



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, September 08, 2020 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson

Mayor Pro Tem: Jason W. Childers

Council Members: William Cornman, Brent P. Marceaux, Becca Sitz, Julie Estlinbaum

Bay City is committed to developing and enhancing the long-term prosperity, sustainability, and health of the community.

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

INVOCATION & PLEDGE

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

Councilwoman Julie Estlinbaum

CERTIFICATION OF QUORUM

MISSION STATEMENT

The City of Bay City is a community that fosters future economic growth, strives to deliver superior municipal services, invests in quality of life initiatives and is the gateway to the great outdoors. We encourage access to our unique historical and eco-cultural resources while maintaining our small-town Texas charm.

Councilwoman Julie Estlinbaum

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.

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

1. **DISCUSS, CONSIDER, AND TAKE NECESSARY ACTION TO RATIFY WORK ORDER #5 BETWEEN THE CITY OF BAY CITY, TEXAS AND CIVIL PE'S FOR PROFESSIONAL SERVICES RELATED TO THE CONSTRUCTION MANAGEMENT OF THE NEW ROW E HANGER AT THE BAY CITY REGIONAL AIRPORT.**
2. **MINUTES OF SPECIAL CALLED MEETING ON AUGUST 19, 2020**
3. **MINUTES OF REGULAR COUNCIL MEETING ON AUGUST 25, 2020**
4. **MINUTES OF SPECIAL CALLED MEETING ON SEPTEMBER 1, 2020 .**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

5. **PRESENTATION ~ FINANCE TRANSPARENCY AWARD**
6. **BUDGET ~ DISCUSS, CONSIDER AND/OR APPROVE BUDGET AMENDMENTS FOR THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION AS OF JULY 27, 2020.**
Jessica Russell, BCCDC Executive Director
7. **BUDGET ~ DISCUSS, CONSIDER, AND/OR APPROVE THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION'S BUDGET FOR FISCAL YEAR 2021.**
Jessica Russell, BCCDC Executive Director
8. **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, Finance Director
9. **ORDINANCE ~ AN ORDINANCE ADOPTING AN OPERATING BUDGET FOR THE CITY OF BAY CITY, TEXAS FOR FISCAL YEAR 2021 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, Finance Director
10. **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 2021.**
Scotty Jones, Finance Director

11. **ORDINANCE ~ AN ORDINANCE ADOPTING THE TAX RATE OF \$0.65500 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, 2021, LEVYING A MAINTENANCE AND OPERATIONS RATE OF \$.48212 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 \$.17288; 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, Finance Director

12. **ORDINANCE ~ DISCUSS, CONSIDER AND/OR APPROVE AN ORDINANCE OF THE CITY OF BAY CITY, TEXAS, ADOPTING A FEE SCHEDULE ATTACHED HERETO AS EXHIBIT "A" AND LABELED "APPENDIX B" TO BE ADDED TO THE CODE OF ORDINANCES OF THE CITY OF BAY CITY, TEXAS; ADOPTING FEES AND CHARGES FOR VARIOUS CITY SERVICES AND CONSOLIDATING THOSE FEES AND CHARGES FOR CONVENIENCE; PROVIDING FOR REPEAL; PROVIDING FOR RATIFICATION; PROVIDING A PENALTY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Scotty Jones, Finance Director

13. **CONTRACT ~ DISCUSS, CONSIDER AND/OR APPROVE EXTENDING THE CONTRACT WITH INTERNATIONAL BANK OF COMMERCE (IBC).**

Scotty Jones, Finance Director

14. **ELECTION ~ DISCUSS, CONSIDER AND/OR APPROVE THE AMENDED ORDER OF GENERAL ELECTION.**

Jeanna Thompson, City Secretary

CLOSED / EXECUTIVE SESSION

15. **CLOSED MEETING TO DISCUSS PERSONNEL MATTERS IN ACCORDANCE WITH TITLE 5, SECTION 551.074 OF THE TEXAS GOVERNMENT CODE (TO DISCUSS APPOINTMENT, EMPLOYMENT, EVALUATION, RESPONSIBILITIES AND DUTIES, REASSIGNMENT, DISCIPLINE OR DISMISSAL OF AN OFFICER OR EMPLOYEE, OR TO HEAR A COMPLAINT OR CHARGE AGAINST AN OFFICER OR EMPLOYEE: CITY MANAGER.**

OPEN SESSION

Discuss, consider and/or take action on item(s) listed in Executive/Closed Session, (if any).

ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS

ADJOURNMENT

AGENDA NOTICES:

Action by Council Authorized: The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

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

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 4, 2020 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.