



# CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, November 14, 2023 at 6:00 PM  
COUNCIL CHAMBERS | 1901 5th Street

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## COUNCIL MEMBERS

**Mayor:** Robert K Nelson

**Mayor Pro Tem:** Blayne Finlay

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

### Vision Statement

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

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## AGENDA

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

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

### CALL TO ORDER AND CERTIFICATION OF QUORUM

#### INVOCATION & PLEDGE

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

*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.

**ACKNOWLEDGEMENT FROM CITY MANAGER****CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

1. **Accounts Payable, Direct Payable and Utility Refunds for July, August and September 2023.**
2. **Consider and/or approve invoices recommended by the TIRZ #1 Board to pay out of TIRZ #1 Funds.**
3. **Consider and/or approve invoices recommended by the TIRZ #2 Board to pay out of TIRZ #2 Funds.**
4. **City Council Regular meeting minutes of October 31, 2023.**

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

5. **Municipal Court 3rd Quarter and Fiscal Year End Report.** Katy Plunkett, Court Administrator
6. **Library Quarterly Report and Updates.** Samantha Denbow, Library Director

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

7. **Planning ~ Discuss, consider, and/or approve a recreation program in conjunction with Bay City Gas Company.** Kevin Hecht, Bay City Gas Co. & Shawna Burkhart, City Manager
8. **Ordinance ~ Discuss, consider, and/or approve and Ordinance regulating the use of Golf Carts, Neighborhood Vehicles, and other types of recreational Off-Highway Vehicles by adding a new Article VII to Chapter 110 of the City of Bay City Code of Ordinances; Providing for codification; fixing a penalty for failure to comply with such ordinance; repealing any conflicting ordinances; and setting an effective date.** Councilman Benjamin Flores
9. **Bid ~ Discuss and consider the selection of the best value proposer, LEM Construction, using Competitive Sealed Proposals process for the North and East Water Treatment Plant Project under the Texas Water Development Board Funding for the Drinking Water SRF Projects under the Texas Water Development Board funding and begin the negotiation process to include value engineering to reduce costs to the City so that project would be economically feasible.** Herb Blomquist, Public Works Director

10. **Grants ~ Discuss, consider, and or approve various equipment to be funded by the American Rescue Plan Funds and authorize staff to proceed with procurement.** Krystal Mason, Assistant Public Works Director
11. **TIRZ ~ Discuss and/or approve agreement between City of Bay City and Vista Planning and Design (landscape architect) for landscaping in TIRZ #1 green space as recommended by TIRZ #1 Board and to be reimbursed with TIRZ #1 funds.** Scotty Jones, Assistant City Manager
12. **Resolution ~ A Resolution by the City Council of the City of Bay City, Texas, authorizing publication of notice of intention to issue its Tax and Surplus Revenue Certificates of Obligation, Series 2024A (CWSRF) in connection with the receipt of financial assistance from the Texas Water Development Board through the Clean Water State Revolving Fund, and approving other matters incidental thereto.** Scotty Jones, Assistant City Manager
13. **Resolution ~ A Resolution by the City Council of the City of Bay City, Texas, authorizing publication of notice of intention to issue its Tax and Surplus Revenue Certificates of Obligation, Series 2024B (DWSRF) in connection with the receipt of financial assistance from the Texas Water Development Board through the Drinking Water State Revolving Fund, and approving other matters incidental thereto.** Scotty Jones, Assistant City Manager
14. **Resolution ~ A Resolution by the City Council of the City of Bay City, Texas, authorizing publication of notice of intention to issue its Tax and Surplus Revenue Certificates of Obligation, Series 2024C (DWSRF) in connection with the receipt of financial assistance from the Texas Water Development Board through the Drinking Water State Revolving Fund for Arsenic Mitigation Projects, and approving other matters incidental thereto.** Scotty Jones, Assistant City Manager
15. **Resolution ~ A Resolution by the City Council of the City of Bay City, Texas, authorizing publication of notice of intention to issue its Tax and Surplus Revenue Certificates of Obligation, Series 2024D (DWSRF) in connection with the receipt of financial assistance from the Texas Water Development Board through the Drinking Water State Revolving Fund for Arsenic Mitigation Projects, and approving other matters incidental thereto.** Scotty Jones, Assistant City Manager
16. **Report ~ Discuss, consider, and/or approve the City's Quarterly Investment Report for the quarter ending September 30, 2023.** Scotty Jones, Assistant City Manager
17. **Resolution ~ Discuss, consider, and/or adopt a Resolution restricting all oversized/overweight vehicles from the roadways near any schools during the hours of 7:00 a.m. and 8:30 a.m.**

**CLOSED / EXECUTIVE SESSION**

18. **Executive Session pursuant to the Texas Government Code Section 551.087 to discuss economic development negotiations.**
19. **Executive Session pursuant to Section 551.071 of the Texas Government Code (Consultation with Counsel on Legal Matters)**

## **RECONVENE AND ACTION**

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

## **ADJOURNMENT**

### **AGENDA NOTICES:**

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

### **CERTIFICATION OF POSTING**

This is to certify that the above notice of a Regular Called Council Meeting was posted on the front window of the City Hall of the City of Bay City, Texas on **Thursday, November 9, 2023 before 6:00 p.m.** Any questions concerning the above items, please contact the Mayor and City Manager's office at (979) 245-2137.