



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, February 13, 2024 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson

Mayor Pro Tem: Blayne Finlay

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

Vision Statement

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

AGENDA

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

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

CALL TO ORDER AND CERTIFICATION OF QUORUM

INVOCATION & PLEDGE

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

Mayor Pro Tem 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.

Mayor Pro Tem 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.

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

1. **Lease renewal between the City of Bay City and Bay City Community Development for property located at 1100 7th Street.**
2. **City Council Regular meeting minutes of January 9, 2024.**

DEPARTMENT REPORTS

3. **Receive the H-GAC Parks and Natural Areas Special Recognition Award for the Riverside Tree Giveaway.**
4. **Library 1st Quarter Report and Updates**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

5. **Property ~ Discuss, consider, and/or approve a declaration of unusable equipment and furniture as surplus and authorize Library Director to dispose of said equipment and furniture through use of online auction or other means.**
Samantha Denbow, Library Director
6. **Resolution ~ Discuss, consider, and/or approve a Resolution authorizing the City of Bay City Community Development Corporation to enter into a performance agreement which provides economic incentives to 3D Efficiencies LLC, DBA Fit For Life for the expansion of Fit For Life in Bay City, Texas and providing incentives not to exceed a total amount of \$80,000.00 over the five year term of the agreement (First Reading).** Jessica Russell, BCCDC Executive Director
7. **Report ~ Discuss, consider, and/or approve the Police Department Annual Report and Racial Profiling Report for 2023.** Christella Rodriguez, Chief of Police
8. **Resolution ~ Discuss, consider, and/or approve a Resolution authorizing a multiple use agreement between the City of Bay City and TxDOT authorizing Flock Safety to install automated License Plate Readers along TxDOT rights-of-way.** Lieutenant Clayton Ryman, Police Department

9. **Property ~ Discuss, consider, and/or approve a declaration of unusable equipment and lights as surplus and authorize the Interim Director of Parks and Recreation to dispose of said equipment and lights through use of salvage or other means.** Kelly Penewitt, Interim Parks & Rec Director
10. **Contract ~ Discuss, consider, and/or approve completing the lighting project at Hardeman Park Soccer Field by approving a change order to K.B. Electric and purchasing the materials directly through Musco.** Scotty Jones, Interim City Manager
11. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the appointment Tina Israel and the re-appointment of DC Dunham, Samantha Denbow, Bryan Prochnow, Craig Hlavinka, William Cornman, and James Folsie to Board of Directors to Reinvestment Zone Number One (1), City of Bay City, Texas.** Scotty Jones, Interim City Manager
12. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the appointment Tina Israel and the re-appointment of DC Dunham, Samantha Denbow, Bryan Prochnow, Craig Hlavinka, William Cornman, and James Folsie to Board of Directors to Reinvestment Zone Number One (1), City of Bay City, Texas.** Scotty Jones, Interim City Manager
13. **Appointment ~ Consider and/or approve the appointment of William Cornman as Chairman to the TIRZ #1 and TIRZ #2 Boards.** Mayor Robert K. Nelson
14. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the appointment James Folsie, Samantha Denbow, County Commissioner E. "Bubba" Cook, County Commissioner Mike Estlinbaum and the re-appointment of DC Dunham, and Bryan Prochnow to Board of Directors to Reinvestment Zone Number Three (3), City of Bay City, Texas.** Scotty Jones, Interim City Manager
15. **Resolution ~ Discuss, consider, and/or approve a resolution of the City Council of the City of Bay City, Texas recognizing the re-appointment of James Folsie, Jessica Russell, Bryan Prochnow and Craig Hlavinka to Board of Directors to Reinvestment Zone Number Four (4), City of Bay City, Texas.** Scotty Jones, Interim City Manager
16. **Appointment ~ Consider and/or approve the appointment of James Folsie as Chairman to the TIRZ #3 and TIRZ #4 Boards.** Mayor Robert K. Nelson
17. **Report ~ Discuss, consider, and/or approve the City's Quarterly Financial and Investment Report for quarter ending December 31, 2023.** Scotty Jones, Interim City Manager
18. **Ordinance ~ Discuss, consider, and/or approve an ordinance of the City Council of the City of Bay City, Texas, amending Chapter 2 or the City's Code of**

Ordinances to change the meeting date and time providing for a cumulative & conflict clause; providing for severability and the repeal of conflicting ordinances; and providing an effective date. Anne Marie Odefey, City Attorney

CLOSED / EXECUTIVE SESSION

19. **Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**
20. **Executive Session pursuant to the Texas Government Code Section 551.087 to discuss economic development negotiations.**
21. **Executive Session pursuant to Section 551.071(1) of the Texas Government Code (Consultation with Counsel on Legal Matters)**
22. **Personnel ~ Closed meeting to discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (To discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: City Manager**

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, February 9th, 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.