\$100.00
22-484	Annual Registration Vacant Building Fee (Residential)	\$50.00
22-484	Annual Vacant Building Inspection Fee	\$50.00
22-484	Late Registration Fee	\$50.00
22-484	Late Inspection Fee	\$50.00
22-502	House Moving License	\$100.00 per year
Chapter 26 - Businesses		
26-33(d)	Mobile Food Establishment Fee	\$100.00 per year
26-56(a)	Massage License Application Fee	\$300.00 per year
26-57	Massage Business permit	\$200.00 per year
26-61	Multiple massage establishments license fee	\$100.00
Chapter 42 - Fire Prevention and Protection		
42-77	Single Family Residential Fire Code Plan Review Services	\$175.00
42-77	Single Family Fire Code Inspection Services	\$400.00
42-77	Commercial and Multi-family Fire Code Plan Review Services (fire alarm system & fire sprinkler system)	
	Valuation: less than \$6,250	\$200.00 each system
	Valuation: \$6,250 to \$250,000	\$300.00 each system
	Valuation: \$251,000 to \$500,000	\$425.00 each system
	Valuation: \$500,001 to \$1,000,000	\$550.00 each system
	Valuation: \$1,000,001 to \$3,000,000	\$800.00 each system
	Valuation: \$3,000,001 to \$6,000,000	\$1,200.00 each system
	Valuation: \$6,000,001 and up	\$1,200.00 plus \$0.38 for each additional \$1,000.00
42-77	Commercial and Multi-family Fire Code Inspections (fire alarm system & fire sprinkler system)	
	Valuation: less than \$6,250	\$300.00 each system
	Valuation: \$6,250 to \$250,000	\$425.00 each system
	Valuation: \$251,000 to \$500,000	\$525.00 each system
	Valuation: \$500,001 to \$1,000,000	\$675.00 each system
	Valuation: \$1,000,001 to \$3,000,000	\$950.00 each system
	Valuation: \$3,000,001 to \$6,000,000	\$1,425.00 each system
	Valuation: \$6,000,001 and up	\$1,425.00 plus \$0.38 for each additional \$1,000.00

PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

42-77	Fire Underground	
	Fire Code Plan Review	\$200.00
	Fire Code Inspection	\$250.00
42-77	Fire Extinguisher Suppression System	
	Per permit, one inspection	\$450.00
	Each re-inspection	\$100.00
42-77	Annual Fire Inspection	\$150.00
42-77	Fire Certificate of Occupancy Inspection (if not completed during business occupancy inspection)	\$150.00 per hour, per location
42-77	Fire Re-inspection	\$150.00
42-77	Underground or Aboveground Fuel Storage Tanks	
	Fire Code Plan Review	\$350.00
	Fire Code Inspection	\$450.00
42-81(1)	Additional inspections	\$150.00 per location
42-81(2)	Fire certificate of occupancy	\$150.00
Chapter 58 - Municipal Court		
58-	Deferral Fee	\$100.00
58-48	Additional Reimbursement Fees and Fines-Issuance of Failure to Appear/Violate Promise to Appear	\$25.00 (not to exceed)
58-49	Special expense for driving safety course	\$10.00 (not to exceed)
58-50		
58-51	Warrant Reimbursement Fee	Fee shall be the lesser of 20% of the amount of the fine or \$50.00 \$10.00 per misdemeanor offense \$15.00 per misdemeanor offense
	Ominbase Reimbursement Fee	
	Time Payment Reimbursement Fee	
58-76(a)	Municipal Court Building Security Fund	\$4.90 per misdemeanor offense
58-96(1)	Juvenile Case Manager Fund	\$5.00 per misdemeanor offense
58-122(a)	Municipal Court Technology Fund	\$4.00 per misdemeanor offense
	Municipal Jury Fund	\$0.10 per misdemeanor offense
Chapter 62 - Natural Resources		
62-7b	Drilling permit fee	\$2,500.00
62-7b	Re-entering plugged well to operate	\$2,500.00
62-7b	Amendment to permit	\$500.00
62-7b	Extension of permit	\$500.00
62-7b	Permit for seismic surveys	\$500.00
Chapter 66 - Offenses		
66-4(f)	Loitering fine	Not less than \$1.00 and not more than \$200.00
66-64(b)	Curfew Penalty fines	Not less than \$50.00 nor more than \$500.00
66-179(c)	Protesting Funerals Penalty Fine	Not to exceed \$500.00

PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

Chapter 70 Parks and Recreation		
70-25	Special Event Permit	\$25.00
70-29	Alcohol Deposit	Up to \$200.00
70-XX	Return Check Fee	\$30.00
	Registration fee	\$5.00/reservation
	Vendor Fee	\$25.00
	Facility - Train Depot	\$200.00/day + \$100.00 Deposit
	Pavilion - Neighborhood Parks	\$50.00/day + \$50.00 Deposit
	Pavilion - Riverside Park	See Riverside Park section
	Regional Parks	\$100.00/day + \$50.00 Deposit
	Enclosed Pavilions &Gazebos	\$150.00/day + \$100.00 Deposit
	City Field – Bike Park	\$20.00/hour + \$100.00 Deposit
	City Field Pavilion	\$25.00/hour + \$50.00 Deposit
	Sports Complex: Basketball Pavilion	\$25.00/hour + \$50.00 Deposit
	Sports Complex: Per Field	\$25.00/hour + \$75.00 Deposit
	Sports Complex: two fields	\$40.00/hour + \$200.00 Deposit
	Sports complex: two fields including press box	\$55.00/hour + \$250.00 Deposit
	Sports Complex: two fields including press box and concession stand	\$75.00/hour + \$300.00 Deposit
	Sports Complex: All three fields	\$70.00/hour + \$200.00 Deposit
	Sports Complex: All three fields including press box	\$85.00/hour + \$250.00 Deposit
	Sports Complex: All three fields including press box and concession stand	\$100.00/hour + \$300.00 Deposit
	Sports Complex: Concession Stand	\$15.00/hour + \$100.00 Deposit
	Ball Fields	\$20.00/hour + \$100.00 Deposit
	Frahms Field: Soccer Fields	\$25.00/hour + \$100.00 Deposit
	Frahms Field: Concession Stand	\$15.00/hour + \$100.00 Deposit
	Pickle Ball Courts	\$5.00/hour
	Basketball & Volleyball Courts	\$10.00/hour
	Park: Duncan Park	\$250.00/day + \$100.00 Deposit

PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

	Park: Le Tulle Park	\$900.00 1,500/day + \$500.00 Deposit
	Pools: Admission	Adult - \$2.00/day Child (Under 18) - \$1.00/day
	Pools: Canopy/Table	\$10.00/hour
	Pools: Water Aerobics	\$1.00/day
	Pools: Lap Swim (16th Pool only)	\$1.00/day or \$10.00/month
	Pools: Season Passes	Individual - \$40.00/season Family of 5 - \$100.00/season
	Riverside Park: Admission	\$10.00/car or \$100.00 Yearly Pass
	Riverside Park: Pavilions	\$100.00/day per pavilion plus \$50.00 Deposit (Up to 20 Cars included, then \$10.00 per car)
	Riverside Park: RV Full Hook Up (Water, Sewer, Electric)	\$45.00 Daily, \$280.00/Week, \$600.00/Month plus \$45.00 Deposit
	Wilderness Camping - RV or Tent (Electric & Water)	\$30.00 Daily, \$180.00/Week, \$400.00/Month plus \$30.00 Deposit
	Excess Vehicle Fee (Pertains to campers)	\$10.00 per Day
	(a) Sports Complex: Press box is available at the discretion of Parks Director.	
	(b) Park rentals are limited in time availability.	
	(c) Renting an entire park area or pool have special restriction.	
	(d) Camping fees include 1 vehicle per site per day.	
	Facility - Service Center (USO)	
	(1) Service Center —Library Room	\$150.00/day + \$100.00 Deposit
	(2) Service Center —Kitchen	\$150.00/day + \$100.00 Deposit
	(3) Service Center —Dining Room	\$150.00/day + \$100.00 Deposit
	(4) Service Center —Gusman Room	\$150.00/day + \$100.00 Deposit
	(5) Service Center —Lobby	\$400.00/day + \$100.00 Deposit
	(6) Service Center —Entire Facility	\$1,800.00 1500.00/day + \$500.00 Deposit
	(7) <u>Alcohol Deposit</u>	<u>\$200.00</u>
(a) Civic, Social, Charitable, Non-profit, and Other Governmental organizations shall pay one-half the rental fee for Service Center options 1—5 and one-third the rental fee of option 6. Municipal and County Government shall be charged an administrative recovery fee of \$50.00 for options 1—5 and \$100.00 for option 6. All parties pay the same deposit with the exception of Municipal and County Government.		
(b) A charge of \$25.00 per hour per person for City staff to set up and take down. This only applies to the Auditorium or Entire Facility Rental.		

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APPENDIX B FEE SCHEDULE

(c) Facility Use Hours: Monday—Sunday are 8:00 a.m. to 10:00 p.m. Any time needed before 8:00 am or after 10:00 p.m. shall be charged \$100.00/hour inclusive of cleaning time.

(d) Decorating or Setup Fees: A group or individual can pay an \$80.00 per hour decorating / setup fee the day before their event between the hours of 8:00 a.m. – 4:00 p.m. if the Service Center (USO) is available.

SCHOOL PROMS & DANCES -The Service Center (USO) can be reserved the day before (if available) for set up and the day after for breakdown/clean-up of the event. No additional deposit will be required. A fee of \$25.00 per hour will be charged for use of the Service Center (USO) the day before or after the event between the hours of 8 a.m. – 4 p.m. if available.

Chapter 74 - Peddlers and Solicitors		
74-39(a)	License Permit fee	\$50.00 + \$540.00 administrative fee
	License permit fee - 12-month	\$70.00 + \$540.00 administrative fee
Chapter 82 - Police		
82-2	Copies of records fee	\$6.00 per document for certified copies
Chapter 86 - Secondhand Goods		
86-20(b)	Junkyard license fee	\$20.00
86-20(b)	Inspection renewal fee	\$10.00
Chapter 90 - Solid Waste		
90-28(3)	Residential Trash	\$25.27 27.80/month
	Residential - Extra Toter	\$12.65 13.91/month
	Small Commercial	\$44.84 47.08/month
	Small Commercial - Extra Toter	\$22.42 23.54/month
	Large Commercial:	
	2-Yard 1 time per week	\$71.39 74.96/month
	2-Yard 2 times per week	\$143.97 151.17/month
	2-Yard 3 times per week	\$214.39 225.11/month
	2-Yard 4 times per week	\$282.60 296.73/month
	2-Yard 5 times per week	\$348.67 366.10/month
	2-Yard 6 times per week	\$420.05 441.05/month
	3-Yard 1 time per week	\$100.62 105.65/month
	3-Yard 2 times per week	\$201.37 211.44/month
	3-Yard 3 times per week	\$298.85 313.79/month
	3-Yard 4 times per week	\$393.07 412.72/month
	3-Yard 5 times per week	\$484.05 508.25/month
	3-Yard 6 times per week	\$583.28 612.44/month
	4-Yard 1 time per week	\$124.47 130.69/month
	4-Yard 2 times per week	\$247.92 260.31/month
	4-Yard 3 times per week	\$367.05 385.40/month
	4-Yard 4 times per week	\$481.86 505.95/month
	4-Yard 5 times per week	\$592.31 621.93/month
	4-Yard 6 times per week	\$716.77 752.61/month
	6-Yard 1 time per week	\$172.12 180.73/month
	6-Yard 2 times per week	\$341.04 358.09/month
	6-Yard 3 times per week	\$503.50 528.67/month

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PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

	6-Yard 4 times per week	\$659.43692.40/month
	6-Yard 5 times per week	\$808.86849.31/month
	6-Yard 6 times per week	\$977.661,026.54/month
	8-Yard 1 time per week	\$208.90219.35/month
	8-Yard 2 times per week	\$412.18432.79/month
	8-Yard 3 times per week	\$607.39637.76/month
	8-Yard 4 times per week	\$793.64833.33/month
	8-Yard 5 times per week	\$971.241,019.80/month
	8-Yard 6 times per week	\$1,131.591,188.17/month
	Additional Haul - 2-Yard	\$23.8125.00/month
	Additional Haul - 3-Yard	\$23.5835.26/month
	Additional Haul - 4-Yard	\$41.5243.60/month
	Additional Haul - 6-Yard	\$57.4360.30/month
	Additional Haul - 8-Yard	\$69.7973.19/month
	Lock Fee - Installation (1-time fee)	\$75.0077.52
	Lock Fee	\$45.0015.50/month
	Late Payment Fee - The late payment fee is applied to charges not paid by the fifth day after the statement due date.	10% of balance, or \$10.00, (whichever is greater) (Customers outside of city limits pay 1.5 times inside city limit rate)
Chapter 94 - Streets, Sidewalks and Other Public Places		
94-204	Street Closure Application Fee	\$25.00
94-229(c)	Street Name Application Fee	\$100.00
94-293(c)	Driveway Access Permit	\$100.00
Chapter 98 - Subdivisions		
<i>Platting Fees</i>		
98-42(b)	Land plan fee	\$200.00
98-42(c)	Construction plan review	\$200.00 for sites less than one acre \$300.00 for sites one to five acres 500.00 for sites greater than five acres
98-42(d)	Preliminary plat fees	\$200.00 for sites less than one acre \$350.00 for sites one to five acres \$500.00 for sites greater than five acres
98-42(e)	Final plat fees	\$300.00 + \$5.00 per lot
98-42(f)	Development plat fee	\$300.00 + \$10.00 per acre
98-42(g)	Minor plat/re-plat	\$150.00 + \$5.00 per lot
98-42(h)	Amended plat	\$100.00 per plat
98-42(j)	Alley/Easement abandonment fee	\$100.00 per application
98-42(k)	Mobile Home park plats	\$300.00 + \$5.00 per lot/stand
<u>98-122</u>	<u>Plan Review and Inspection Fees for streets, drainage, water, and sewer civil plans</u>	<u>Pass-through or actual cost of review and inspections</u>

