



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, May 12, 2020 at 6:00 PM
COUNCIL CHAMBERS | 1901 5th Street

Due to the City of Bay City practicing social distancing, City Hall Council Chambers will not be open to the public. Citizens may call (979) 323-1125 to listen and participate during the live meeting (i.e. public comments and to speak on agenda items). You can watch the live meeting by clicking on the following link: [City Council Meeting - Live](#)

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

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."*

(Councilman Bill Cornman)

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.

(Councilman Bill Cornman)

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/OR APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING HELD ON APRIL 28, 2020.**

(Rhonda Clegg, Acting Deputy City Secretary)

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

2. **DISCUSS, CONSIDER AND/OR APPROVE A REQUEST FROM THE STARBUCKS CONTRACTOR TO REBATE UTILITY TAP FEES.**

(Shawna Burkhart, City Manager)

3. **DISCUSS, CONSIDER AND/OR APPROVE WAIVING LIENS ASSESSED AGAINST 0 AVENUE B, BAY CITY, TEXAS.**

(Melinda Moudy, Bay City Realty)

4. **DISCUSS, CONSIDER, AND/OR APPROVE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF BAY CITY AND MATAGORDA COUNTY REGARDING THE BAY CITY PUBLIC LIBRARY.**

(Samantha Denbow, Library Director)

5. **RECEIVE QUARTERLY UPDATE ON LIBRARY OPERATIONS.**

(Samantha Denbow, Library Director)

6. **RECEIVE UPDATE FROM AIRPORT MANAGER ON THE CARES ACT AND ITS EFFECT ON THE AIRPORT.**

(James Mason, Airport Manager)

7. **DISCUSS, CONSIDER AND/OR APPROVE A RESOLUTION OF THE CITY OF BAY CITY NAMING THE TEXAS DEPARTMENT OF TRANSPORTATION AS ITS AGENT FOR THE PURPOSES OF APPLYING FOR, RECEIVING AND DISBURSING FUNDS FOR SPECIFIED IMPROVEMENTS AND FOR THE ADMINISTRATION OF CONTRACTS NECESSARY FOR THE BAY CITY REGIONAL AIRPORT.**

(James Mason, Airport Manager)

8. **DISCUSS, CONSIDER, AND/OR AWARD THE CONSTRUCTION BID FOR THE MISCELLANEOUS CONCRETE REPAIRS TO THE LOWEST RESPONSIBLE BIDDER AND AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT APPROVED TO FORM BY THE CITY ATTORNEY BETWEEN THE CITY OF BAY CITY AND THE LOWEST RESPONSIBLE BIDDER.**

(Barry Calhoun, Director of Public Works)

9. **DISCUSS, CONSIDER, AND/OR APPROVE AWARDED THE CONSTRUCTION BID FOR THE KATY WATER PLANT IMPROVEMENTS PROJECT TO C.F. MCDONALD ELECTRIC, INC. IN THE AMOUNT OF \$584,469.00 AND AUTHORIZE THE MAYOR/CITY MANAGER TO EXECUTE A CONTRACT APPROVED TO FORM BY THE CITY ATTORNEY BETWEEN THE CITY OF BAY CITY AND C.F. MCDONALD ELECTRIC, INC.**

(Louis Rodriguez, Assistant Director of Public Works)

10. **RECEIVE AN UPDATE ON RIVERSIDE PARK.**

(Shawn Blackburn, Director of Parks and Recreation)

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, May 8, 2020 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.