



CITY COUNCIL REGULAR MEETING CITY OF BAY CITY

Tuesday, August 25, 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."*

Mayor Pro Tem Jason Childers

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.

Mayor Pro Tem Jason Childers

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.

PUBLIC HEARING(S)

1. **Public Hearing ~ CONDUCT A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE CITY OF BAY CITY PROPOSED BUDGET FOR FISCAL YEAR 2021.**
Scotty Jones, Finance Director
2. **Public Hearing ~ CONDUCT A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE BAY CITY COMMUNITY DEVELOPMENT CORPORATION PROPOSED BUDGET FOR FISCAL YEAR 2020.**
Scotty Jones, Finance Director
3. **Public Hearing ~ CONDUCT A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE PROPOSED PROPERTY (AD VALOREM) TAX RATE FOR FISCAL YEAR 2021.**
Scotty Jones, Finance Director
4. **Public Hearing ~ CONDUCT A PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON THE CITY OF BAY CITY PROPOSED CAPITAL IMPROVEMENT PROGRAM.**
Scotty Jones, Finance Director

CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL

5. **MEETING MINUTES OF BUDGET WORKSHOP ON JULY 28, 2020**
6. **MINUTES OF REGULAR COUNCIL MEETING ON JULY 28, 2020**
7. **MINUTES OF RATE WORKSHOP ON AUGUST 4, 2020**
8. **MINUTES OF SPECIAL CALLED MEETING ON AUGUST 4, 2020**
9. **MINUTES OF BUDGET WORKSHOP ON AUGUST 6, 2020**
10. **MINUTES OF BUDGET WORKSHOP ON AUGUST 11, 2020**
11. **MINUTES OF REGULAR COUNCIL MEETING ON AUGUST 11, 2020**

REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL

12. **UPDATE ON NILE VALLEY ROAD PROJECT.**
Matt Breazeale, PE
13. **REVIEW AND DISCUSS HOUSEHOLD HAZARDOUS WASTE CONTRACT AGREEMENT AND GIVE STAFF DIRECTION.**
Robert K. Nelson, Mayor
14. **DISCUSS, CONSIDER AND/OR APPROVE AN ORDINANCE AMENDING THE CITY CODE OF ORDINANCES CHAPTER 26; ARTICLE II (“MOBILE FOOD COURTS AND MOBILE FOOD ESTABLISHMENTS”) PROVIDING NUMBER OF PERMITS**

ON STATE HIGHWAYS; PROVIDING A PERMIT RENEWAL PERIOD; PROVIDING FOR A CUMULATIVE & CONFLICTS CLAUSE, PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Jeanna Thompson, City Secretary

15. **DISCUSS AND/OR APPROVE HIRING RESOLUTION FOR AN ADMINISTRATION/PROJECT DELIVERY SERVICE PROVIDER TO COMPLETE APPLICATION AND PROJECT IMPLEMENTATION FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) FUNDING THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).**
Alyssa Dibbern, Engineering Tech
16. **A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING THE SELECTION OF A PROFESSIONAL SERVICE PROVIDER FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT -MITIGATION (CDBG-MIT) PROGRAM FUNDED THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).**
Alyssa Dibbern, Engineering Tech
17. **A RESOLUTION OF THE CITY OF BAY CITY, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACTS FOR THE 2020 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TxCDBG) TEXAS CAPITAL FUND DOWNTOWN REVITALIZATION/MAIN STREET PROGRAM PROJECT.**
Alyssa Dibbern, Engineering Tech
18. **DISCUSS, CONSIDER AND/OR APPROVE RENAMING OF CITY STREET TO "TOM UHER MEMORIAL HIGHWAY".**
Shawna Burkhart, City Manager
19. **REPORT ON THE STATUS OF THE PROJECT TO RE-ENFORCE THE COLUMN SUPPORTS FOR THE EQUIPMENT/CHEMICAL ROOM OF THE 16TH STREET SWIMMING POOL.**
Shawna Burkhart, City Manager
20. **DISCUSS, CONSIDER AND/OR APPROVE THE INTERLOCAL AGREEMENT WITH MATAGORDA COUNTY FOR FOOD ESTABLISHMENT INSPECTIONS.**
Shawna Burkhart, City Manager
21. **DISCUSS, CONSIDER AND/OR APPROVE THE DISASTER PREPARATION AGREEMENT WITH MATAGORDA COUNTY.**
Shawna Burkhart, City Manager

CLOSED / EXECUTIVE SESSION

22. **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, August 21, 2020 before**

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