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Chapter 99 - Downtown Bay City Land Development Code		
99-9	Penalty Fine	\$2,000.00
Chapter 102 - Taxation		
102-70(a)	Hotel - Motel Occupancy Tax Rate	\$2.00 or more per day
Chapter 106 - Telecommunications		
106-80	Penalty Fee	\$500.00 per day
Chapter 110 - Traffic and Vehicles		
	Penalty Fee	Not to exceed \$500.00
110-175	Impoundment of Vehicle	Not less than \$4.00 per day
110-185	Disabled parking zone penalty fine	Up to \$500.00 per day
	Penalty Fee	Not more than \$2,000.00
Chapter 114 - Utilities		
	Return Check Fee	\$30.00
114-22	Water and Sewer Deposits	
114-22(1)	Residential Customers Single-Family resident	\$150.00
114-22(1)	Small Business Commercial property with a 3.4-inch water or 4-inch sewer connection, or both	\$200.00
114-22(1)	Large Business Commercial property with a water connection 1-inch or greater or sewer connection 6-inch or greater, or both	Up to 60-day average bill
114-22(1)	Multi Unit Multi units connected to one water meter	Up to 60-day average bill
114-22(1)	Commercial accounts Washaterias, carwashes, and other high-volume users	Up to 60-day average bill
114-22(4a1)	Reconnection Fee: Upon disconnection at curb stop for non-payment	\$50.00
114-22(4a2)	Reconnection Fee: Upon meter removal	\$100.00
114-22(4a3)	Reconnection Fee: Upon locking meter	\$100.00
114-22(4b)	Residential: Required deposit (restoration of service due to non-payment)	\$50.00 per occurrence (not to exceed \$300.00)
114-22(4b)	Commercial: Required deposit (restoration of service due to non-payment)	\$50.00 per occurrence (not to exceed 90-day average)
114-26	Late payment Fee - The late payment fee is applied to charges not paid by the fifth day after the statement due date.	10% of balance, or \$10.00, (whichever is greater)
114-55 Water Tapping Charges		
114-55(a)	1-inch or less	\$1,300.00 (Includes cost of labor, parts, materials associated with the installation of the meter and actual tap to City main. Customer is responsible for all cost associated with extending utility lines.)
114-55(a)	1.5-inch or greater	15% of the total cost associated with actual tap to City main plus cost of the

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		meter. Customer is responsible for all cost associated with extending utility lines.
114-55 (a)	Inspection Fee - An inspection fee shall be assessed for each water tap and meter installed by third party and subsequently inspected by City personnel. Upon connection to the City system, the meter becomes the property of the City.	\$100.00
114-57	Connection Fees	
114-57(1)	Connection Fee (Activation Fee) - New Service	\$15.00
114-57(2)	Connection Fee - Following Disconnect for non-payment	\$50.00
114-57(3)	Connection Fee -Tampering (turned on by customer following disconnect for non-payment)	\$100.00
114-57(3a)	Connection Fee - Tampering with damage to curb stop or meter box	\$150.00
114-57(3b)	Connection Fee - Tampering with damage to meter or register	Cost of equipment replacement plus tampering fee noted in 114-57(3)
114-57(4)	Connection Fee - After normal business hours	\$75.00
114-57 (5)	Connection Fee- Meter Test	\$175.00
114-67	Disconnection Fee- Trip Charge for no private shut off valve	\$35.00
114-88	Monthly Rate Schedule (Water)	
<i>Residential Water and Residential Irrigation Rates</i>		
114-88	Base Charge 0—2,000 gallons ¾-inch meter	\$31.06 <u>32.42</u>
	Base Charge 0—2,000 gallons ¾-inch meter	\$31.06 <u>32.42</u>
	Base Charge 0—2,000 gallons 1-inch meter	\$38.92 <u>40.62</u>
	Base Charge 0—2,000 gallons 1½-inch meter	\$38.92 <u>40.62</u>
	Base Charge 0—2,000 gallons 2-inch meter	\$38.92 <u>40.62</u>
	Base Charge 0—2,000 gallons 3-inch meter	\$38.92 <u>40.62</u>
	Base Charge 0—2,000 gallons 4-inch meter	\$38.92 <u>40.62</u>
	Base Charge 0—2,000 gallons 6-inch meter	\$38.92 <u>40.62</u>
	Base Charge 0—2,000 gallons 8-inch meter	\$38.92 <u>40.62</u>
	Base Charge 0—2,000 gallons 10-inch meter	\$38.92 <u>40.62</u>
<i>Volumetric Rate</i>		
114-88	Under 2,000 Gallons	\$0.00 per 1,000 gallons
114-88	2,001—5,000 Gallons	\$2.32 <u>2.42</u> per 1,000 gallons
114-88	5,001—10,000 Gallons	\$4.06 <u>4.24</u> per 1,000 gallons
114-88	Over 10,000 Gallons	\$5.12 <u>5.35</u> per 1,000 gallons

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<i>Multifamily</i>		
114-88	Base Charge 1—2,000 gallons ¾-inch meter	\$ <u>36,4638.05</u>
	Base Charge 0—2,000 gallons ¾-inch meter	\$ <u>36,4638.05</u>
	Base Charge 0—2,000 gallons 1-inch meter	\$ <u>45,6947.68</u>
	Base Charge 0—2,000 gallons 1½-inch meter	\$ <u>91,2395.21</u>
	Base Charge 0—2,000 gallons 2-inch meter	\$ <u>145,99152.36</u>
	Base Charge 0—2,000 gallons 3-inch meter	\$ <u>273,83285.77</u>
	Base Charge 0—2,000 gallons 4-inch meter	\$ <u>456,88476.80</u>
	Base Charge 0—2,000 gallons 6-inch meter	\$ <u>912,25952.03</u>
	Base Charge 0—2,000 gallons 8-inch meter	\$ <u>1,493,201,558.32</u>
	Base Charge 0—2,000 gallons 10-inch meter	\$ <u>2,367,642,470.89</u>
<i>Volumetric Rate</i>		
114-88	Under 2,000 Gallons	\$ <u>8,93-9.32</u> per 1,000 gallons
114-88	2,001—5,000 Gallons	\$ <u>8,93-9.32</u> per 1,000 gallons
114-88	5,001—10,000 Gallons	\$ <u>8,93-9.32</u> per 1,000 gallons
114-88	Over 10,000 Gallons	\$ <u>8,93-9.32</u> per 1,000 gallons
<i>Non-Residential (Commercial) Water and Commercial Irrigation Rates</i>		
<i>Base Monthly Bill</i>		
114-88	¾-inch meter	\$ <u>31,0632.42</u>
114-88	¾-inch meter	\$ <u>31,0632.42</u>
114-88	1-inch meter	\$ <u>38,9240.62</u>
114-88	1½-inch meter	\$ <u>77,7481.11</u>
114-88	2-inch meter	\$ <u>124,37129.82</u>
114-88	4-inch meter	\$ <u>233,27243.48</u>
114-88	4-inch meter	\$ <u>389,21406.25</u>
114-88	6-inch meter	\$ <u>777,15811.18</u>
114-88	8-inch meter	\$ <u>1,272,041,327.74</u>
114-88	10-inch meter	\$ <u>2,016,972,105.29</u>
<i>Volumetric Rate</i>		
114-88	0—10,000 Gallons	\$ <u>6,57-6.86</u> per 1,000 gallons
114-88	Over 10,000 Gallons	\$ <u>6,57-6.86</u> per 1,000 gallons
<i>Industrial Water Rates</i>		
<i>Base Monthly Bill</i>		
114-88	¾-inch meter	\$ <u>36,4638.05</u>
114-88	¾-inch meter	\$ <u>36,4638.05</u>
114-88	1-inch meter	\$ <u>45,5447.53</u>
114-88	1½-inch meter	\$ <u>91,2395.20</u>
114-88	2-inch meter	\$ <u>145,99152.35</u>

