

**CALL TO ORDER**

Mayor Robert K. Nelson called the meeting to order at 6:00 PM.

**INVOCATION & PLEDGE**

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

(Councilwoman Becca Sitz)

**CERTIFICATION OF QUORUM**

Mayor Robert K. Nelson certified that a quorum was present.

**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.

(Councilwoman Becca Sitz)

**APPROVAL OF AGENDA**

Motion made by Councilman Marceaux, Seconded by Councilwoman Estlinbaum.  
Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum

**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.

There were no public comments.

**CONSENT AGENDA ITEMS FOR CONSIDERATION AND/OR APPROVAL**

**REGULAR ITEMS FOR DISCUSSION, CONSIDERATION AND/OR APPROVAL****1. DISCUSS, CONSIDER AND/OR APPROVE THE CITY MANAGER'S APPOINTMENT OF JEANNA THOMPSON AS CITY SECRETARY.**

(Shawna Burkhart, City Manager)

City Manager, Shawna Burkhart, introduced new City Secretary Jeanna Thompson and swore her in.

Motion made by Councilman Cornman, Seconded by Mayor Pro Tem Childers.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum

**2. DISCUSS, CONSIDER AND/OR APPROVE DECLARING POLICE UNITS AS SURPLUS AND AUTHORIZE STAFF TO SALE SAID SURPLUS EQUIPMENT THROUGH THE USE OF AN ONLINE AUCTION.**

(Robert Lister, Chief of Police)

Police Chief, Robert Lister, requested authorization to place four units up for auction. One has already been replaced. One of the vehicles in question may be kept until one of the current units is fixed.

Motion made by Councilwoman Estlinbaum, Seconded by Councilman Cornman.

Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum

**3. REVIEW AND DISCUSS BAY CITY POLICE DEPARTMENT'S POLICY ON THE USE OF NARCAN.**

(Robert Lister, Chief of Police)

Police Chief, Robert Lister, provided information to the Mayor, City Manager, and Council in regards to the new policy on narcan usage. Dr. Simons would be the Medical Control Physician at no cost to the city and will provide the training to each officer on how to administer it. The City Attorney advised that there were no issues from a legal standpoint.

4. **DISCUSS, CONSIDER, AND/OR APPROVE A DECLARATION OF UNUSABLE EQUIPMENT, SUPPLIES, AND MATERIALS AS SURPLUS AND AUTHORIZE STAFF TO SELL SAID SURPLUS EQUIPMENT, SUPPLIES, AND MATERIALS THROUGH THE USE OF AN ONLINE AUCTION OR OTHER MEANS.**

(Barry Calhoun, Director of Public Works)

Public Works Director, Barry Calhoun, provided information on some items from multiple departments that need to be auctioned. This ranged from office equipment to trailers and mowers. Some of the items have already been replaced. It would be an online auction using the Gov Deals website. The website is free to use.

Motion made by Councilman Cornman, Seconded by Mayor Pro Tem Childers.  
Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum

5. **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 TOTALING \$7,548,000.00 AND FOR THE ADMINISTRATION OF CONTRACTS NECESSARY FOR THE BAY CITY REGIONAL AIRPORT.**

(James Mason, Airport Manager)

This item was tabled and will be placed on a workshop meeting for June 1, 2020 at 5:00 PM.

Motion made by Councilwoman Estlinbaum, Seconded by Councilman Marceaux.  
Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum

6. **DISCUSS, CONSIDER AND/OR APPROVE RATIFYING 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 TOTALING \$35,000.00 AND FOR THE ADMINISTRATION OF CONTRACTS NECESSARY FOR THE BAY CITY REGIONAL AIRPORT.**

(James Mason, Airport Manager)

This item was tabled and will be placed on a workshop meeting for June 1, 2020 at 5:00 PM.

Motion made by Councilwoman Estlinbaum, Seconded by Councilman Marceaux.  
Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman,  
Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum

**7. DISCUSS, CONSIDER AND/OR APPROVE DISCOUNTING THE CITY'S WATER BILLS FOR FUTURE BILLING PERIOD(S) AS DETERMINED BY COUNCIL.**

(Mayor Pro Tem Jason Childers)

Mayor Pro Tem Jason Childers addressed if there was a need for utility billing forgiveness or discounts. Finance Director Scotty Jones advised that disconnects would not happen until late August but that notifications would be sent so that payment arrangements could be made. As of now, they are continuing with no late fees being assessed through the end of July 2020.

Motion made by Mayor Pro Tem Childers, Seconded by Councilwoman Sitz.  
Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman,  
Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum

**ITEMS / COMMENTS & MAYOR AND COUNCIL MEMBERS**

Councilwoman Becca Sitz advised that the Drainage District has committed to assisting with a drainage survey for the area from the Colorado River to the East. The CDC will half the bill with \$100,000 and that would leave a \$50,000 gap. Mayor Robert K. Nelson advised that this would be on the June 9, 2020 meeting. Councilwoman Sitz also stated that the city needed to make an effort to get a plan in motion to clean up Caney Creek. City Manager, Shawna Burkhart, stated that the concrete bid would be placed back on the agenda as the lowest bidder decided to fall out of the project. She also advised that the June 9, 2020 meeting would be open to the public.

**ADJOURNMENT**

Motion made by Councilman Marceaux, Seconded by Councilwoman Sitz.  
Voting Yea: Mayor Nelson, Mayor Pro Tem Childers, Councilman Cornman, Councilman Marceaux, Councilwoman Sitz, Councilwoman Estlinbaum

**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 **Tuesday, May 19, 2020 before 6:00 p.m.** Any questions concerning the above items, please contact Mayor Robert K. Nelson at (979) 245-2137.

The facility is wheelchair accessible and accessible parking spaces available. Request for accommodations or interpretive services must be made 48 hours prior to the meeting. Please contact the City Secretary's Office at 979-245-5311 or email, [dholubec@cityofbaycity.org](mailto:dholubec@cityofbaycity.org) for further information.