



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, January 24, 2023 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

COUNCIL MEMBERS

Mayor: Robert K Nelson

Mayor Pro Tem: Jim Folse

Council Members: Floyce Brown, Bradley Westmoreland, Becca Sitz, Blayne Finlay

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."*

Councilman Brad 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 Brad Westmoreland

APPROVAL OF AGENDA**PUBLIC COMMENTS**

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

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

1. **Easement ~ Discuss, consider, and approve and amendment to Easement Agreement dated July 9, 1993.**

DEPARTMENT REPORTS

2. **Public Works reports.**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

3. **Appointment ~ Discuss, consider, and/or approve the appointments of Lyn R. McCalister and Robert D. Howard to the Public Housing Authority Commission.**
Robert K. Nelson, Mayor
4. **Resolution ~ Discuss, consider, and/or approve a Resolution in support of the submission of an application to the 2023 competitive Housing Tax Credit (HTC) program through the Texas Department of Housing and Community Affairs (TDHCA) by Fieser Development, Inc., for the rehabilitation of Golden Manor Apartments.** Mark Meyer, Fieser Development
5. **Grant ~ Discuss and accept a donation of a Scanpro 3500 All-in-one Microfilm scanner valued at \$11,787.00 from the Bay City Library Association.** Samantha Denbow, Library Director
6. **Resolution ~ Discuss, consider, and/or approve a Resolution approving the submission of the "Project Justice" project grant application under the Criminal Justice Grant with the Office of the Governor, Criminal Justice Division.**
Christella Rodriguez, Captain
7. **Ordinance ~ Discuss, consider, and/or approve an ordinance authorizing the issuance of the City of Bay City, Texas, Tax and Surplus Revenue Certificates of Obligation, Series 2023A (CWSRF); authorizing execution and delivery of a paying agent/registrar agreement and an escrow agreement relating to such certificates; prescribing the form and said certificates; levying a tax and pledging surplus revenues of the Water and Sewer System in payment thereof; and enacting other provisions relating thereto.** Barry Calhoun, Public Works Director

8. **Ordinance ~ Discuss, consider, and/or approve an ordinance authorizing the issuance of the City of Bay City, Texas, Tax and Surplus Revenue Certificates of Obligation, Series 2023B (DWSRF); authorizing execution and delivery of a paying agent/registrar agreement and an escrow agreement relating to such certificates; prescribing the form and said certificates; levying a tax and pledging surplus revenues of the Water and Sewer System in payment thereof; and enacting other provisions relating thereto.** Barry Calhoun, Public Works Director
9. **Budget ~ Discuss, Consider, and/or Approve Budget Amendments for the Bay City Community Development Corporation (BCCDC) for Fiscal Year End 2022.** Jessica Russell, BCCDC Executive Director
10. **Agreement ~ Discuss, consider, and/or approve an agreement between the City of Bay City, Bay City Lions Club, Bay City Soccer Association, and Bay City Community Development Corporation for use of Hardeman Park Teen Center.** Shawna Burkhart, City Manager
11. **Ordinance ~ Discuss, consider, and/or approve an Ordinance amending Section 998-123 of Chapter 98, Article III of the City Code of Ordinances, repealing conflicting ordinances, providing for publication, codification, enforcement, and savings, and providing an effective date.** Barry Calhoun, Public Works Director
12. **Contract ~ Discuss, consider, and/or approve a contract with Matagorda County to administer the General Election for May 6, 2023.** Jeanna Thompson, City Secretary
13. **Ordinance ~ An Ordinance of the City Council of the City of Bay City, Texas, ordering a General Municipal Election to be held on the 6th day of May 2023; authorizing the Mayor, or designee, to enter into an agreement with Matagorda County to conduct the General Municipal Election on behalf of the City of Bay City; designating the places and manner holding the election; providing for the posting and publication of notice; providing a savings clause; providing an open meetings clause; and providing an effective date.** Jeanna Thompson, City Secretary
14. **Contract ~ Discuss payments to Quiddity concerning Hammond Road Drainage Project.** Robert K. Nelson, Mayor
15. **Utilities ~ Discussion regarding water billing issues.** Jim Folsie, Mayor Pro Tem

CLOSED / EXECUTIVE SESSION

16. **Legal ~ Executive Session pursuant to Section 551.071 of the Texas Government code (Consultation with Counsel on legal matters).**
17. **Executive Session pursuant to Texas Government Code Section 551.072 (Deliberation regarding Real Property).**

- 18. Pursuant to the Texas Government Code Section 551.074 (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, January 20, 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.