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114-88	3-inch meter	\$273.83 <u>285.75</u>
114-88	4-inch meter	\$456.88 <u>476.76</u>
114-88	6-inch meter	\$912.25 <u>951.96</u>
114-88	8-inch meter	\$1,493.20 <u>1,558.19</u>
114-88	10-inch meter	\$2,367.64 <u>2,470.69</u>
<i>Volumetric Rate</i>		
114-88	0—900,000 Gallons	\$7.98 <u>8.33</u> per 1,000 gallons
114-88	900,001 to 4,500,000 Gallons	\$9.75 <u>10.19</u> per 1,000 gallons
114-88	Over 4,500,000 Gallons	\$12.20 <u>12.75</u> per 1,000 gallons
	(Customers outside of city limits pay 1.75x amount)	
<i>Bulk Water</i>		
(Metered Water)		
114-88	2,001—10,000 gallons	\$7.00 per 1,000 gallons
114-88	Over 10,000 gallons	\$7.00 per 1,000 gallons
Article 4 Sewer and Sewer Surcharge Rates		
114-109	Fees and Sewer Taps	
114-109	4-inch connection	\$1,300.00 (Includes cost of labor, parts, materials associated with actual tap to City main. Customer is responsible for all cost associated with extending utility lines.)
114-109	Over 4-inch	15% of the total cost associated with actual tap to City main. Customer is responsible for all cost associated with extending utility lines.
114-109	Inspection Fee - An inspection fee shall be assessed for each sewer tap installed by third party and subsequently inspected by City personnel.	\$100.00
114-55(b)	Line Locate	\$200.00 Additional charges of \$50.00/hour after the first 4 hours
114-134	Monthly Rate Schedule (Sewer)	
<i>Residential Sewer Rates</i>		
114-134	Base Charge 0—2,000 gallons ¾-inch meter	\$30.46 <u>35.67</u>
	Base Charge 0—2,000 gallons ¾-inch meter	\$30.46 <u>35.67</u>
	Base Charge 0—2,000 gallons 1-inch meter	\$45.56 <u>53.35</u>
	Base Charge 0—2,000 gallons 1½-inch meter	\$45.56 <u>53.35</u>
	Base Charge 0—2,000 gallons 2-inch meter	\$45.56 <u>53.35</u>

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	Base Charge 0—2,000 gallons 3-inch meter	\$ 45.56 <u>53.35</u>
	Base Charge 0—2,000 gallons 4-inch meter	\$ 45.56 <u>53.35</u>
	Base Charge 0—2,000 gallons 6-inch meter	\$ 45.56 <u>53.35</u>
	Base Charge 0—2,000 gallons 8-inch meter	\$ 45.56 <u>53.35</u>
	Base Charge 0—2,000 gallons 10-inch meter	\$ 45.56 <u>53.35</u>
<i>Volumetric Rate</i>		
114-134	Under 2,000 Gallons	\$0.00 per 1,000 gallons
114-134	2,001—5,000 Gallons	\$ 7.16 <u>8.39</u> per 1,000 gallons
114-134	5,001—10,000 Gallons	\$ 7.50 <u>8.79</u> per 1,000 gallons
114-134	Over 10,000 Gallons	\$ 7.90 <u>9.26</u> per 1,000 gallons
<i>Sewer Cap for residential is 15,000 Gallons</i>		
<i>Multifamily Sewer Rates</i>		
114-134	Base Charge 0—2,000 gallons ¾-inch meter	\$ 30.46 <u>35.67</u>
	Base Charge 0—2,000 gallons ¾-inch meter	\$ 30.46 <u>35.67</u>
	Base Charge 0—2,000 gallons 1-inch meter	\$ 45.56 <u>53.35</u>
	Base Charge 0—2,000 gallons 1½-inch meter	\$ 86.30 <u>101.06</u>
	Base Charge 0—2,000 gallons 2-inch meter	\$ 134.93 <u>158.01</u>
	Base Charge 0—2,000 gallons 3-inch meter	\$ 265.86 <u>311.33</u>
	Base Charge 0—2,000 gallons 4-inch meter	\$ 494.34 <u>578.86</u>
	Base Charge 0—2,000 gallons 6-inch meter	\$ 1,023.35 <u>1,198.39</u>
	Base Charge 0—2,000 gallons 8-inch meter	\$ 1,472.23 <u>1,724.05</u>
	Base Charge 0—2,000 gallons 10-inch meter	\$ 2,368.67 <u>2,773.82</u>
<i>Volumetric Rate</i>		
114-134	Under 2,000 Gallons	\$ 7.89 <u>9.24</u> per 1,000 gallons
114-134	2,001—5,000 Gallons	\$ 7.89 <u>9.24</u> per 1,000 gallons
114-134	5,001—10,000 Gallons	\$ 7.89 <u>9.24</u> per 1,000 gallons
114-134	Over 10,000 Gallons	\$ 7.89 <u>9.24</u> per 1,000 gallons
<i>Nonresidential (Commercial) Sewer Rates</i>		
<i>Base Monthly Bill</i>		
114-134	¾-inch meter	\$ 30.46 <u>35.67</u>
114-134	¾-inch meter	\$ 30.46 <u>35.67</u>
114-134	1-inch meter	\$ 45.56 <u>53.35</u>
114-134	1½-inch meter	\$ 86.30 <u>101.06</u>

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114-134	2-inch meter	\$ 134.93 <u>158.01</u>
114-134	3-inch meter	\$ 265.86 <u>311.33</u>
114-134	4-inch meter	\$ 494.31 <u>578.86</u>
114-134	6-inch meter	\$ 1,023.35 <u>1,198.39</u>
114-134	8-inch meter	\$ 1,472.23 <u>1,724.05</u>
114-134	10-inch meter	\$ 2,368.67 <u>2,773.82</u>
<i>Volumetric Rate</i>		
114-134	0—10,000 Gallons	\$ 7.21 <u>8.44</u> per 1,000 gallons
114-134	Over 10,000 Gallons	\$ 7.21 <u>8.44</u> per 1,000 gallons
<i>Industrial Sewer Rates</i>		
<i>Base Monthly Billing</i>		
	¾-inch meter	\$ 30.46 <u>35.67</u>
	¾-inch meter	\$ 30.46 <u>35.67</u>
	1-inch meter	\$ 45.56 <u>53.35</u>
	1½-inch meter	\$ 86.30 <u>101.06</u>
	2-inch meter	\$ 134.93 <u>158.01</u>
	3-inch meter	\$ 265.86 <u>311.33</u>
	4-inch meter	\$ 494.31 <u>578.86</u>
	6-inch meter	\$ 1,023.35 <u>1,198.39</u>
	8-inch meter	\$ 1,472.23 <u>1,724.05</u>
	10-inch meter size	\$ 2,368.67 <u>2,773.82</u>
<i>Volumetric Rate</i>		
	0—900,000 Gallons	\$ 6.34 <u>7.42</u> per 1,000 gallons
	900,001 to 4,500,000 Gallons	\$ 6.68 <u>7.82</u> per 1,000 gallons
	Over 4,500,000 Gallons	\$ 8.35 <u>9.78</u> per 1,000 gallons
	(Customers outside of city limits pay 1.75x amount for sections 114-88 and 114-134)	
114-135(b)	Quantity cost capitol recovery fee (surcharge)	

Source Classification	Remarks	Quantity Variable Daily Sewage Flow - Gallons/Person	Capital Cost Recovery Rate
Municipality	Residential (3 persons)	x 100 x \$2.06=	\$618.00 per home
Subdivision	Residential (3 persons)	x 100 x \$2.06=	\$618.00 per home
Trailer park transient	\$2½ Persons per trailer	x 50 x \$2.06=	\$257.50 per home
Mobile home park	\$4 Persons per trailer	x 100 x \$2.06=	\$618.00 per home
Schools	Elementary, high (students)	x 15 x \$2.06=	\$ 30.90 per student
Recreation parks	Campers	x 40 x \$2.06=	\$ 82.40 per unit
	Boaters	x 5 x \$2.06=	\$ 10.30 per unit
	Swimmers	x 10 x \$2.06=	\$ 20.60 per person
Factory or office building	No showers (employees)	x 20 x \$2.06 =	\$ 41.20 per person
Factory	With showers (employees)	x 25 x \$2.06 =	\$ 51.50 per employee
Motor lodge	With toilet (units and bath)	x 50 x \$2.06 =	\$103.00 per unit
Hospitals	Per bed	x 200 x \$2.06 =	\$412.00 per bed

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Nursing homes	Per bed	x 90 x \$2.06 =	\$185.40 per bed
Drive-in theater	Per car space	x 5 x \$2.06 =	\$ 10.30 per space
Restaurant	Per meal served	x 5 x \$2.06 =	\$ 10.30 per customer
Apartments	3 Persons	x 100 x \$2.06 =	\$618.00 per apartment

Section Number	Subject	Fee Amount
114-212	Customer Service Inspector (CSI)	\$50.00 per hour (1 hour minimum)
114-305	Backflow Prevention Inspection	\$50.00 per hour (1 hour minimum)
Chapter N/A - Bay City Public Library		
Overdue Materials (per day)	Books and Audios	\$0.15 per day
	DVDs, Games, and Literacy Kits	\$1.00 per day
	Electronic Devices	\$5.00 per day
	Interlibrary Loan (ILL) (items borrowed from other libraries)	\$0.25 per day
Max Overdue Fines	Electronic Devices	\$50.00
	All other materials	\$10.00
Library Cards	First Card	FREE
	Replacement card	\$3.00
Other Charges	Interlibrary Loan Shipping (ILL)	One-way postage
	Minor Damages (able to be repaired and returned to circulation)	\$3.00
	Miscellaneous items (USB, office supplies, t-shirts)	Up to cost of item
Lost/Severe Damages (beyond basic repair)	BCPL item (beyond basic repair)	Cost of item + \$5.00 processing fee per transaction incident
	ILL Interlibrary Loan Item	Cost assessed by lending library + \$5.00 processing fee per transaction incident
	Electronic Devices and accessories (charging box/cable, case)	Varies based on item (up to replacement of entire unit) + \$5.00 processing fee per transaction incident
	USB	\$3.00
Services	Printing/Copies	\$0.15 per page (black & white)/\$.30 per page (color)

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	Faxing	\$1.00 per page for 1—5 pages, \$0.50 for each subsequent page
	Laminating	\$2.00 per foot/\$1.00 for ID card size
	Hotspot service (if not returned)	Cost of service until device is disabled
Rentals		
Two fine reduction opportunities are provided each year -- Food for Fines And Amnesty days. This allows patrons two times per year to clear or reduce their amounts.		
Chapter N/A - Civic Center		
Fee Schedule with Room Dimensions	Rm #102: Diagonal Entrance/West Side (18' X 23')	\$100.00 200.00 + \$50.00 100.00 Deposit
	Rm #104: Small West Conference Room (20' X 23')	\$100.00 200.00 + \$50.00 100.00 Deposit
	Rm #106: Large West Conference Room (30' X 73')	\$300.00 325.00 + \$50.00 150.00 Deposit
	Rm #108: Catering Kitchen	\$200.00 225.00 + \$50.00 150.00 Deposit
	Rm #100: Main Exhibit Hall (100' X 120')	\$825.00 900.00 + \$200.00 300.00 Deposit
	Rm #103: Large East Conference Room (44' X 73')	\$375.00 400.00 + \$50.00 150.00 Deposit
	Rm #109: Small East Conference Room (20' X 30')	\$150.00 200.00 + \$50.00 150.00 Deposit
	Rm #107: Small East Conference Room (18' X 30')	\$150.00 200.00 + \$50.00 150.00 Deposit
	Rm #111: Harvest Room-South Side (20' X 30')	\$175.00 200.00 + \$50.00 150.00 Deposit
	Rm #113: Harvest Room-North Side (30' X 30')	\$175.00 200.00 + \$50.00 150.00 Deposit
	Chamber Corporate Boardroom (Availability determined by Chamber usage)	\$200.00 400.00/4 hours + \$50.00 150.00 Deposit
Combination Prices	Rooms 100, 103, 106 combined	\$1,400.00 1,600.00 + \$300.00 500.00 Deposit
	Entire Civic Center (excluding chamber offices)	\$1,600.00 1,800.00 + \$300.00 500.00 Deposit
	(a) An individual can reserve the room the day before the event at half price of the rent fee, and have full access all day between 8:00 a.m.—12:00 a.m.	
	(b) An individual can pay an \$80.00 hourly decorating fee to use the room the day before their event between the hours of 8:00 a.m.—4:00 p.m., as long as that room and date are available.	
	(c) Failure to submit a floor plan before the deadline will result in a \$60.00 late fee. Any changes requested by the renter after the deadline will be subject to a \$60.00 change fee.	
	(d) Decoration Deposit of \$500.00 if attaching to ceiling.	
	(e) A \$500.00 deposit is required if there is to be any alcohol consumption at an event, whether provided by the renter or allowed to be brought in.	
Chapter 118 - Vehicles for Hire		

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PART II - CODE OF ORDINANCES
APPENDIX B FEE SCHEDULE

118-61(a)	Taxi Application fee	\$25.00
118-61(b)	Administrative Fee	\$5.00
118-61(c)	Taxi Franchise Fee	\$100.00 + \$25.00 per taxicab per year
118-63(b)	Taxi rates and fees	
118-63(b1)	Initial pickup	\$2.50
118-63(b2)	Each additional 1/12 mile	\$0.20
118-63(b3)	Each additional passenger	\$0.00
118-63(b4)	First piece free, each additional piece	\$0.00
118-63(b5)	Standby or waiting per ¼ hour	\$7.00
18-95	State Class C License Annual permit fee	\$20.00 per driver
Miscellaneous Administrative Fees		
	Lien and Lien Release Property Recording Filing Fees	As charged by the Matagorda County Clerk for recording
	Administrative cost to e-record property records	\$6.00 Pass through cost

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BUDGET~ DISCUSS, CONSIDER, AND/OR APPROVE THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION'S BUDGET FOR FISCAL YEAR 2025



EXECUTIVE SUMMARY

BACKGROUND:

The Bay City Community Development Corporation is a component unit of the City. In accordance with the CDC's articles of incorporation, the City Council approves the annual budget.

PUBLIC HEARING WAS HELD ON THE FOLLOWING DATE:

TUESDAY, SEPTEMBER 17, 2024 AT 5 PM

All information pertaining to the Bay City Community Development Corporation's (BCCDC) Budget can be viewed at the following locations:

City Secretary's Office
Bay City Public Library
City of Bay City's Website- www.cityofbaycity.org/193/Budget

ATTACHMENTS: BCCDC BUDGET

**Bay City Community Development Corporation
Proposed Operating Budget
Fiscal Year Ending 9/30/25**

Acct #	Description	FYE 9/30/2022	FYE 9/30/2023	FYE Projected Final 9/30/2024	Proposed Budget 9/30/2025
REVENUE:					
3225	Sales tax collections	\$ 1,650,000	\$ 1,675,000	\$ 1,849,000	\$ 1,875,000
3300	BDC income	\$ 9,600	\$ 9,600	\$ 15,000	\$ 10,000
3401	Training Center lease (STNOC)	\$ 85,661	\$ 88,144	\$ 91,483	\$ 93,110
3402	Family Entertainment Center lease (SMBG)	\$ 300,000	\$ 100,000	\$ -	\$ -
3403	Schulman Note Payment			\$ 100,000	\$ 100,000
3500	Main Street revenue	\$ 48,000	\$ 72,000	\$ 111,000	\$ -
3504	TIRZ #2 income	\$ 150,000	\$ 150,000	\$ 130,000	\$ 175,000
3550	Reduction in grant obligation				
3615	Interest income	\$ 1,750		\$ 30,000	\$ 30,000
	TOTAL REVENUE	\$ 2,245,011	\$ 2,094,744	\$ 2,326,483	\$ 2,283,110
ADMINISTRATIVE EXPENSES:					
415-4105	Salaries and wages	\$ 183,000	\$ 234,295	\$ 230,000	\$ 195,000
415-4110	Other compensation	\$ 2,052	\$ 2,052	\$ 2,000	\$ 30,000
415-4205	Payroll taxes	\$ 13,999	\$ 17,600	\$ 17,600	\$ 14,917
415-4206	Unemployment taxes	\$ 616	\$ 1,500	\$ 1,500	\$ 351
415-4210	Retirement expense	\$ 20,355	\$ 25,000	\$ 25,000	\$ 19,149
415-4215	Workers Comp insurance	\$ 800	\$ 1,000	\$ 1,000	\$ 600
415-4225	Employee health insurance	\$ 31,070	\$ 43,400	\$ 16,500	\$ 12,000
415-4230	Travel and training	\$ 4,000	\$ 6,000	\$ 7,000	\$ 5,000
415-4310	General supplies (postage, freight, copies)	\$ 4,800	\$ 4,800	\$ 4,800	\$ 5,000
415-4315	Dues and subscriptions	\$ 3,400	\$ 4,000	\$ 60,000	\$ 60,000
415-4330	Vehicle expense (fuel, insurance & repairs)	\$ 3,000	\$ 4,000	\$ 3,000	\$ 2,000
415-4405	General insurance	\$ 50,000	\$ 57,500	\$ 50,000	\$ 50,000
415-4410	Telephone and cell phones	\$ 3,000	\$ 2,500	\$ 2,500	\$ 2,500
415-4415	Utilities (electricity, water, & gas)	\$ 4,000	\$ 4,000	\$ 4,000	\$ 2,000
415-4420	Legal and professional	\$ 25,000	\$ 25,000	\$ 26,000	\$ 26,000
415-4424	Cleaning and maintenance	\$ 6,750	\$ 6,750	\$ 6,750	\$ 7,000
415-4426	Leasehold improvements	-	\$ 500	\$ 500	\$ -
415-4427	Equipment rental	\$ 3,100	\$ 3,100	\$ 3,100	\$ 3,100
415-4428	Building rental	\$ 62,424	\$ 63,648	\$ 63,648	\$ 25,000
415-4497	Business meals	\$ 2,000	\$ 3,000	\$ 3,000	\$ 5,000
415-4498	Misc furniture and equipment	\$ -	\$ 500	\$ 2,000	\$ 3,000
415-4499	Miscellaneous expense	\$ 500	\$ 1,000	\$ 1,000	\$ 1,000
415-4505	Repairs and maintenance- equipment	-			
	TOTAL ADMINISTRATIVE EXPENSES	\$ 423,866	\$ 511,145	\$ 530,898	\$ 468,617
PROSPECT DEVELOPMENT EXPENSES:					
420-4230	Travel	\$ 9,000	\$ 3,500	\$ 3,500	\$ 7,000
420-4425	Contract services	\$ 1,000	\$ 8,000	\$ 20,500	\$ 10,500
420-4460	Advertising	\$ 22,000	\$ 20,000	\$ 40,000	\$ 40,000
420-4461	Website development/maintenance	\$ 3,500	\$ 1,680	\$ 2,000	\$ 2,000
420-4497	Business meals	\$ 1,000	\$ 1,000	\$ 3,000	\$ 1,500
420-4499	Miscellaneous expense	\$ 500	\$ 500	\$ 1,000	\$ 1,000
	TOTAL PROSPECT DEVELOPMENT EXP.	\$ 37,000	\$ 34,680	\$ 70,000	\$ 62,000

Acct #	Description	FYE 9/30/2022	Adopted Budget 9/30/2023	FYE Projected Final 9/30/2024	Proposed Budget 9/30/2025
PROJECT EXPENSES:					
485-4001	Matagorda County EDC	75,000	75,000	75,000	80,000
485-4002	Small Business Development Center (SBDC)		20,000	-	-
485-4003	Website grant	50,000	40,000	40,000	50,000
485-4009	Detention pond		-		
485-4008	Family Entertainment Center (property taxes)	200,000	-	-	-
485-4010	Downtown parking lot	400	3,000	-	-
485-4012	Main Street	25,000	25,000	25,000	-
485-4020	Nile Valley Phase II	239,116	239,116	239,191	239,191
485-4021	CED insurance and maintenance	120,000	300,000	300,000	300,000
	Grant Writer (Patriot)			9,000	-
485-2021	Entrepreneur program			-	5,000
485-4447	City Vision 2040 Plan	5,000	100,000	125,000	70,000
485-4002	Business retention and expansion	150,000	100,000	160,000	160,000
485-4004	Aquatic Center				30,000
485-0000	Regional Attraction				30,000
485-4032	Railroad Quiet Zone Study			28,900	-
485-4033	Public Safety Building			1,000,000	
485-0000	Resiliency Loan			320,000	70,000
485-	Family Entertainment Center Rebate			29,942	20,000
485-	Note Recieveable Chick-Fil-A			250,000	
485-4017	Flock System (Police)			26,500	36,000
485-4015	Airport expansion			56,150	-
485-4030	McCoy's land				
2251/2255	Debt principal payments	463,086	189,200	481,952	493,000
485-4810	Interest expense	349,690	57,200	97,961	90,000
	TOTAL PROJECT EXPENSES	1,677,292	1,148,516	3,264,597	1,673,191
	TOTAL EXPENSES	2,138,158	1,694,341	3,865,495	2,203,808
	SURPLUS (DEFICIT)	106,853	400,403	(1,539,011)	79,302

RESOLUTION~ DISCUSS, CONSIDER AND/OR APPROVE A RESOLUTION OF THE CITY OF BAY CITY, TEXAS ADOPTING THE CITY OF BAY CITY FIVE YEAR CAPITAL IMPROVEMENT PROGRAM.



EXECUTIVE SUMMARY

BACKGROUND:

PUBLIC HEARING WAS HELD ON THE FOLLOWING DATE:

TUESDAY, SEPTEMBER 17, 2024 AT 5 PM

Five-Year Capital Improvement Program FY 2025-2029 (Charter sections 10.15 & 10.16)

All information pertaining to the City's Five-Year Capital Plan can be reviewed at the following locations:

City Secretary's Office

Bay City Public Library

City of Bay City's Website- www.cityofbaycity.org/193/Budget

ATTACHMENTS: RESOLUTION



Resolution of the City of Bay City, Texas
No.

A RESOLUTION ADOPTING A FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) IN COMPLIANCE WITH THE CITY CHARTER

WHEREAS the City Charter requires a plan for capital improvement covering the succeeding five years and proposed method of financing to the City Council prior to the beginning of each budget year; and,

WHEREAS a Five-Year Capital Program was presented to the City Council on August 6, 2024 in compliance with the City Charter and,

WHEREAS, the required time has passed since the last public hearing as required by the City of Bay City Home Rule Charter; and

WHEREAS the City Council has reviewed the Five-Year Capital Program, found it to be in compliance with all City Charter and believes its approval by resolution is in the best interest of Bay City residents.

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

THAT the Five-Year Capital Program (October 1, 2024 – September 30, 2029), a copy of which is attached hereto and incorporated in the Fiscal Year Budget 2025, is hereby adopted in compliance with the City Charter.

PASSED and APPROVED this 24th day of September 2024.

Robert K. Nelson
Mayor

ATTEST:

Jeanna Thompson
City Secretary

ORDINANCE~ AN ORDINANCE ADOPTING AN OPERATING BUDGET FOR THE CITY OF BAY CITY, TEXAS FOR FISCAL YEAR 2025 AND ALL DESIGNATED, SPECIFIED, NOTED, AND INDICATED LEVIES, RATES, RESERVES, REVENUE PROVISIONS, AND PLANNED EXPENDITURE INHERENT, EXPRESSED AND INCLUDED THEREIN; PROVIDING FOR A CUMULATIVE CLAUSE: PROVIDING FOR SEVERABILITY: AND PROVIDING FOR AN EFFECTIVE DATE.



EXECUTIVE SUMMARY

BACKGROUND:

PUBLIC HEARING WAS HELD ON THE FOLLOWING DATE:

TUESDAY, SEPTEMBER 17, 2024 AT 5 PM

Charter Section 10.09- Adoption of Budget (budget shall be adopted by ordinance, by a majority vote of Councilmembers.

All information pertaining to the City's Budget can be reviewed at the following locations:

City Secretary's Office

Bay City Public Library

City of Bay City's Website- www.cityofbaycity.org/193/Budget

ATTACHMENTS: BUDGET ORDINANCE

ORDINANCE _____

AN ORDINANCE ADOPTING AN OPERATING BUDGET FOR THE CITY OF BAY CITY, TEXAS FOR FISCAL YEAR 2025 AND ALL DESIGNATED, SPECIFIED, NOTED, AND INDICATED LEVIES, RATES, RESERVES, REVENUE PROVISIONS, AND PLANNED EXPENDITURE INHERENT, EXPRESSED AND INCLUDED THEREIN; PROVIDING FOR A CUMULATIVE CLAUSE: PROVIDING FOR SEVERABILITY: AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Bay City, Texas, is desirous of adopting an Operating Budget for the fiscal year 2025 and

WHEREAS, the proposed Operating Budget was placed on file with the City Secretary on the 11th day of August 2024; and

WHEREAS, a public hearing on the Operating Budget for the City of Bay City for the fiscal year 2025 has heretofore been published in accordance with the law; and

WHEREAS, the required time has passed since the last public hearing as required by state law and the City of Bay City Home Rule Charter; and

WHEREAS, it is necessary, at this time that said budget is adopted.

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

Section one. Operating Budget Approved. The Operating Budget for the fiscal year 2025 is hereby approved and adopted and does include:

- a. all designated, specified, noted, and indicated levies, rate, reserves, revenues provisions, and planned expenditures inherent, expressed, and included therein; and
- b. a contingent appropriation of 0.20 percent of the total budget to be used for unforeseen expenditures. Expenditures from this appropriation shall be made only with Council approval, and a detailed account of all expenditures shall be recorded and reported.

Section two. Cumulative and Conflicts. This Ordinance shall be cumulative of all provisions of ordinances of the City of Bay City, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section three. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality

shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section four. City Council directs the Director of Finance to file the Operating Budget with the Municipal Clerk.

Section five. City Council directs the Director of Finance to ensure the Operating Budget, including the Cover Page, is posted on the City’s website.

Section six. Effective Date. This Ordinance shall become effective October 1, 2024.

PASSED AND APPROVED on this 24th day of September 2024.

Robert K. Nelson, Mayor
City of Bay City

ATTEST:

APPROVED AS TO FORM:

Jeanna Thompson, City Secretary
City of Bay City

Anne Marie Odefey, City Attorney

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

BUDGET~ CONSIDER AND/OR APPROVE A MOTION TO RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE BUDGET FOR THE CITY OF BAY CITY FISCAL YEAR 2025



Local Government Code 102.007 (c)

Adoption of a budget that will require raising more revenue from property taxes than in the previous year requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. A vote under this subsection is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate required by Chapter [26](#), Tax Code, or other law.

CITY OF BAY CITY, TEXAS

ANNUAL OPERATING BUDGET

FOR FISCAL YEAR 2025

This budget will raise more revenue from property taxes than last year’s budget by an amount of \$456,705, which is a 7.11% increase from last year’s budget. The property tax revenue to be raised from new property added to the tax roll this year is \$32,675.

Note: The City Council elected last year of no tax increase and has lowered the City’s tax rate over the past 5 years from .65500 to .56995 or 8 cents. This proposed revenue increase equates to 2% of the City’s budget used to pay for maintenance & operations, capital, and debt. The City also dedicates \$200,000 to Tax Increment Reinvestment Zones to support new housing development and redevelopment in areas of the City.

City Council will vote on **September 24, 2024**

The members of the governing body will vote on the adoption of the budget as follows:

Record of Vote	Adopted Budget	Ratification of Property Tax Increase	Setting of Property Tax Rate
Mayor Robert K. Nelson			
Mayor Pro-Tem Becca Sitz			
Benjamin Flores			
Blayne Finlay			
Brad Westmoreland			
Jim Folse			

*Note: Mayor Robert K. Nelson is entitled to a vote.

Tax Rate Information	Adopted FY 2024	Proposed FY 2025
Property Tax Rate	.56995	.56916
No-New Revenue Tax Rate	.56995	.53314
No-New Revenue M&O Tax Rate	.43058	.40308
Debt Rate	.13542	.13469
Voter-Approval Tax Rate	.58338	.56916
De Minimis Rate	.60988	.57914

Debt service requirements for the City of Bay City are currently \$.13469 of the current **proposed** property tax rate of **\$.56916**. The City has sixteen outstanding debt issues. At the end of Fiscal Year 2025, outstanding general obligation bond and certificates of obligation bonds will be \$93,432,000, however only \$13,410,032 is currently supported by property taxes.

FY 2025 Debt Service Requirement to be paid by property taxes \$1,627,611. See Debt rate (.13469) requirement above.

ORDINANCE~ AN ORDINANCE ADOPTING THE TAX RATE OF \$0.56916 PER \$100.00 OF ASSESSED VALUATION FOR THE CITY OF BAY CITY, TEXAS, FOR THE PURPOSE OF PAYING THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2025, LEVYING A MAINTENANCE AND OPERATIONS RATE OF \$.43447 AND FOR THE FURTHER PURPOSE OF CREATING A SINKING FUND TO RETIRE THE PRINCIPAL AND INTEREST OF THE BOND INDEBTEDNESS OF THE CITY LEVYING A DEBT SERVICE RATE OF \$.13469; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREON; PROVIDING A SERVERABILITY CLAUSE HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.



EXECUTIVE SUMMARY

PUBLIC HEARING DATE:
TUESDAY, SEPTEMBER 17, 2024 AT 5 PM

Tax Rate Information	Adopted FY 2024	Proposed FY 2025
Property Tax Rate	.56995	.56916
No-New Revenue Tax Rate	.56995	.53314
No-New Revenue M&O Tax Rate	.43058	.40308
Debt Rate	.13542	.13469
Voter-Approval Tax Rate	.58338	.56916
De Minimis Rate	.60988	.57914

Tax Rate Information	Adopted FY 2024	Proposed FY 2025
Maintenance & Operation Rate	.43453	.43447
Debt Rate	.13542	.13469
Total Property Tax Rate	.56995	.56916

ATTACHED: TAX RATE ORDINANCE

ORDINANCE NO. _____

AN ORDINANCE ADOPTING THE TAX RATE OF \$0.56916 PER \$100.00 OF ASSESSED VALUATION FOR THE CITY OF BAY CITY, TEXAS, FOR THE PURPOSE OF PAYING THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2025, LEVYING A MAINTENANCE AND OPERATIONS RATE OF \$.43447 AND FOR THE FURTHER PURPOSE OF CREATING A SINKING FUND TO RETIRE THE PRINCIPAL AND INTEREST OF THE BOND INDEBTEDNESS OF THE CITY LEVYING A DEBT SERVICE RATE OF \$.13469; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREON; PROVIDING A SERVERABILITY CLAUSE HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of Bay City, Texas, has on this date, by way of separate Ordinance, duly approved, adopted an Operating Budget for the operation of the City for fiscal year 2025; and

WHEREAS, the aforesaid Ordinance anticipates and requires the levy of an *ad valorem* tax on taxable property in the City of Bay City; and

WHEREAS, the Chief Appraiser of Matagorda County Tax Appraisal District has prepared and certified the appraisal roll for the City of Bay City, Texas, that roll being that portion of the approved appraisal roll of the Bay City Tax Appraisal District which lists property taxable by the City of Bay City, Texas; and

WHEREAS, it is necessary to levy such an *ad valorem* tax at a given rate to generate revenues sufficient to meet the projected expenses of the City for fiscal year 2025; and

WHEREAS, the City has acknowledged that:

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR’S TAX RATE; and

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 7.79 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$ -.06.

WHEREAS, the City has fully and timely complied with all notice and other requirements relative to the adoption of a tax rate for fiscal year 2025.

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

Section one. There is hereby levied for the fiscal year 2025 upon all real property situated within the corporate limits of the City of Bay City, Texas, and upon all personal property which is owned within the corporate limits of the City of Bay City, Texas on January 1, 2024, except so much thereof as may be exempt by the Constitution or laws of the State of Texas, a total tax of \$0.56916 on each \$100 of assessed valuation on all taxable property, which total tax herein so levied shall consist and be comprised of the following components:

- a. An *ad valorem* tax rate of \$0.43447 on each \$100 of assessed valuation of all taxable property is hereby levied for general City purposes and to pay the current operating expenses of the City of Bay City, Texas, for the fiscal year ending September 30, 2025, which tax, when collected shall be appropriated to and for the credit of the General Fund of the City of Bay City, Texas.
- b. An *ad valorem* tax rate of \$0.13469 on each \$100 of assessed valuation of taxable property is hereby levied for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid bonded indebtedness, and related fees of the City of Bay City, now outstanding and such tax, when collected, shall be appropriated and deposited in and to the credit of the General Debt Service Fund of the City of Bay City, Texas, for fiscal year ending September 30, 2025.

Section two. The City of Bay City shall have lien on all taxable property located in the City of Bay City to secure the payments of taxes, penalty, and interest, and all costs of collection, assessed and levied hereby.

Section three. Taxes are payable in Bay City, Texas at the Office of the Tax Assessor/Collector of Matagorda County. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this Ordinance.

Section four. The tax roll presented to the City Council, together with any supplements thereto, are hereby accepted and approved.

Section five. A copy of the “Vote Results” sheet for this Ordinance, reflecting the record vote of the City Council on this Ordinance, shall be attached to this Ordinance by the City Secretary, and shall constitute a part of this Ordinance for all purposes.

Section six. Should any paragraph, sentence, provision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance, as a whole or any part or provision thereof, other than the part or parts adjudged to be invalid, illegal, or unconstitutional.

Section seven. This ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

Section eight. All other ordinances and Code provisions in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency and all other provisions of the Bay City Code and ordinances not in conflict herewith shall remain in full force and effect.

Section nine. The repeal of any ordinance or parts thereof by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying, or altering any penalty accruing or to accrue, nor as affecting any rights of the City under any section or provision of any ordinance at the time of passage of this Ordinance.

PASSED AND APPROVED on this 24th day of September 2024.

Robert K. Nelson, Mayor
City of Bay City

ATTEST:

APPROVED AS TO FORM:

Jeanna Thompson, City Secretary
City of Bay City

Anne Marie Odefey, City Attorney

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